



**BERKELEY PUBLIC LIBRARY
BOARD OF LIBRARY TRUSTEES**

REGULAR MEETING

Wednesday, October 19, 2022

AGENDA

6:30 PM

This Meeting Will Be
Conducted Exclusively
Through Videoconference and
Teleconference

Commission Members:

Amy Roth, President; Sophie Hahn, Vice President; Diane Davenport, Beverly Greene, John Selawsky

PUBLIC ADVISORY:

This Meeting Will be Conducted Exclusively Through Videoconference and Teleconference

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the Board of Library Trustees will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be 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. Ceremonial Matters: *In addition to those items listed on the agenda, the President may add additional ceremonial matters.*

1. Adjourn in memory of Amelia Tavistock, library employee

C. 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.

D. 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.

1. SEIU, LOCAL 1021 (Maintenance and Clerical Units)
2. SEIU, LOCAL 1021 (Community Services and PTRLA Units)
3. Public Employees Union, LOCAL 1

E. 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 September 7, 2022 Regular Meeting

From: Tess Mayer, Director of Library Services

Recommendation: Adopt the resolution to approve the minutes of the September 7, 2022 Regular Meeting of the Board of Library Trustees.

B. Authorization to Open the Central Library and all Branches One Hour Late to Allow Adequate Time for All-Staff Meetings during 2023

From: Tess Mayer, Director of Library Services

Recommendation: Adopt a resolution to open the Central Library and all Branch Libraries one hour later on March 31, June 30, and September 29, 2023 to allow adequate time for the all-staff meeting.

C. 2023 Regular Meeting Schedule for the Board of Library Trustees

From: Tess Mayer, Director of Library Services

Recommendation: Adopt a resolution approving dates, times and locations for the 2023 regular meeting schedule for the Board of Library Trustees.

D. 2023 Berkeley Public Library Holiday & Early Closing Schedule

From: Tess Mayer, Director of Library Services

Recommendation: Adopt the resolution approving the 2023 Berkeley Public Library Holiday & Early Closing Schedule.

III. ACTION CALENDAR

A. Nominations for the Selection of Board President and Vice-President

From: Tess Mayer, Director of Library Services

Recommendation: Following discussion, the Board will nominate Trustees to sit as President and Vice-President, for the term commencing November 3, 2022, for a one-year term.

B. Gift and Donation Policy Update

From: Tess Mayer, Director of Library Services

Recommendation: Approve a resolution adopting the revised Gift and Donation Policy updating the Library policy regarding managing gifts and donations to the Library.

IV. INFORMATION REPORTS

All items for discussion only and no final action.

A. Central Adult Services Update – Perlita Payne, Supervising Librarian

B. Strategic Planning Update – Tess Mayer, Director of Library Services

C. Monthly Library Director's 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 Board of Library Trustees 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 October 7, 2022

//s//

A handwritten signature in black ink, appearing to read 'Tess Mayer', written over a horizontal line.

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

**Communications:**





## MINUTES

### Berkeley Public Library - Board of Library Trustees Regular Meeting Wednesday, September 7, 2022 6:30 PM

This meeting was conducted exclusively through videoconference and teleconference.

#### Board of Library Trustees:

|                             |                 |
|-----------------------------|-----------------|
| Amy Roth, President         | Diane Davenport |
| Sophie Hahn, Vice President | Beverly Greene  |
|                             | John Selawsky   |

## I. PRELIMINARY MATTERS

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

- A. **Call to order:** 6:31 pm.
  - Present: Trustees Davenport, Greene, Hahn, Roth and Selawsky.
  - Absent: None
  - Also Present: Tess Mayer, Director of Library Services; Alicia Abramson, Information Services Technology Manager; Jay Dickinson, Circulation Services Manager; Nneka Gallaread, Administrative and Fiscal Services Manager; Amanda Myers, Acting Library Services Manager; Bae Smith, Supervising Librarian, Collection Services; My Chan, Associate Human Resources Analyst; Aimee Reeder; Assoc. Management Analyst; Eve Franklin, Administrative Secretary.
- B. **Public Comments:** 1 speakers.
- C. **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
- D. **Comments from Board of Library Trustees**
  - A. Trustee Selawsky – Shout out to Tool Lending staff and Children’s Librarian Emma Coleman encouraging participation in the story time at the Saturday Farmers Market. Also commented Security and Janitorial contractors. Thank you to Tess and staff for arranging the Dr. Watson listening session last week; there were some really good ideas that came out.
  - B. Trustee Greene – Thank you to staff for initiating race work with Dr. Watson.
  - C. Trustee Hahn – Read a fabulous book this summer, *Palaces for the People* by Eric Klinenberg. It has a big chapter on how important libraries are in holding the social fabric of communities together.

## II. CONSENT CALENDAR

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R22-039 to approve the consent calendar minus item D. Protiviti Government Services: Using General Services Administration (GSA) Vehicle for Professional Services Purchase Orders

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

### A. Approve Minutes of the July 6, 2022 Regular Meeting

**From:** Director of Library Services

**Recommendation:** Adopt a resolution to approve the minutes of the July 6, 2022 Regular Meeting of the Board of Library Trustees as presented.

**Financial Implications:** None

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

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R22-040 to approve the minutes as presented.

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

**B. Approve Minutes of the September 1, 2022 Special Meeting**

**From:** Director of Library Services

**Recommendation:** Adopt a resolution to approve the minutes of the September 1, 2022 Special Meeting of the Board of Library Trustees as presented.

**Financial Implications:** None

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

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R22-041 to approve the minutes as presented.

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

**C. 20th Annual Authors Dinner Event**

**From:** Director of Library Services

**Recommendation:** Adopt the resolution to.

**Financial Implications:** See report

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

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R22-042 approving the arrangements in preparation for the 20th annual Authors Dinner to be held on Saturday, March 4, 2023 at the Central Library.

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

**D. Protiviti Government Services: Using General Services Administration (GSA) Vehicle for Professional Services Purchase Orders**

(Moved to Action Calendar)

**III. ACTION CALENDAR**

Consent Calendar Item D was moved to the Action Calendar:

**D. Protiviti Government Services: Using General Services Administration (GSA) Vehicle for Professional Services Purchase Orders**

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

**Recommendations:** Adopt a resolution authorizing the Director of Library Services to issue purchase orders with Protiviti Government Services for the purchase of professional services using the General Services Agency's (GSA) purchasing vehicle no. GS-35F-0280X\_2026 for an amount not to exceed \$75,000 through June 30, 2023.

**Financial Implications:** See report

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

**Action:** M/S/C Trustee Selawsky / Trustee Roth to adopt resolution #R22-043 authorizing the Director of Library Services to issue purchase orders with Protiviti Government Services for the purchase of professional services using the General Services Agency's (GSA) purchasing vehicle no. GS-35F-0280X\_2026 for an amount not to exceed \$75,000 through June 30, 2023.

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

**A. Circulation Policy Update**

**From:** Circulation Services Manager

**Recommendation:** Adopt the resolution to update the Library Circulation Policy by reducing limitations on tool borrowing, eliminating fines on tools, simplifying tool lending periods, and adjusting patron hold volumes so that they meet patron needs, library operational needs, and are more in line with other Bay Area libraries.

**Financial Implications:** See report

**Contact:** Jay Dickinson, Circulation Services Manager

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R22-044 to update the Library Circulation Policy by reducing limitations on tool borrowing, eliminating fines on tools, simplifying tool lending periods, and adjusting patron hold volumes so that they meet patron needs, library operational needs, and are more in line with other Bay Area libraries.

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

Trustee Selawsky left the meeting at 7:24pm

#### **B. Board of Library Trustees Bylaws Update**

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

**Recommendations:** Adopt a resolution amending the adopted Bylaws of the Board of Library Trustees as described below.

“In July of each year, an information report shall be included on the Regular BOLT Meeting Agenda reviewing the rules for elections to the Offices of President and Vice President and the duties of such Officers and calling for nominations to be made at the September BOLT meeting” to take effect September 8, 2022.

**Financial Implications:** See report

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

**Action:** M/S/C Trustee Hahn / Trustee Greene to adopt resolution #R22-045 amending the adopted Bylaws of the Board of Library Trustees as described below.

“In July of each year, an information report shall be included on the Regular BOLT Meeting Agenda reviewing the rules for elections to the Offices of President and Vice President and the duties of such Officers and calling for nominations to be made at the September BOLT meeting” to take effect September 8, 2022.

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

### **IV. INFORMATION CALENDAR**

#### **A. State of the Collection Update**

**From:** Bae Smith, Supervising Librarian, Collection Services.

**Action:** Received (Attachment 1)

#### **B. Summer Reading Update**

**From:** Erica Glenn, Senior Librarian, Children’s Services.

**Action:** Postponed to a future agenda

#### **C. Review Rules for Nominations for the Selection of Board President and Vice-President**

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

**Action:** Received

#### **D. Monthly Library Director’s Report – Tess Mayer, Director of Library Services**

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

**Action:** Received

### **V. AGENDA BUILDING**

Next regular meeting will be held October 19, 2022.

Future topics:

- Summer Reading

- Art & Music
- Adult Services Department Update
- COB Contracting review
- Schedule BOLT Retreat

## **VI. ADJOURNMENT**

Trustee Davenport motioned, Trustee Roth seconded to adjourn the meeting.

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

Adjourned at 8:22 PM.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of September 7, 2022 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. State of the Collection Update Presentation



# Collection Services

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BOLT SEPTEMBER 7, 2022

## Who We Are -- What We Do

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Collection Services is responsible for the stewardship of library collections, including, acquisition, cataloging, deselection, physical processing , and managing of library materials in all formats.

## Selection/Acquisition

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### Centralized Collaborative Collection Development

- System-wide acquisition of materials
- Monthly meetings
- Selection of materials in all formats assigned to Librarians across system
- Purchase from multiple vendors-national and local
- Patron Requests
- Holds

## Selection practices

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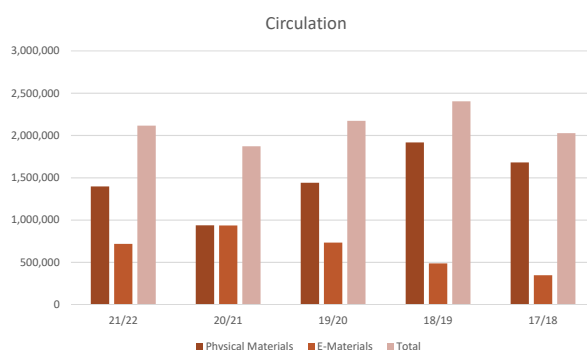
- Community demand and interest
- Currency and relevance of content
- Reviews in professional publications, magazines, newspapers, blogs and other media
- Relationship to existing materials in collection
- Usefulness and endurance of an item's format
- Accuracy and depth of content
- Local interest (subject, author, publisher)
- Diversity of viewpoints and cultural perspectives

## De-Selection

### Why?

- Deselection maximizes collections' usefulness, and ensures that the collection continues to support the needs and wants of the community.
- The content of library materials should be accurate and up to date. Materials that are superseded by newer, revised, or updated editions may be de-selected.
- Criteria:
  - Physical Condition
  - Duplicates (space)
  - Completeness
  - Accuracy
  - Usage
  - Format Obsolescence - relevancy of material

## Collection Statistics



Peer turnover rate: 2.68  
BPL turnover rate: 3.03

## Collection Statistics

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- Physical Collection size:
- 318,641 Central Library
- 51,393 Claremont Branch
- 48,859 North Branch
- 38,488 Tarea Hall Pittman South Branch
- 3,806 Tool Lending Library
- 45,119 West Branch

Physical items added FY19/20: 44,481

E-items added FY19/20: 10,812

Physical items added FY20/21: 39,265

E-items added FY20/21: 15,242

Physical items added FY21/22: 42,706

E-items added FY21/22: 13,300

## PROJECTS

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### Biography Reclass

Move collections into New Spaces after Central Renovations

- Central Adult Fiction, Romance, Science Fiction shelved in Reading Room
- Graphic Novels shelved in new space in reading room
- Mystery collection moved to Mystery Room
- YA Opening Day Collection
- Catalogued backlog of International Language materials
- Updated vendor processing specifications
- Branch Projects
- Conscious Kits



## PROJECTS

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FY 22/23

- Diversity audit
- Update Subject Headings
- Re-classification of collections
- Continue work on vendor processing specifications
- Continue work on print collections
- Focus on International Language collections

Thank you.  
Questions?





**CONSENT CALENDAR**

October 19, 2022

To: Board of Library Trustees

From: Tess Mayer, Director of Library Services

Subject: Authorization to Open the Central Library and all Branches One Hour Late to Allow Adequate Time for All-Staff Meetings

**RECOMMENDATION**

Adopt a resolution to open the Central Library and all Branch Libraries one hour later on March 31, June 30, and September 29, 2023 to allow adequate time for the all-staff meeting.

**FISCAL IMPACTS OF RECOMMENDATION**

This report will have no fiscal impacts.

**BACKGROUND**

All-Staff meetings are held in the Central Library from 9 AM to 10:30 AM up to four times annually. To enable travel time back to branches, the Library has delayed opening until 11:00 AM as an accommodation.

All scheduled Library staff are expected to attend these meetings. Full-time employees who wish to attend but who are not scheduled to work during that time may adjust their schedules to accommodate the meetings. Employees who work less than full-time and who are not scheduled to work may add the appropriate amount of time to their timesheets that week if their schedules cannot be adjusted. Intermittent staff are not paid to attend these all-staff meetings.

Items generally included on the all-staff meeting agenda include:

- Introductions of new staff
- Important news announcements (e.g. direction on political activity, changes to staff intranet, summer reading program details, upcoming projects, budget updates, recognition of staff achievements, etc.)
- Presentations by staff or guest on topics relevant to all (e.g. demonstrations of new equipment, team and/or committee reports, new policy overviews, strategic planning and organizational priorities updates)

All-staff meetings allow the Director and managers the opportunity to distribute staff awards, announce updates, and communicate pertinent information directly to all personnel. There is intrinsic value to Library staff having the ability to hear important information directly from managers. By delaying the Library's opening by one hour on these four mornings, continued staff participation in the meetings is anticipated, and in-depth topics will continue to be covered with adequate time for discussion.

**CURRENT SITUATION AND ITS EFFECTS**

At the December 10, 2008 BOLT meeting, at the request of the Director of Library Services, the Board authorized the Library to open an hour later on up to four Fridays throughout the course of the 2009

**BERKELEY PUBLIC LIBRARY**

**CONSENT OR ACTION CALENDAR REPORT**

**Authorization to open the Central Library and All Branches one hour late to allow  
adequate time for All-Staff Meetings**

**Page 2**

calendar year to allow additional time for more productive meetings and provide ample time for staff to prepare for opening. Since this time, this schedule change has permitted effective, informative meetings, with enough time for staff to prepare Libraries to open. Management review of the extended meetings has concluded that they continue to provide advantageous circumstances for in-depth discussion of policy implementation and important planning information related to projects and initiatives. Library staff propose continuing this practice, with the goal of using this time to improve communication regarding policies and other topics of professional and operational value to employees.

**FUTURE ACTION**

No future action is required.

**CONTACT PERSON**

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

**Attachments:**

1: Resolution



## **BOARD OF LIBRARY TRUSTEES**

**RESOLUTION NO: R22-\_\_**

### **AUTHORIZATION TO OPEN THE CENTRAL LIBRARY AND ALL BRANCHES ONE HOUR LATE TO ALLOW ADEQUATE TIME FOR ALL STAFF MEETINGS IN 2023**

WHEREAS, the Director of Library Services convenes quarterly meetings of all Library staff, including branch staffs, on the fifth Friday of months which have five Fridays; and

WHEREAS, these meetings allow staff to speak to each other about special projects, services and other relevant issues, and permit the Director and managers the opportunity to recognize staff, announce updates, and communicate pertinent information directly to all personnel; and

WHEREAS, the Library began this practice in 2008, with the Library opening late at 11:00 a.m. with no detrimental effect on operations; and

WHEREAS, by delaying the Library's opening by one hour on these designated mornings, continued staff participation in the meetings is anticipated, and in-depth topics will continue to be covered with adequate time for discussion; and

WHEREAS, opening an hour later on all-staff meeting days has provided effective and productive meetings, with adequate time for Library staff to prepare for opening.

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to authorize the Director of Library Services to open the Central Library and all Branch Libraries one hour later on March 31, June 30, and September 29, 2023 in order to accommodate the all-staff meetings and allow adequate time for Library staff to open the libraries.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on October 19, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Amy Roth, President

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





**CONSENT CALENDAR**

October 19, 2022

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: 2023 Regular Meeting Schedule for the Board of Library Trustees

**RECOMMENDATION**

Adopt a resolution approving dates, times and locations for the 2023 regular meeting schedule for the Board of Library Trustees.

**FISCAL IMPACTS OF RECOMMENDATION**

This report will have no fiscal impacts.

**BACKGROUND**

The Board of Library Trustees approves the following year's regular meeting schedule during one of its meetings toward the end of each year.

**CURRENT SITUATION AND ITS EFFECTS**

The regular meetings of the Board of Library Trustees have generally been held on the first Wednesday of each month at 6:30 p.m. at the Tarea Hall Pittman South Branch Library, 1901 Russell Street.

During the COVID-19 Pandemic, all Board of Library Trustee Meetings have been conducted exclusively through teleconference and Zoom videoconference pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020.

The Board may choose to change any part of their regular meeting schedule, including the date, time or location and to schedule special meetings as needed in accordance with the Brown Act and the City of Berkeley Commissioners' Manual. During August, the Board has chosen to follow the City Council and other City commissions and take a meeting recess.

City Council:

Winter Recess – December 14, 2022 – January 16, 2023

January 17 and January 31, 2023

February 14 and February 28, 2023

March 14 and March 21, 2023

Spring Recess – March 22 – April 10, 2023

April 11 and April 25, 2023

May 9, and May 23, 2023

June 6, June 13 and June 27, 2023

July 11 and July 25, 2023

Summer Recess – July 26 – September 11, 2023

September 12 and September 19, 2023

October 3 and October 10, 2023

November 7, November 14, and November 28, 2023

December 5 and December 12, 2023  
Winter Recess – December 13, 2023 – January 15, 2024

The proposed *2023 Board of Library Trustees Meeting Schedule* is attached as Attachment 2.

FUTURE ACTION:

No further action is required.

CONTACT PERSON

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

Attachments:

1. Resolution
2. City Policy Regarding the Scheduling of City Meetings on All Significant Religious Holidays
3. Proposed 2023 Board of Library Trustee Meeting Schedule

## **BOARD OF LIBRARY TRUSTEES**

**RESOLUTION NO: 22-\_\_**

### **APPROVAL OF THE 2022 REGULAR MEETING SCHEDULE FOR THE BOARD OF LIBRARY TRUSTEES**

WHEREAS, the Board of Library Trustees approves the next year's regular meeting schedule for the Board of Library Trustees during one of its last meetings each year; and

WHEREAS, the regular meetings of the Board of Library Trustees have been held on the first Wednesday of each month at 6:30 p.m. at the Tarea Hall Pittman South Branch Library, 1901 Russell Street;

WHEREAS, during the COVID-19 Pandemic, all Board of Library Trustee Meetings have been conducted exclusively through teleconference and Zoom videoconference pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020.

WHEREAS, the Board has chosen to follow the City Council and other City commissions and take a meeting recess during the month of August;

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to approve the 2023 regular meeting schedule for the Board of Library Trustees as once per month (Generally on the first Wednesday of the month) at 6:30 P.M. except for August when there is a meeting recess.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on October 19, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Amy Roth, President

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



## City Policy Regarding the Scheduling of City Meetings on All Significant Religious Holidays

Pursuant to Resolution No. 70,066-N.S., it is the policy of the City to avoid scheduling meetings of City Legislative Bodies (City Council, Commissions and Boards, Council Policy Committees, Task Forces) on religious holidays that incorporate significant work restrictions.

City legislative bodies must avoid scheduling meetings on the religious holidays listed below.

| Religion     | Holiday                          | Date                         | 2023 Date                        |
|--------------|----------------------------------|------------------------------|----------------------------------|
| Christian    | Good Friday                      | Varies (March or April)      | 4/7/23                           |
| Christian    | Easter Sunday                    | Varies (March or April)      | 4/9/23                           |
| Christian    | Christmas                        | December 25                  | 12/25/23                         |
|              |                                  |                              |                                  |
| Jewish       | Rosh Hashanah                    | Varies (Sept. or Oct.)       | 9/15/23-9/17/23                  |
| Jewish       | Yom Kippur                       | Varies (Sept. or Oct.)       | 9/24/23-9/25/23                  |
| Jewish       | Sukkot - first and last day      | Varies (Sept. or Oct.)       | 9/29/23, 10/6/23                 |
| Jewish       | Shmini Atzeret/ Simchat Torah    | Varies (Sept. or Oct.)       | 10/6/23-10/8/23                  |
| Jewish       | Chanukah (1 <sup>st</sup> night) | Varies (Nov. or Dec.)        | 12/7/23                          |
| Jewish       | Passover (Nights 1, 2, 7, 8)     | Varies (March or April)      | 4/5,4/6,4/12,4/13                |
| Jewish       | Shavuot                          | Varies (May or June)         | 5/25/23-5/27/23                  |
| Jewish       | Shabbat                          | Weekly                       | Friday sunset to Saturday sunset |
| Jewish*      | Purim                            | Varies (February or March)   | 3/6/23-3/7/23                    |
| Jewish*      | <a href="#">Tish'a B'Av</a>      | Varies (July or August)      | 7/26/23-7/27/2023                |
| Jewish*      | <a href="#">Yom HaShoah</a>      | Varies (April or May)        | 4/17/23-4/18/23                  |
|              |                                  |                              |                                  |
| Buddhist     | Vesak                            | Varies (April or May)        | 5/5/23                           |
|              |                                  |                              |                                  |
| Hindu        | Diwali                           | Varies (Oct. or Nov.)        | 11/12/23                         |
| Hindu        | Dussera                          | Varies (Oct.)                | 10/24/2023                       |
| Hindu        | Holi                             | Varies (March)               | 3/8/23                           |
| Hindu        | Makar Sankranti                  | Varies (January or February) | 1/14/2023                        |
|              |                                  |                              |                                  |
| Islam        | Eid al-Fitr                      | Varies                       | 4/21/23-4/22/23                  |
| Islam        | Eid al-Adha                      | Varies                       | 6/28/23-6/29/23                  |
|              |                                  |                              |                                  |
| Shinto       | New Year                         | January 1-3                  | 1/1/23-1/3/23                    |
| Shinto       | Obon Ceremony                    | August 13-15                 | 8/13/23-8/15/23                  |
|              |                                  |                              |                                  |
| Baha'i Faith | Birth of Baja'u'llah             | Varies                       | 10/16/22-10/17/23                |
| Baha'i Faith | Birth of Bab                     | Varies                       | 10/16/22-10/17/23                |
|              |                                  |                              |                                  |
| Cultural     | Chinese New Year (Day 1-7)       | Varies (Jan. 21 – Feb. 20)   | 1/21/23-1/27/23                  |
| Cultural     | Kwanzaa                          | Dec. 26 – Dec. 31            | 12/26/23-1/1/24                  |

\* No work restriction, but avoid scheduling meetings if possible





**Berkeley Public Library**  
**Board of Library Trustees**  
**2023 Regular Meeting Schedule**  
**1<sup>st</sup> Wednesday Dates** (unless marked\*)

| Regular Meeting Dates  | Location                                                                                                                        |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| January 4, 2023        | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| February 1, 2023       | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| March 1, 2023          | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| April 19, 2023 *       | Tarea Hall Pittman South Branch Library (1901 Russell St.)<br><i>Passover begins sunset April 5 and ends of sunset April 13</i> |
| May 3, 2023            | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| June 7, 2023           | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| July 5, 2023           | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| {No meeting in August} |                                                                                                                                 |
| September 6, 2023      | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| October 4, 2023        | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| November 1, 2023       | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |
| December 6, 2023       | Tarea Hall Pittman South Branch Library (1901 Russell St.)                                                                      |





**CONSENT CALENDAR**

October 19, 2022

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: 2023 Berkeley Public Library Holiday & Early Closing Schedule

**RECOMMENDATION**

Adopt the resolution approving the 2023 Berkeley Public Library Holiday & Early Closing Schedule.

**FISCAL IMPACTS OF RECOMMENDATION**

This report will have no fiscal impacts.

**BACKGROUND**

The Board of Library Trustees approves the Library's holiday schedule for the coming calendar year toward the end of the preceding year. This schedule will result in the closure of all Libraries, including Branches.

**CURRENT SITUATION AND ITS EFFECTS**

Union contracts specify recognized holidays for employees in the various Represented Units of the City of Berkeley. The Board of Library Trustees sets the operating schedule for the Library. For the most part, the Library follows the City of Berkeley practice when it comes to closing services for holidays. One major exception: the Library does not participate in approved VTO (voluntary time off) days. One deviation in the holiday schedule, recognized in the SEIU Local 1021 Community Services Chapter Memorandum Agreement, is that the Library may close on Christmas Eve in lieu of Lincoln's Birthday. The most recent SEIU Local 1021 Community Services Chapter Memorandum Agreement added the Juneteenth holidays.

The Central Library and Branches are open on weekends and during evenings when many other City departments are closed. In the case of Thanksgiving Eve and New Year's Eve, the Library observes a shortened schedule, closing at 6 PM.

On the occasion that a holiday falls on a weekend, the Library closes on both the actual holiday and the observed holiday day. In 2023, Veterans' Day, falls on a Saturday, November 11, 2023. The Library's observed Veteran's Day holiday will be Friday, November 10, 2023. In this case, eligible employees will receive a paid holiday for one of the closed days. For employees normally scheduled to work both the holiday and the observed closure, a schedule adjustment or other type of leave will be arranged in advance in coordination with their supervisor.

Christmas Eve will fall on Sunday, December 24 in 2023. If the library were to close on the actual holiday, Sunday, December 24, and observed Christmas Eve on Monday, December 25, and observe Christmas Day on Tuesday, December 26; it would necessitate a Library closure of three consecutive days. Such a closure presents an undesirably lengthy lack of library service to the community, in addition to creating heavy workloads for Library employees tasked with emptying bookdrops, checking in material, shelving books, and scheduling. Because of this, it is recommended that the Library observe

the Lincoln's Birthday holiday on Monday, February 12, 2023 in lieu of the Christmas Eve holiday observance in 2023 and close one hour earlier on Sunday, Dec. 24, 2022.

The draft 2023 Library Schedule of Holiday and Early Closures is attached (Attachment 2) for discussion and approval.

**FUTURE ACTION**

No future action is required.

**CONTACT PERSON**

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

**Attachments:**

1. Resolution
2. Proposed 2023 Schedule of Berkeley Public Library Holidays and Early Closings
3. 2022 Schedule of Berkeley Public Library Holidays and Early Closings
4. 2023 City of Berkeley Holiday Schedule

**2023 BERKELEY PUBLIC LIBRARY HOLIDAY & EARLY CLOSING SCHEDULE**

WHEREAS, union contracts specify recognized holidays for employees in the various Represented Units of the City of Berkeley; and

WHEREAS, this schedule will result in the closure of all libraries, including the branches; and

WHEREAS, the Board of Library Trustees sets the operating schedule for the Library; and

WHEREAS, the Board of Library Trustees approves the Library's holiday schedule for the coming calendar year toward the end of the previous year; and

WHEREAS, for the most part, and with the exception that the Library does not participate in approved VTO (voluntary time off) days, the Library follows the City of Berkeley practice when it comes to closing services for holidays.

NOW, THEREFORE, BE IT RESOLVED that the board of Library Trustees of the City of Berkeley approves the attached 2023 schedule of holiday closures for the Berkeley Public Library.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on October 19, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

---

Amy Roth, President

---

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



## Berkeley Public Library

### ***Proposed 2023 Schedule of Holidays & Early Closings***

| <b>Date</b>                       | <b>Holiday</b>             | <b>Closure</b> | <b>Early Closing</b>                     |
|-----------------------------------|----------------------------|----------------|------------------------------------------|
| 1. January 1, 2023 (Sunday)       | New Year's Day             | X              |                                          |
| 2. January 2, 2023 (Monday)       | New Year's Day             | X              |                                          |
| 3. January 16, 2023 (Monday)      | Martin Luther King Jr. Day | X              |                                          |
| 4. February 12, 2023 (Monday)*    | Lincoln's Birthday         | X              |                                          |
| 5. February 20, 2023 (Monday)     | President's Day            | X              |                                          |
| 6. May 19, 2023 (Friday)          | Malcolm X Day              | X              |                                          |
| 7. May 29, 2023 (Monday)          | Memorial Day               | X              |                                          |
| 8. June 19, 2023 (Monday)         | Juneteenth Observed        | X              |                                          |
| 9. July 4, 2023 (Tuesday)         | Independence Day           | X              |                                          |
| 10. September 4, 2023 (Monday)    | Labor Day                  | X              |                                          |
| 11. October 9, 2023 (Monday)      | Indigenous People's Day    | X              |                                          |
| 12. November 10, 2023 (Friday)    | Veterans' Day Observed     | X              |                                          |
| 13. November 11, 2023 (Saturday)  | Veterans' Day              | X              |                                          |
| 14. November 22, 2023 (Wednesday) | Thanksgiving Eve           |                | All Library locations to close at 6:00pm |
| 15. November 23, 2023 (Thursday)  | Thanksgiving Holiday       | X              |                                          |
| 16. November 24, 2023 (Friday)    | Thanksgiving Holiday       | X              |                                          |
| 17. December 24, 2023 (Sunday) *  | Christmas Eve              |                | All Library locations to close at 5:00pm |
| 18. December 25, 2023 (Monday)    | Christmas Day              | X              |                                          |

*\* In 2022, The Library will observe Lincoln's Birthday (observed 02/11/2022) instead of the Christmas Eve (12/24/2022) in order to avoid a Library closure of three consecutive days.*





## Berkeley Public Library

### 2022 Schedule of Holidays & Early Closings

| Date                               | Holiday                     | Closure | Early Closing                            |
|------------------------------------|-----------------------------|---------|------------------------------------------|
| 19. December 31, 2021 (Friday)     | New Year's Day Observed     | X       |                                          |
| 20. January 1, 2022 (Saturday)     | New Year's Day              | X       |                                          |
| 21. January 17, 2022 (Monday)      | Martin Luther King Jr. Day  | X       |                                          |
| 22. February 11, 2022 (Friday)*    | Lincoln's Birthday observed | X       |                                          |
| 23. February 21, 2022 (Monday)     | President's Day             | X       |                                          |
| 24. May 19, 2022 (Thursday)        | Malcolm X Day               | X       |                                          |
| 25. May 30, 2022 (Monday)          | Memorial Day                | X       |                                          |
| 26. June 19, 2022 (Sunday)         | Juneteenth                  | X       |                                          |
| 27. June 20, 2022 (Monday)         | Juneteenth Observed         | X       |                                          |
| 28. July 4, 2022 (Monday)          | Independence Day            | X       |                                          |
| 29. September 5, 2022 (Monday)     | Labor Day                   | X       |                                          |
| 30. October 10, 2022 (Monday)      | Indigenous People's Day     | X       |                                          |
| 31. November 11, 2022 (Friday)     | Veterans' Day               | X       |                                          |
| 32. November 23, 2022 (Wednesday)  | Thanksgiving Eve            |         | All Library locations to close at 6:00pm |
| 33. November 24, 2022 (Thursday)   | Thanksgiving Holiday        | X       |                                          |
| 34. November 25, 2022 (Friday)     | Thanksgiving Holiday        | X       |                                          |
| 35. December 24, 2022 (Saturday) * | Christmas Eve               |         | All Library locations to close at 5:00pm |
| 36. December 25, 2022 (Sunday)     | Christmas Day               | X       |                                          |
| 37. December 26, 2022 (Monday)     | Christmas Day observed      | X       |                                          |

*\* In 2022, The Library will observe Lincoln's Birthday (observed 02/11/2022) instead of the Christmas Eve (12/24/2022) in order to avoid a Library closure of three consecutive days.*



## **City of Berkeley 2023 Holiday Schedule**

1. January 16, 2023 (Monday) – Martin Luther King Jr. Day
2. February 13, 2023 (Monday) – Lincoln’s Birthday observed
3. February 20, 2023 (Monday) – President’s Day
4. May 19, 2023 (Friday) – Malcolm X Day
5. May 29, 2023 (Monday) – Memorial Day
6. June 19, 2023 (Monday) – Juneteenth
7. July 4, 2023 (Tuesday) – Independence Day
8. September 4, 2023 (Monday) – Labor Day
9. October 9, 2023 (Monday) – Indigenous People’s Day
10. November 10, 2023 (Friday) – Veterans’ Day Observed
11. November 11, 2023 (Saturday) – Veterans’ Day
12. November 23, 2023 (Thursday) – Thanksgiving Day
13. November 24, 2023 (Friday) – Day after Thanksgiving
14. December 25, 2023 (Monday) – Christmas Day





**ACTION CALENDAR**

October 19, 2022

To: Board of Library Trustees

From: Tess Mayer, Director of Library Services

Subject: Nominations for the Selection of Board President and Vice-President

**INTRODUCTION**

Each year the Board of Library Trustees elects Officers for a one-year term. Following discussion, the Board will nominate Trustees to sit as President and Vice-President, for the term commencing November 3, 2022, for a one-year term.

**FISCAL IMPACTS OF RECOMMENDATION**

This report will have no fiscal impacts.

**BACKGROUND**

Each year the Board of Library Trustees appoints a Trustee to sit as President and a second Trustee to sit as Vice-President for the following year. Section 3.04.040 Organization of Board of the City of Berkeley Municipal Code specifies that each year the Board of Library Trustees shall elect one of its members as president and another as vice president for a term of one year, on or about the first meeting of the board in October of each year.

**CURRENT SITUATION AND ITS EFFECTS**

Regular President and Vice-President elections occurred on November 3, 2021. Trustee Roth was elected President and Trustee Hahn Vice-President, to serve through the time of the next election in November 2022 or until a successor is elected.

This year, nominations were not agendized until the October meeting, delaying the election of offices to the November meeting, per the process established in the adopted Bylaws of the Board of Library Trustees as summarized below.

*Process*

Per the amended adopted Bylaws of the Board of Library Trustees, in July of each year, an information report shall be included on the Regular BOLT Meeting Agenda reviewing the rules for elections to the Offices of President and Vice President and calling for nominations to be made at the September BOLT meeting.

At the September BOLT meeting, nominations shall be agendized as an Action item. Trustees may nominate themselves or other Trustees for consideration for either or both Offices. Nominations require a motion, but no second, and may be declined by the nominee. Nominations taken "from the floor" allow all of the Trustees the opportunity to nominate others as well as themselves.

At the October BOLT meeting, the Election of a President and Vice President shall be agendized as two separate Action Items, with the office of President to be voted upon first. All Trustees accepting nomination for each office at the September meeting shall be listed. A duly nominated Trustee may be listed for either or both offices but may only be elected to one. The presiding officer shall call for any additional nominations (which may be declined) or declinations as the election for each office is taken up and, after closing nominations, shall allow each nominee an equal opportunity to speak on behalf of their own candidacy. Nominees may then be discussed by the full BOLT membership, after which the presiding officer shall call for a public roll-call vote for that office. Should a Trustee nominated to both the offices of

President and Vice President be elected as President, their nomination for the office of Vice President shall be nullified. The results of each vote shall be publicly announced and recorded in the minutes.

In the event no President or Vice President is elected on the first round at the October meeting, the presiding officer may call for additional rounds of nominations, speaking, discussion and voting at the same meeting until the office is filled, or may postpone the election for that office to the next regular meeting, at which time the same procedures for nominations, speaking, discussion and voting shall be followed.

The election of officers is a public process, with the vote announced at the conclusion of voting. The one-year term will commence November 3, 2022.

FUTURE ACTION

Election of Officers will take place at the November meeting.

CONTACT PERSON

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



**ACTION CALENDAR**

October 19, 2022

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: Gift and Donation Policy Update

**RECOMMENDATION**

Approve a resolution adopting the revised **Gift and Donation Policy** updating the Library policy regarding managing gifts and donations to the Library.

**FISCAL IMPACTS OF RECOMMENDATION**

There is no fiscal impact from this report.

**BACKGROUND**

In February of 2008, the Board of Library Trustees adopted a Gift and Donation Policy. In July 2011, the Board of Library Trustees adopted a revised Library Gift Policy (AR 10.11) to include the following language: 1) The Library will disclose any gift of funds, goods, or services valued in excess of \$1,000 in aggregate in an annual informational report to be presented before the Council on a regular Meeting agenda; and 2) All gifts to the Library of funds, goods, or services valued in excess of \$1,000 in aggregate, which may be accepted for the purpose of carrying out or assisting any Library function, shall be disclosed and approved on the Agenda of a regular Meeting of the Board of Library Trustees.

**CURRENT SITUATION AND ITS EFFECTS**

The Berkeley Public Library Foundation and the Berkeley Public Library Friends organizations regularly accept donations. Library staff regularly refers members of the public to these two organizations. However, sometimes the Library receives a direct donation through a bequest or other means. For this reason, it is necessary for the Library to clearly delineate how these donations will be managed by Library staff. Additionally, under the Berkeley Municipal Code section 3.12.060, donations of art to the City should be referred to the Civic Arts Commission.

**FUTURE ACTION**

When adopted by the Board, the revised policy will be posted on the Internet and will be made available to all Library staff.

**CONTACT PERSON**

Tess Mayer, Director of Library Services, Library, (510) 981-6195.

Attachments:

1. Resolution
2. Proposed Gift and Donation Policy (showing revisions)
3. Proposed Gift and Donation Policy

4. Current Gift and Donation Policy (2011)
5. BMC Chapter 3.12 Civic Arts Commission
6. Public Art Process Guide Revised 2019
7. 2011\_07\_13 Council delegate gift acceptance to BOLT\_v6



## BOARD OF LIBRARY TRUSTEES

### RESOLUTION NO: R22- \_\_\_\_

WHEREAS, the Berkeley Public Library receives donations on the part of the public; and

WHEREAS, the City Council of the City of Berkeley delegated to the Board of Library Trustees the authority to accept any gifts of funds, goods, or services made to the Library up to \$200,000 that do not include unduly restrictive conditions on their use; and

WHEREAS, a gift policy is a vital document for both staff and the public to illustrate and inform how the Library manages donations from the public; and

WHEREAS, under Berkeley Municipal Code section 3.12.060, donations of art to the City should be referred to the Civic Arts Commission; and

WHEREAS, the Library's Gifts and Donations Policy should uphold the Berkeley Municipal Code; and

WHEREAS, the current policy was adopted in 2008, and revised in 2011; and

NOW THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley adopt the revised Berkeley Public Library Gifts and Donations Policy as presented effective October 19, 2022.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on October 19, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

---

Amy Roth, President

---

Tess Mayer, Director of Library Services

Serving as Secretary to the Board of Library Trustees



**BERKELEY PUBLIC LIBRARY  
ADMINISTRATIVE REGULATIONS**

|                    |          |
|--------------------|----------|
| A.R. Number:       | 10.11    |
| ORIGINAL DATE:     | 2/13/08  |
| BOLT Resolution #: | R11-051  |
| REVISED DATE:      | 10/19/22 |
| BOLT Resolution #: |          |
| PAGE:              | 1 of 2   |

**SUBJECT: Gift / Donation Policy**

## **I. PURPOSE**

The Berkeley Public Library welcomes gifts of money to enhance library services through the provision of additional materials, equipment and services, as well as other types of gifts such as books. The Library encourages gifts of cash, not earmarked for specific items (unrestricted) in order to permit the most flexible use of the donation for the enrichment of the library program.

## **II. POLICY**

Donations may be given in the form of cash (monetary) gifts, or as a bequest, trust, real property or donation of an asset. We recognize that the gift may be a remembrance, a way to honor an individual or group, a memorial or a tribute. The Library will establish the methods by which gifts are publicly acknowledged.

***The Board of Library Trustees must approve for acceptance any gift to the Library of funds, goods; or services worth more than \$1,000 in aggregate.***

***The Library will disclose annually in an informational report to the City Council any gift received over \$1,000 in aggregate.***

The Library will not affix a value for income tax purposes to any gift accepted; this is the responsibility of the donor. The Library will, however, on request, acknowledge the gift by letter and specify the type, and quantity, condition, etc. of the gift for the donor's records. All gifts of money will be acknowledged. Gifts are the management responsibility of the Director of Library Services. The Director, in coordination with Library staff members has responsibility for decisions regarding criteria for gift acceptance and final disposition. The Board of Library Trustees will receive quarterly reports regarding all donations.

Personal property, art objects, memorial or commemorative objects, displays or plaques, portraits, artifacts, antiques, museum objects and similar items are not accepted as gifts. Under certain circumstances and with Board approval when such a gift meets the mission and needs of the library, these types of gifts may be considered. Any restrictions on gifts, whether donations of monies, books, periodicals, media or art work must be submitted in writing and approved by the Board. Monetary gifts offered with special restrictions or conditions, including endowment funds, require Board approval of such restrictions before such monetary gifts are accepted. Gifts of art objects will be referred to the Civic Arts Commission under section 3.12.060 of the Berkeley Municipal Code, which includes under "Duties and Functions" of the Commission: F. Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift, or otherwise, and exterior works of art installed in the civic center district which are visible to

the public. Potential donors of artwork shall submit information to the Public Art program staff (I. Gifts and Loans, 1. Conditions governing the donation of artwork to the City of Berkeley, *Guidelines for Public Art: City of Berkeley Public Art Program*).

Library staff will develop procedures regarding the disposition of books and other materials to include guidelines in considering material for inclusion in the Library's collection and disposition of material not included in the collection. The Library will develop a gift record form that includes options available to givers, including branch, collection or program designation. A record of all monetary donations above \$100 will be retained for seven years

*Donor Recognition*

The purpose of recognition is to commemorate the gifts of all donors. A gift to the Berkeley Public Library may on occasion be commemorated with a book plate, signage, plaque or by other means. In the case of a tribute donation, the Library will send the honoree(s) a formal announcement of the donation.

It is not the policy of the Library to provide separate shelf space for books or other materials donated to it.

The Berkeley Public Library Foundation and the Friends of the Berkeley Public Library are not part of the Berkeley Public Library and as such have their own set of policies and practices.

Under certain circumstances and with the approval of the Director of Library Services, the Library may collaborate with the Berkeley Public Library Friends or Foundation to initiate a "Library Campaign" to improve the physical space or service program of the Library. Such a campaign may have a donor recognition component that includes memorializing the gift or donation in Library facilities only if approved by the Board.

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

**BERKELEY PUBLIC LIBRARY  
ADMINISTRATIVE REGULATIONS**

|                    |          |
|--------------------|----------|
| A.R. Number:       | 10.11    |
| ORIGINAL DATE:     | 2/13/08  |
| BOLT Resolution #: | R11-051  |
| REVISED DATE:      | 10/19/22 |
| BOLT Resolution #: |          |
| PAGE:              | 1 of 2   |

**SUBJECT: Gift / Donation Policy**

## I. PURPOSE

The Berkeley Public Library welcomes gifts of money to enhance library services through the provision of additional materials, equipment and services, as well as other types of gifts such as books. The Library encourages gifts of cash, not earmarked for specific items (unrestricted) in order to permit the most flexible use of the donation for the enrichment of the library program.

## II. POLICY

Donations may be given in the form of cash (monetary) gifts, or as a bequest, trust, real property or donation of an asset. We recognize that the gift may be a remembrance, a way to honor an individual or group, a memorial or a tribute. The Library will establish the methods by which gifts are publicly acknowledged.

***The Board of Library Trustees must approve for acceptance any gift to the Library of funds, goods; or services worth more than \$1,000 in aggregate.***

***The Library will disclose annually in an informational report to the City Council any gift received over \$1,000 in aggregate.***

The Library will not affix a value for income tax purposes to any gift accepted; this is the responsibility of the donor. The Library will, however, on request, acknowledge the gift by letter and specify the type, and quantity, condition, etc. of the gift for the donor's records. All gifts of money will be acknowledged. Gifts are the management responsibility of the Director of Library Services. The Director, in coordination with Library staff members has responsibility for decisions regarding criteria for gift acceptance and final disposition. The Board of Library Trustees will receive quarterly reports regarding all donations.

Personal property, art objects, memorial or commemorative objects, displays or plaques, portraits, artifacts, antiques, museum objects and similar items are not accepted as gifts. Under certain circumstances and with Board approval when such a gift meets the mission and needs of the library, these types of gifts may be considered. Any restrictions on gifts, whether donations of monies, books, periodicals, media or art work must be submitted in writing and approved by the Board. Monetary gifts offered with special restrictions or conditions, including endowment funds, require Board approval of such restrictions before such monetary gifts are accepted. Gifts of art objects will be referred to the Civic Arts Commission under section 3.12.060 of the Berkeley Municipal Code, which includes under "Duties and Functions" of the Commission: "F. Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift, or otherwise, and exterior works of art installed in the civic center district which are visible

to the public.” Potential donors of artwork shall submit information to the Public Art program staff (I. Gifts and Loans, 1. Conditions governing the donation of artwork to the City of Berkeley, *Guidelines for Public Art: City of Berkeley Public Art Program*).

Library staff will develop procedures regarding the disposition of books and other materials to include guidelines in considering material for inclusion in the Library’s collection and disposition of material not included in the collection. The Library will develop a gift record form that includes options available to givers, including branch, collection or program designation. A record of all monetary donations above \$100 will be retained for seven years.

### *Donor Recognition*

The purpose of recognition is to commemorate the gifts of all donors. A gift to the Berkeley Public Library may on occasion be commemorated with a book plate, signage, plaque or by other means. In the case of a tribute donation, the Library will send the honoree(s) a formal announcement of the donation.

It is not the policy of the Library to provide separate shelf space for books or other materials donated to it.

The Berkeley Public Library Foundation and the Friends of the Berkeley Public Library are not part of the Berkeley Public Library and as such have their own set of policies and practices.

Under certain circumstances and with the approval of the Director of Library Services, the Library may collaborate with the Berkeley Public Library Friends or Foundation to initiate a “Library Campaign” to improve the physical space or service program of the Library. Such a campaign may have a donor recognition component that includes memorializing the gift or donation in Library facilities only if approved by the Board.

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

**BERKELEY PUBLIC LIBRARY  
ADMINISTRATIVE REGULATIONS**

|                    |         |
|--------------------|---------|
| A.R. Number:       | 10.11   |
| ORIGINAL DATE:     | 2/13/08 |
| BOLT Resolution #: | R11-051 |
| REVISED DATE:      | 7/13/11 |
| PAGE:              | 1 of 2  |

**SUBJECT: Gift / Donation Policy**

## **I. PURPOSE**

The Berkeley Public Library welcomes gifts of money to enhance library services through the provision of additional materials, equipment and services, as well as other types of gifts such as books. The Library encourages gifts of cash, not earmarked for specific items (unrestricted) in order to permit the most flexible use of the donation for the enrichment of the library program.

## **II. POLICY**

Donations may be given in the form of cash (monetary) gifts, or as a bequest, trust, real property or donation of an asset. We recognize that the gift may be a remembrance, a way to honor an individual or group, a memorial or a tribute. The Library will establish the methods by which gifts are publicly acknowledged.

***The Board of Library Trustees must approve for acceptance any gift to the Library of funds, goods; or services worth more than \$1,000 in aggregate.***

***The Library will disclose annually in an informational report to the City Council any gift received over \$1,000 in aggregate.***

The Library will not affix a value for income tax purposes to any gift accepted; this is the responsibility of the donor. The Library will, however, on request, acknowledge the gift by letter and specify the type, and quantity, condition, etc. of the gift for the donor's records. All gifts of money will be acknowledged. Gifts are the management responsibility of the Director of Library Services. The Director, in coordination with Library staff members has responsibility for decisions regarding criteria for gift acceptance and final disposition. The Board of Library Trustees will receive quarterly reports regarding all donations.

Personal property, art objects, memorial or commemorative objects, displays or plaques, portraits, artifacts, antiques, museum objects and similar items are not generally accepted as gifts. Under certain circumstances and with Board approval when such a gift meets the mission and needs of the library, these types of gifts will be accepted. Any restrictions on gifts, whether donations of monies, books, periodicals, media or art work must be submitted in writing and approved by the Board. Monetary gifts offered with special restrictions or conditions, including endowment funds, require Board approval of such restrictions before such monetary gifts are accepted.

Library staff will develop procedures regarding the disposition of books and other materials to include guidelines in considering material for inclusion in the Library's collection and disposition of material not included in the collection. The Library will develop a gift record form that includes

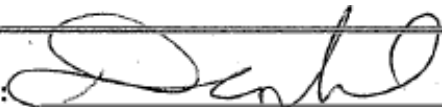
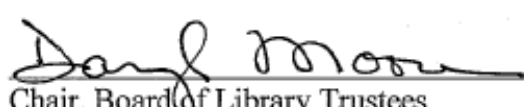
options available to givers, including branch, collection or program designation. A record of all monetary donations above \$100 will be retained for seven years.

*Donor Recognition*

The purpose of recognition is to commemorate the gifts of all donors. A gift to the Berkeley Public Library may be commemorated with a book plate, signage, plaque or by other means. In the case of a tribute donation, the Library will send the honoree(s) a formal announcement of the donation.

It is not the policy of the Library to provide separate shelf space for books or other materials donated to it.

The Berkeley Public Library Foundation and the Friends of the Berkeley Public Library are not part of the Berkeley Public Library and as such have their own set of policies and practices. Under certain circumstances and with Board approval the Library may collaborate with one or the other of these organizations to initiate a "Library Campaign" to improve the physical space or service program of the Library. Such a campaign may have a donor recognition component that includes memorializing the gift or donation in Library facilities only if approved by the Board.

|              |                                                                                      |           |
|--------------|--------------------------------------------------------------------------------------|-----------|
| Reviewed by: |    | 7/14/11   |
|              | Director of Library Services                                                         | Date      |
| Approved by: |  | 7/19/2011 |
|              | Chair, Board of Library Trustees                                                     | Date      |



## Chapter 3.12

### CIVIC ARTS COMMISSION

Sections:

- 3.12.010**    **Established--Membership--Appointment.**
- 3.12.020**    **Appointment automatically terminated when--Procedures.**
- 3.12.030**    **Liaison representatives to other City entities.**
- 3.12.040**    **Organization, meetings, rules and procedures.**
- 3.12.060**    **Duties and functions.**

#### **3.12.010    Established--Membership--Appointment.**

A Civic Arts Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made by councilmembers, and vacancies on the commission shall be filled by councilmembers in accordance with the provisions of Section [2.04.030](#) through [2.04.130](#) of this code enacted as Ordinance No. [4780-NS](#) by the voters of the City. (Ord. 6032-NS § 1, 1991; Ord. 5253-NS § 1 (part), 1980)

#### **3.12.020    Appointment automatically terminated when--Procedures.**

Commissioners shall adhere to the attendance rules and commission secretaries and the City Clerk shall adhere to the termination procedures as set forth in BMC Section [3.02.020](#) and the City of Berkeley Commissioners' Manual. (Ord. 6890-NS § 1, 2006; Ord. 5880-NS § 1, 1988; Ord. 5253-NS § 1 (part), 1980)

#### **3.12.030    Liaison representatives to other City entities.**

Subject to the approval of the council in each case, the commission may designate one of its members to act as a liaison representative to any other board, commission or committee of the City. The functions of such liaison representatives are:

- A. To attend the meetings of such other board, commission or committee;
- B. Advise this commission on the background, attitudes, and reasons behind the actions of such other board, commission or committee; and
- C. On request of any member of such other board, commission, or committee, to advise such other board, commission or committee of policy, procedures and decisions of this commission that may bear upon matters under discussion by such other board, commission or committee. Such liaison representative shall have no power to vote. (Ord. 5253-NS § 1 (part), 1980)

### **3.12.040 Organization, meetings, rules and procedures.**

- A. The commission shall organize by electing from its members one president, one vice-president and such other officers as may be necessary, who shall hold office for one year and until their successors are elected unless their terms as members of the commission sooner expire. An officer or employee of the City designated by the City Manager shall serve as secretary of the commission.
- B. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the reason for the proposed meeting and should be expedited on the City Council's agenda, or in the alternative, placed before the Agenda Committee for approval.
- C. The commission may make and alter rules governing its organization and procedures which are not inconsistent with this chapter or any other applicable ordinance of the City.
- D. A majority of the members appointed to the commission shall constitute a quorum for the transaction of business and the affirmative vote of a majority of the members is required to take any action. The City Manager shall appoint a staff liaison to the commission.
- E. The commission shall keep an accurate record of its proceedings and transactions and shall submit an annual report to the City Council with a copy to the City Manager. (Ord. 6890-NS § 2, 2006: Ord. 5880-NS § 1, 1988: Ord. 5366-NS § 1, 1981: Ord. 5253-NS § 1 (part), 1980)

### **3.12.060 Duties and functions.**

- A. Encourage programs for the cultural enrichment of the City and help make City resources available to cultural groups.
- B. Provide assistance to groups and individuals wishing to sponsor neighborhood events, such as block parties, small business celebrations, and community holidays.
- C. Provide support for art groups in their search for funding from county, state, federal and private sources and pursue projects which would provide funding for the arts.
- D. Coordinate and strengthen existing organizations in the arts and develop cooperation with regional organizations.
- E. Develop ongoing data on the economic impact of the arts on the community.
- F. Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift, or otherwise, and exterior works of art installed in the civic center district which are visible to the public.

- G. Encourage the beautification of the City.
- H. Advise the council on all matters affecting the beauty and culture of the City.
- I. Render advice and assistance in the fields of art, esthetics and beautification to other City boards and commissions.
- J. Develop guidelines and procedures to be submitted to the City Council for approval for a visual arts in public places program.
- K. Appoint a temporary subcommittee known as the visual arts panel, consisting of four commission members, to carry out the visual arts in public places programs.
- L. Report to the council the final action of each visual arts panel in selecting and installing each art in public places project.
- M. Provide recognition and increased opportunities for artists through art in public places projects and maintain an inventory of meritorious works of art in the public view.
- N. Provide assistance to local artists and private property owners on matters relating to installation of works of art on private property in the public view.
- O. Advise the council on all matters pertaining to the quality, quantity, scope, and style of art in public places.
- P. Develop recommendations for distribution of City arts funding in accordance with established criteria.
- Q. Promulgate curatorial standards for exhibits that change on a regular periodic basis.
- R. Appoint a permanent committee known as the Public Art Committee. (Ord. 7082-NS § 1, 2009; Ord. 5880-NS §§ 1, 2, 1988; Ord. 5631-NS § 1, 1985; Ord. 5253-NS § 1 (part), 1980)

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**The Berkeley Municipal Code is current through Ordinance 7830-NS, passed July 26, 2022.**

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.berkeleyca.gov](http://www.berkeleyca.gov)

[Code Publishing Company](#)



# PUBLIC ART FOR THE CITY OF BERKELEY

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*The City and Its People*

Mural by Romare Bearden

## A GUIDE TO

- The Public Art Process**
- The Civic Arts Commission**
- The Percent for Art Program**
- Guidelines for Public Art**

## **THE CITY AND ITS PEOPLE**

### ***COVER IMAGE***

*The City and Its People* was one of the first public art commissions of the renowned African-American artist, the late Romare Bearden. The Civic Arts Commission of the City of Berkeley commissioned this mural in 1973 to be created and placed in the City Council Chambers as an active and accessible part of the city's civic life. In addition to the placement of the mural in an open and well-used civic area, the logo of the City of Berkeley contains a multicultural design derived from a segment of this mural's imagery. The National Gallery of Art in Washington, D.C. has prepared a retrospective of Romare Bearden's life work. The exhibition has been on national tour following the opening in September of 2003 in Washington, D.C. The San Francisco Museum of Modern Art is featuring the retrospective in February of 2004. The exhibition will then move on to the Dallas Museum of Art in June of 2004, to the Whitney Museum of American Art in October of 2004, and will conclude at the High Museum of Art in Atlanta, in January 2005. *The City and Its People* is of great importance to this exhibition due to its size, the fact that the artist, himself, worked on all aspects of this artwork and because the City of Berkeley has incorporated this mural into the fabric of its civic life.

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**Please see additional publication:**

***“City of Berkeley Public Art Registry”, 2002***

**Visit the City of Berkeley Public Art Website for the most  
up to date information about the City’s Public Art Program.**

**<http://www.ci.berkeley.ca.us/civcart/publicart.htm>**

The Civic Arts Office is located in the Office of Economic Development  
2118 Milvia Street, Berkeley, CA 94704  
(510) 981-7539



## **HISTORY OF THE PUBLIC ART PROGRAM**

In 1985 the City of Berkeley passed a Visual Art Ordinance that established a process for the selection of Public Art in the City. In 1999 the Public Art Resolution was passed to begin the 1.5% Funding for the Public Art Program.

In January of 1998, the vacant Civic Arts Coordinator position was filled with one of the primary objectives being to research, write and present to the Civic Arts Commission and the City Council a Resolution for Funding a Public Art Program for the City of Berkeley. In order to bring the best current practices in the field to Berkeley, the Civic Arts Coordinator attended four professional conferences and a half-day California Arts Council consultation\*. The Civic Arts Coordinator with the assistance of the then director of the UC Berkeley Art Museum formed the beginnings of the Berkeley Cultural Trust, one of its purposes being to serve as a community advisory group to the public art effort.

The Downtown Measure S projects were the first phase of the Public Art Program. These projects were funded by a voter bond issue passed for Downtown improvements. Through the Measure S Bond Fund, the Addison Streetscape improvements were initiated and completed. These projects included the sidewalk poetry and artworks on Addison Street, the hard-carved Library Gates in the Central Public Library, and the two large downtown sculptures located at the entrance of the Arts District.

The Public Art Program contains both functional and stand alone fine art, both of which are demonstrated by the Public Art projects completed through Measure S. Functional public art serves two purposes. It is specifically designed for the site and fulfills a utilitarian purpose. Excellent examples of functional public art are the hand-carved Library Gates in the Central Public Library and the sidewalk artworks that adorn both sides of Addison Street in the Downtown Arts District. Stand-alone fine art is independent and not usually incorporated into the structure or use of a project or building component, serving instead as a source of inspiration and beauty. The two downtown sculptures, *s'herbogenbosch* and *Earthsong for Berkeley* by artists John Toki and Wang PoShu, are both examples of stand-alone fine art. Whenever possible an artist or team of artists will work with the architects at the beginning of the design process so that the artwork can become an integral part of the built environment. All public artworks become part of the built environment and a "value added" benefit to capital improvement projects.

The process of Public Art is very challenging and the staff as well as the Civic Arts Commission have included the community in this ongoing dialogue. As part of this process, a Public Art Committee of the Civic Arts Commission was formed to assist with the selection of public art sites as well as development of the program as a whole. With assistance from the Public Art Committee, City staff develops and announces a Call for Entries for each project. The selection of each artwork is assigned

\* Individual Consultation on Public Art, California Arts Council, Sacramento, CA, March 1998.  
California Arts Council State/Local Retreat, Asilomar, February 1998.  
Public Art 101, City of Seattle, May 1998.  
California League of Cities, Art and Economic Development, Monterey, August 1998.  
Governor's Conference on the Arts, December 1998.

to a Selection Panel specific to each project. Selection Panels are chosen with input from the Civic Arts Commission, City staff, the community, and the project architect. All entries are judged for merit and appropriateness by the Selection Panel. The selected finalist is submitted to the Civic Arts Commission for final approval and the artwork is then commissioned.

Public workshops on how to apply and become a public artist are part of our program, as well as open meetings and community participation. An open, regional workshop is held for each round of public art projects.

Some competitions are international, some regional, and some open to entry by Berkeley artists only. Each Call for Entries clearly states the site, the eligibility of artists, the time line for the project, the process for evaluation, the funds involved, etc. and are widely distributed through appropriate mail, the world wide web, art journals and newspaper announcements. The goal is an open and balanced program that will enhance the City of Berkeley and strengthen Berkeley artists. By keeping part of our competitive Call for Entries open to other cities, we will encourage other cities to allow Berkeley artists to compete for commissions in their cities as well. The Public Art process follows the visual art ordinances in place and the Arts Commission will continue to operate in accordance with all open and public meeting laws.

The passage of the Percent for Art Fund (Resolution No. 60,048-N.S. )\*\* in May of 1999 enables the Public Art Program to live beyond the limited Measure S bond fund, which by law could only be used for Downtown improvements. Each year, 1.5% of the City of Berkeley eligible Capital Improvement funds are put into a Public Art Fund. The annual Public Art Plan will continue to enrich the architectural and cultural environment of the City.

We look forward to a positive, inclusive, and respectful process.

\*\*

A copy of this resolution is included in this booklet

## EXAMPLES OF PUBLIC ART



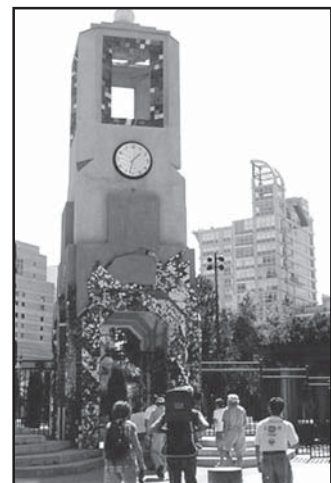
*Hammering Man*, Jonathan Borofsky, 1991.  
Public Art for the City of Seattle, WA.



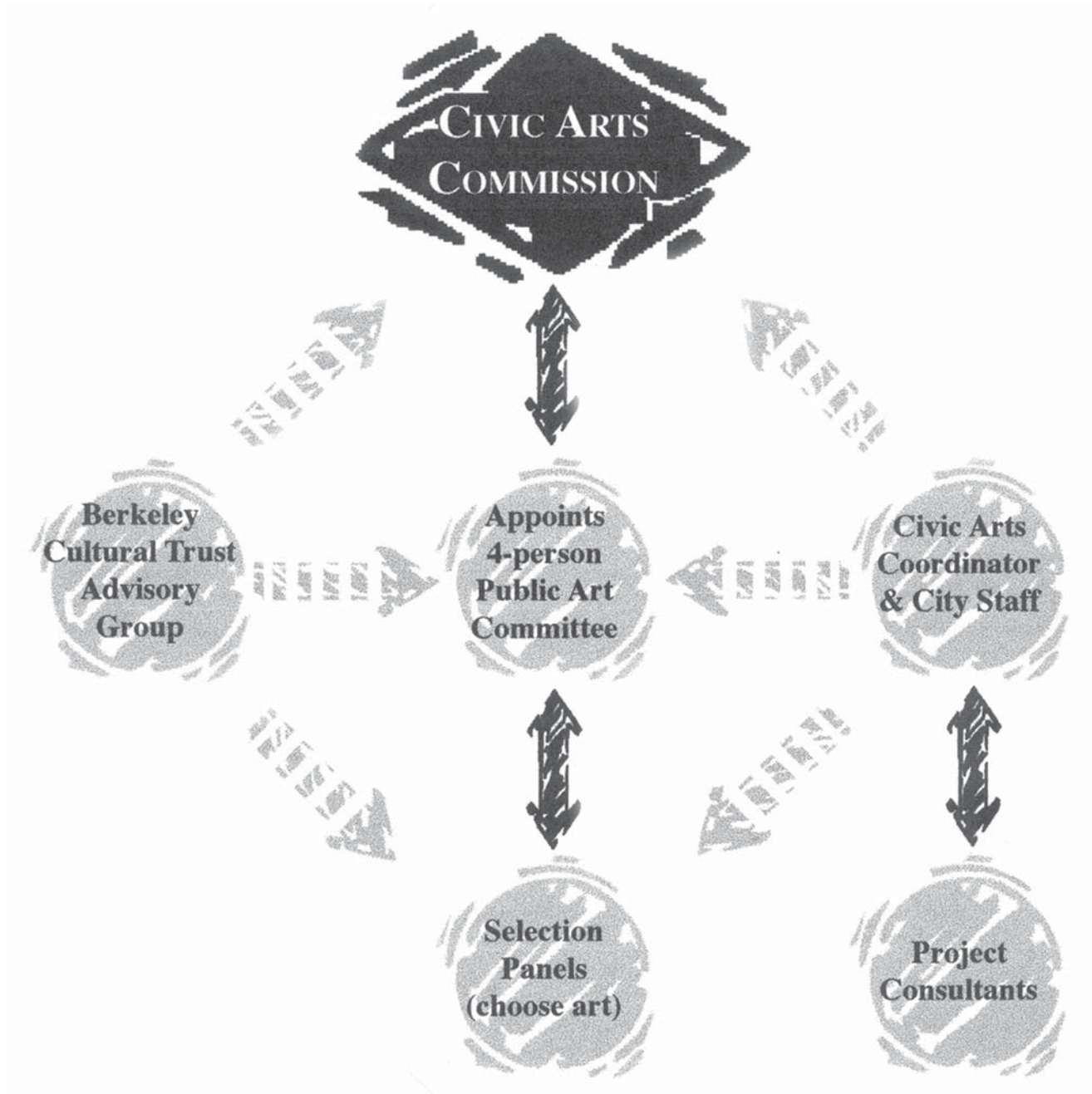
*Untitled (Three Dancing Figures)*, Keith Haring, 2001 (1989)  
Public Art for the City of San Francisco, CA.



*Library Gates*, Miles Karpilow, 2002, (2000)  
Public Art for the Central Public Library, Berkeley, CA.



*Clock Tower*, Lawrence Halprin, 1993.  
Public Art for the Grand Hope Park, Los Angeles, CA.



# THE PUBLIC ART SELECTION PROCESS

## *1985 City Ordinance on Visual Art*

### **The Selection Process** (follows 1985 City Ordinance on Visual Art in Public Places)

1. The Civic Arts Commission has oversight responsibility for the Public Art Program in cooperation with the Civic Art Coordinator and City staff. The Civic Arts Commission appoints a four person Public Art Committee from its members that has direct oversight of the Public Art Program and which reports back to the full Commission.
2. This Public Art Committee, along with the Civic Arts Coordinator, City staff and an experienced project consultant, appoints the selection panels, based on consideration of each site and project and determined by the candidates' experience and training.
3. Selection Panels, consisting of three to seven members, will serve only for the period needed to choose the work or works of art for one identified area and then disband. Selection Panels may work with a number of art pieces identified for one project area such as Downtown or the Library. To insure a representative community body, the Selection Panels will be made up of:

Three consultants\* and when appropriate additional members consisting of:

- A representative of the neighborhood
- A representative of the Civic Arts Commission
- A representative of other City boards and Commissions
- A project architect

4. The recommendation of the selection panels will be passed on to the Public Art Committee of the Civic Arts Commission. The committee's recommendation is then passed on to the whole Civic Arts Commission, which in turn will inform the City Council of the work or works to be commissioned in accordance with the 1985 Ordinance. The decision of the Art Commission is final. An informal community advisory group consisting of Berkeley's nonprofit arts agencies call the Berkeley Cultural Trust, has agreed to act as a partner to the whole process for support and guidance.

### **Public Art for the City of Berkeley**

All the above is based on existing ordinances and reflects a fair, open and respectful process used throughout the United States. All open call for entry will be widely distributed and a series of educational workshops will be held for artists wishing to participate in the process. Please call the Civic Arts Coordinator if you have any questions (510) 981-7533.

\* "Qualified consultant" means professional visual artists, educators, scholars, historians, collectors, and environmental designers and planners, whose authorities and skills are known and respected in the community and, whenever feasible, who have demonstrated an interest in, and have participated in, the arts of the city. (Ord. 5630-NS1 (part), 1985)

## Chapter 6.14

**VISUAL ART IN PUBLIC PLACES**

## Sections:

- 6.14.010 Definitions.
- 6.14.020 Visual arts Panel.
- 6.14.030 Standards for review.
- 6.14.040 General rules for art in public places.
- 6.14.050 Review of artistic materials.

**Section 6.14.010 Definitions.**

For purposes of this chapter the terms listed in this section shall be defined as follows:

- A. “Visual art in public places” means any visual work of art displayed for two weeks or more in an open City-owned area, on the exterior of any City-owned facility, in areas designated as public areas, lobbies, or public assembly areas, or on non-city property if the work of art is installed or financed, whether wholly or in part, with city funds or grants procured by the City.
- B. “Work of art” includes, but is not limited to, functional art integrated into public improvements, a sculpture, monument, mural, painting, fountain, banner, mosaic, weaving, stained glass, multimedia, computer-generated art, and earth art.
- C. “Permanent installation” means a work of art in a public place intended to remain or remaining for one year or more.
- D. “Temporary installation” means a work of art in a public place intended to remain for less than one year.
- E. “Qualified consultant” means professional visual artists, educators, scholars, historians, collectors, and environmental designers and planners, whose authorities and skills are known and respected in the community and, whenever feasible, who have demonstrated an interest in, and have participated in, the arts of the City. (Ord. 6487-NS § 1, 1999; Ord. 5630-NS § 1 (part), 1985)

**Section 6.14.020 Visual arts panel.**

A visual arts panel shall be convened by the Civic Arts Commission as a temporary subcommittee of the Civic Arts Commission for each art in public places project. A different visual arts panel shall serve for each art in public places project and shall dissolve after placement of the work of art. The visual arts panel shall include three qualified consultants appointed by the Civic Arts Commission and, when appropriate as determined by the Civic Arts Commission, a representative of affected neighborhoods, the Civic Arts Commission, other appropriate City boards and commissions, and project architects.



The duties of a visual arts panel with respect to specific art in public places projects shall be as follows:

- A. To devise methods of selecting and commissioning artists with respect to the design, execution, and placement of specific art in public places projects, and pursuant to such methods, to advise the Civic Arts Commission on the selection and commissioning of artists for such projects;
- B. To advise the Civic Arts Commission regarding the amounts to be spent on specific art in public places projects;
- C. To advise and assist the Civic Arts Commission in obtaining financial assistance for art in public places projects from private, corporate, and governmental sources. (Ord. 5630-NS § 1 (part), 1985)

**Section 6.14.030 Standards for review.**

In performing its duties with respect to art in public places, a visual arts panel shall give special attention to the following matters:

- A. Appropriateness of the design to the functions of the site;
- B. Representation of a broad variety of tastes within the community and the provisions of a balanced inventory of art in public places to insure a variety of style, design, and media throughout the community that also will be representative of the eclectic tastes of the community. (Ord. 5630-NS § 1 (part), 1985)

**Section 6.14.040 General rules for art in public places.**

- A. Review of permanent and temporary installations: Permanent and temporary installations shall receive the prior review and advice of a visual arts panel. Extensions of time for temporary installations to remain for one year or more may be granted by a visual arts panel. Permanent installations shall not be removed, altered, or changed without the prior review and advice of a visual arts panel and the artist, whenever feasible.
- B. Private sites for art in public places: No work of art financed or installed whether wholly or in part with City funds or with grants procured by the City shall be permanently installed on privately owned property without a written agreement between the City and the owner specifying the proprietary interests in the work of art, binding the owner to the general rules for art in public places, specifying that the owner shall assure installation of the work of art in a manner which will protect the work of art and the public and that the work of art will be maintained in good condition, and providing for appropriate insurance and indemnification, as well as any other provisions deemed necessary or desirable by the City Attorney.
- C. Consultation with the artist: Installation, maintenance, alteration, refinishing, and moving of art in public places shall be done in consultation with the artist whenever feasible.

D. Inventory of art in public places: The Civic Arts Commission shall maintain a detailed record of all art in public places, including site drawings, photographs, designs, names of artists, and names of architects whenever feasible. (Ord. 5630-NS § 1 (part), 1985).

**Section 6.14.050 Review of artistic matters.**

Recognizing that professional expertise is necessary and desirable in artistic matters, such as the selection of artists for a project, the selection of particular works of art, and the approval of designs and plans for works of art under the visual art in public places program, it is a policy that:

- A. Decisions on artistic matters will be made by a visual arts panel;
- B. The City Council will not exercise its independent judgment on artistic matters;
- C. The City Council will refer questions, suggestions, requests, complaints and similar items pertaining to visual art in public places to the Civic Arts Commission for review and response. (Ord. 5630-NS § 1 (part), 1985)

(Berkeley 6-30-85)



# **THE CMC ARTS COMMISSION AS** **THE DELEGATED OVERSIGHT BODY**

## ***1991 City Ordinance on the Civic Arts Commission***

Chapter 3.12

### **CIVIC ARTS COMMISSION**

Sections:

- 3.12.010      Established—Membership—Appointment.
- 3.12.020      Appointment automatically terminated when—Procedures.
- 3.12.030      Liaison representatives to other city entities.
- 3.12.040      Organization, meetings, rules and procedures.
- 3.12.050      Reserved.
- 3.12.060      Duties and functions.

#### **Section 3.12.010    Established—Membership—Appointment.**

A. Civic Arts Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made by councilmembers, and vacancies on the commission shall be filled by councilmembers in accordance with the provisions of Section 2.04.030 through 2.04.130 of this code enacted as Ordinance No. 4780-NS by the voters of the City. (Ord. 6032-NS § 1, 1991; Ord. 5253-NS § 1 (part), 1980)

#### **Section 3.12.020    Appointment automatically terminated when—Procedures.**

A. The appointment of any member of the commission who has been absent from three consecutive regular meetings shall automatically terminate as hereinafter set forth.

B. The secretary of the commission shall report the attendance record of each member of the commission to the City Clerk at the end of each six-month period, the first report to be made in July, 1980.

C. The appointment of any member who was absent from three consecutive regular meetings, as shown on the report shall be terminated on the date the report is filed with the City Clerk.

D. The City Clerk shall notify any member whose appointment has automatically terminated and report to the appointing City Councilmember that a vacancy exists on the commission and that an appointment should be made for the unexpired term. (Ord. 5880-NS § 1, 1988; Ord. 5253-NS § 1 (part), 1980)

**Section 3.12.030 Liaison representatives to other City entities.**

Subject to the approval of the council in each case, the commission may designate one of its members to act as a liaison representative to any other board, commission or committee of the City. The functions of such liaison representatives are:

- A. To attend the meetings of such other board, commission or committee;
- B. Advise this commission on the background, attitudes, and reasons behind the actions of such other board, commission or committee; and
- C. On request of any member of such other board, commission, or committee, to advise such other board, commission or committee of policy, procedures and decisions of this commission that may bear upon matters under discussion by such other board, commission or committee. Such liaison representative shall have no power to vote. (Ord. 5253-NS § 1 (part), 1980)

**Section 3.12.040 Organization, meetings, rules and procedures.**

- A. The commission shall organize by electing from its members one president, one vice-president and such other officers as may be necessary, who shall hold office for one year and until their successors are elected unless their terms as members of the commission sooner expire. An officer or employee of the City designated by the City Manager shall serve as secretary of the commission.
- B. The commission shall establish a regular time and place of meeting and shall hold at least one regular meeting each month. Special meetings may be called by the president or by a majority of the members of the commission upon written notice being delivered personally or received by each member at least twenty-four hours prior to each meeting.
- C. The commission may make and alter rules governing its organization and procedures which are not inconsistent with this chapter or any other applicable ordinance of the City.
- D. A majority of the members appointed to the commission shall constitute a quorum for the transaction of business and the affirmative vote of a majority of the members is required to take any action. The City Manager shall appoint a staff liaison to the commission.
- E. The commission shall keep an accurate record of its proceedings and transactions and shall submit an annual report to the City Council with a copy to the City Manager. (Ord. 5880-NS § 1, 1988: Ord. 5366-NS § 1, 1981: Ord. 5253-NS § 1 (part), 1980)

**Section 3.12.050 Reserved.****Section 3.12.060 Duties and functions.**

- A. Encourage programs for the cultural enrichment of the City and help make City resources available to cultural groups.
- B. Provide assistance to groups and individuals wishing to sponsor neighborhood events, such as block parties, small business celebrations, and community holidays.

- C. Provide support for art groups in their search for funding from county, state, federal and private sources and pursue projects which would provide funding for the arts.
- D. Coordinate and strengthen existing organizations in the arts and develop cooperation with regional organizations.
- E. Develop ongoing data on the economic impact of the arts on the community.
- F. Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift, or otherwise, and exterior works of art installed in the civic center district which are visible to the public.
- G. Encourage the beautification of the City.
- H. Advise the council on all matters affecting the beauty and culture of the City.
- I. Render advice and assistance in the fields of art, esthetics and beautification to other City boards and commissions.
- J. Develop guidelines and procedures to be submitted to the City Council for approval for a visual arts in public places program.
- K. Appoint a temporary subcommittee known as the visual arts panel, consisting of four commission members to carry out the visual arts in public places programs.
- L. Report to the council the final action of each visual arts panel in selecting and installing each art in public places project.
- M. Provide recognition and increased opportunities for artists through art in public places project and maintain an inventory of meritorious works of art in the public view.
- N. Provide assistance to local artists and private property owners on matters relating to installation of works of art on private property in the public view.
- O. Advise the council on all matters pertaining to the quality, quantity, scope, and style of art in public places.
- P. Develop recommendations for distribution of City arts funding in accordance with established criteria. (Ord. 5880-NS §§ 1, 2, 1988: Ord. 5631-NS § 1, 1985: Ord. 5253-NS § 1 (part), 1980)

(Berkeley 6-30-91)

## **1999 PERCENT FOR ART RESOLUTION**

### **RESOLUTION NO. 60,048-N.S.**

ESTABLISHING A PROGRAM TO FUND THE DEVELOPMENT OF VISUAL ART IN PUBLIC PLACES, INCLUDING ART DEVELOPED IN CONJUNCTION WITH CITY CONSTRUCTION PROJECTS

WHEREAS, the cultivation and development of a livable community is enhanced by the presence of works of art and creative expression available for the enjoyment of all citizens; and

WHEREAS, in 1985, the City Council adopted Ordinance No. 5603-N.S., Berkeley Municipal Code Chapter 6.14, to promote the cultivation and creation of works of visual art in public places; and

WHEREAS, in 1980, the City Council adopted Ordinance No. 5253-N.S., Berkeley Municipal Code Chapter 3.12, establishing the Civic Arts Commission, and charged it with a variety of duties related to fostering programs for the cultural enrichment of the City; and

WHEREAS, the development of the physical infrastructure of the City provides numerous opportunities for creative expression by integrating artistic features into said infrastructure; and

WHEREAS, developing works of art in conjunction with City construction projects can contribute elements of beauty and creativity to all neighborhoods of the City; and

WHEREAS, a successful City-wide program to foster the development of works of art requires the collaboration of various City departments which are commonly involved in the construction of public improvements, the City Manager, the Civic Arts Commission and members of the community; and

WHEREAS, in those circumstances in which it is not feasible to incorporate artistic features into a particular public improvement, the public interest will be served by allocating sufficient funding to develop works of art separate from the public improvement; and

WHEREAS, the terms of this Resolution should be applied in a manner consistent with the requirements of Chapters 3.12 and 6.14 of the Berkeley Municipal Code.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley as follows:

#### **Section 1. DEFINITIONS**

“Administrative Costs” shall mean the expenditures necessary for implementation of the requirements of this Resolution, including, but not limited to, project management, soliciting proposals, public education, promotion, maintenance and risk management.

“Annual City Public Art Plan” shall mean the annual planning document which sets forth goals and objectives for development of works of art, including, art developed in conjunction with City construction projects during that Fiscal Year and any expenditures from the City’s Public Art Fund.

“Artist” shall mean a person who has completed works of art which meet contemporary artistic standards prevailing in major metropolitan areas.

“City Manager” shall mean the City Manager or his, or her, designee.

“Eligible Capital Project” shall mean any improvement to public property which the City Manager has approved for application of the requirements of this Resolution. This term shall not be interpreted to include any improvement for which the source of funding, or any applicable law or regulation, prohibits or restricts the use of funds for the purposes of this Resolution.

“Public Art Element” shall mean that component, feature, characteristic, or portion of a public improvement incorporated for artistic purposes.

“Public Art Fund” shall mean the budget account established by the City for receipt of funds derived from Eligible Capital Projects which may be expended for the purpose of incorporating artistic elements into public improvements or acquiring, creating, installing, presenting or displaying Off-Site Works of Art.

“Project Budget” shall mean the costs attributable to constructing a public improvement subject to the terms of this Resolution, including, construction, hazardous materials abatement, and procurement of goods intended for incorporation into the improvement. Project Budget shall not be interpreted to include costs associated with land use planning consultants, feasibility studies, environmental review, land acquisition costs, legal fees, architecture/engineering costs, construction management, geotechnical surveys, and historical surveys.

“Off-Site Work of Art” shall mean Works of Art as defined in Chapter 6.14 of the Berkeley Municipal Code which are acquired, created, installed, presented or displayed at a location other than the site of the Eligible Capital Project from which funds were derived under Section III of this Resolution.

## **Section 2. ANNUAL PLANNING**

A. As part of the City’s budget process, the City Manager shall submit to the Civic Arts Commission a report identifying all public improvements which satisfy both of the following criteria:

1. expenditures will be made from the Project Budget during the following budget cycle, and
2. designation as an Eligible Capital Project would not result in detriment to the project.

B. Pursuant to Chapter 6.14 of the Berkeley Municipal Code, the Civic Arts Commission shall thereafter assign a different rank to each public improvement identified pursuant to Section A above based on the potential benefits to the community of designating the improvement as an Eligible Capital Project.

C. Pursuant to Chapter 6.14 of the Berkeley Municipal Code, the Civic Art Commission shall issue to the City Manager an Annual City Public Art Plan presenting its recommendations: 1) for public improvement projects which should be designated as Eligible Capital Projects, and 2) any expenditures from the Public Art Fund for the acquisition, creation, installation, presentation or display of Off-Site Works of Art during that Fiscal Year. The Annual City Public Art Plan shall include an explanation of the benefits and detriments, if any, associated with each proposal.

### **Section 3. FUNDING**

- A. A sum equal to one percent (1%) of the Project Budget for each Eligible Capital Project shall be transferred to the Public Art Fund and utilized solely to develop and install a work of art integrated into the completed improvement, regardless of whether it contributes to the purpose and function of the improvement, including, but not limited to, color, shape, design, texture, general appearance, or decoration which is designed and constructed integrally with the public improvement itself.
- B. In addition to the amount specified in Section III(A), above, a sum equal to one half percent (0.5%) of the Project Budget for each Eligible Capital Project shall be transferred to the Public Art Fund and utilized solely for Administrative Costs.
- C. Funds designated for the Public Art Fund shall be transferred not later than the date on which funds for the Project Budget have been encumbered.
- D. In the event that the final cost of designing and constructing the Public Art Element is less than one and one half percent (1.5%) of the Project Budget, the unused funds will be retained in the Public Art Fund and utilized for the creation of Off-Site Works of Art.
- E. In the event that the Eligible Capital Project will result in a public improvement which is inaccessible to the public, such as an underground structure, or for which it is not feasible to incorporate the Public Art Element, the funds designated for the Public Art Element shall be transferred to the Public Art Fund and may be used for the creation of Off-Site Works of Art.

### **Section 4. MANAGEMENT OF PUBLIC ART ELEMENT**

The City Manager is authorized to manage the development and implementation of the Public Art Element in accordance with Chapter 6.14 of the Berkeley Municipal Code governing Visual Art in Public Places. The City Manager may use any reasonably efficient means and methods to design a Public Art Element, including, but not limited to, the following:

- A. Retain an artist to design the Public Art Element independently of the architects/engineers who are responsible for designing the public improvement.
- B. Require as part of the selection process that the architects/engineers who are responsible for designing the public improvement retain an artist as a functioning member of the design team to design the Public Art Element concurrently with the design of the public improvement.
- C. Require as part of the competitive solicitation process that the contractor responsible for building the public improvement retain an artist to design the Public Art Element.

### **Section 5. PUBLIC ART FUND**

- A. The City Manager shall establish budget accounts to receive funds transferred pursuant to Sections III (A) and (B), above. Monies in the Public Art Fund, if not expended in any particular Fiscal Year, shall be carried over to the next Fiscal Year, unless the source of the funds, or applicable laws or regulations, prohibit such action. Generally accepted accounting principles will be utilized to ensure that the funds are utilized in a manner consistent with this Resolution.
- B. Nothing herein shall be interpreted to prohibit the City from soliciting and receiving grants, donations, bequests, or gifts from any source, public or private, for deposit in the Public Art Fund to be expended in a manner consistent with this Resolution.

C. Monies in the Public Art Fund shall not be expended for the purposes of awarding grants to artists or arts organizations under City Council Resolution No. 55,832-N.S.

**Section 6. OFF-SITE WORKS OF ART**

A. Pursuant to Section 3.12.060(F) of the Berkeley Municipal Code, the Civic Arts Commission shall review and make recommendations for expenditures from the Public Art Fund for the acquisition, creation, installation, presentation or display of Off-Site Works of Art.

B. The City Manager shall manage the acquisition, creation, installation, presentation and display of Off-Site Works of Art.

**Section 7. GRANTS**

All City departments shall include in any application for grant funds for an Eligible Capital Project an amount sufficient for the Public Art Element, unless said inclusion would be detrimental to the City.

**Section 8. RULES AND REGULATIONS**

It is the intent of the City Council to allow the City Manager flexibility in attaining the goals of this Resolution; therefore, the City Manager is authorized to establish rules and regulations consistent with the intent of this Resolution and the Berkeley Municipal Code for the purposes of implementing this Resolution.

**Section 9. EFFECTIVE DATE**

This resolution shall become effective June 1, 1999.

The foregoing Resolution was adopted by the Berkeley City Council on May 25, 1999 by the following vote:

Ayes: Councilmembers Armstrong, Breland, Maio, Olds, Shirek, Spring, Woolley, Worthington and Mayor Dean.

Noes: None.

Absent: None.

Attest: Shirley Dean, Mayor , Sherry M. Kelly, City Clerk.



**GUIDELINES FOR PUBLIC ART**  
**CITY OF BERKELEY PUBLIC ART PROGRAM**  
*Revised and Updated March 19, 2019*

INTRODUCTION

Welcome to the Guidelines for Public Art for the City of Berkeley Public Art Program. Please read our companion publication, Public Art for the City of Berkeley for city legislation governing the selection process, the role of the Civic Arts Commission and the funding mechanism (1985 City Ordinance No. 5603 N.S. on Visual Art in Public Places, 1991 City Ordinance No. 5253 on the Civic Arts Commission, 1999 Resolution No. 60,048-N.S. on 1.5% funding).

The following guidelines are meant to support, not override, legislation and staff responsibilities.

A. MISSION STATEMENT

The City of Berkeley Public Art Program will enliven and beautify the City's environment. The program will encourage and promote awareness of the City's rich ethnic, social, and cultural diversity as expressed through visual and design arts. The Public Art Program will enhance the visual environment for the citizens of Berkeley, integrate the design work of artists into the development of City public works projects, and promote tourism and economic vitality of the City through the enhancement of public spaces.

B. PERCENT FOR ART PROGRAM FUNDING

Funding for public art shall be generated primarily from capital projects as outlined in the Percent for Art Resolution No. 60,048-N.S. adopted by City Council on June 1, 1999, which reads as follows:

SECTION III FUNDING

A. A sum equal to one percent (1%) of the project budget for each Eligible Capital Project shall be transferred to the Public Art Fund and utilized solely to develop and install a work of art integrated into the completed improvement, regardless of whether it contributes to the purpose and function of the improvement, including, but not limited to, color, shape, design, texture,



general appearance, or decoration which is designed and constructed integrally with the public improvement itself.

B. In addition to the amount specified in Section III. (A), above, a sum equal to one half percent (0.5%) of the project budget for each Eligible Capital Project shall be transferred to the Public Art Fund and utilized solely for administrative costs.

C. Funds designated for the Public Art Fund shall be transferred no later than the date on which funds for the Project Budget have been encumbered.

D. In the event that the final cost of designing and constructing the Public Art Element is less than one and one half percent (1.5%) of the project budget, the unused funds will be retained in the Public Art Fund and utilized for the creation of other works of art.

E. In the event that the eligible capital project should result in a public improvement which is inaccessible to the public, such as an underground structure, or for which it is not feasible to incorporate the public art element, the funds designated for the public art element shall be transferred to the Public Art Fund and may be used for the creation of off-site works of art.

#### 1. Funding Aggregations

Use of public art money depends on the funding source and the site. Certain capital improvement funding may require that public art money be restricted for use at a specific project site, or the Public Art Annual Plan may designate such a restriction. Other funds may be “pooled” and allocated for a work of art “off-site”. “Pooling” allows for small amounts to be aggregated toward one viable project.

Funds deemed not necessary or appropriate for public art at a project site by the Berkeley Civic Arts Commission and the Capital Improvement Project Manager(s), may be pooled and expended on other projects approved under the Public Art Annual Plan when such funds are eligible to be so used.

#### 2. Method Of Calculation

The minimum amount to be appropriated to the Public Art Fund shall be the total capital project appropriation, including all construction costs, architectural and engineering fees, and site work expenses, excluding amounts budgeted for real property acquisition, demolition, equipment, facility maintenance and operations, multiplied by 0.015.

### 3. Ineligible Uses

Monies appropriated according to Resolution No. 60,048-N.S. may not be used for the following:

- a. Art objects that are mass produced and of standard design, such as playground equipment or fountains.
- b. Reproduction, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking or other media arts.
- c. Those items that contribute to the asset base and normal operating expenses of a resident agency, such as a city museum or gallery, or a private cultural institution.
- d. Artwork acquired through third-party owners, such as private collectors or auction houses.
- e. Architects' fees, except in such cases where the public art component significantly changes a project architect's scope of services.
- f. Operating expenses related to the work, including water, electricity or mechanical devices.

### C. ANNUAL PUBLIC ART PLAN

In order to successfully implement a citywide Public Art Program, a collaborative effort must be made by various City departments.

Each fiscal year the Civic Arts Coordinator and representatives from the Civic Arts Commission, the City Manager's Office, Planning and Development, the Office of Economic Development, Parks and Marina and Public Works shall meet to identify appropriate capital projects. The Civic Arts Coordinator and the Public Art Committee of the Civic Arts Commission shall use this information to write an Annual Public

Art Plan. The Annual Plan shall identify eligible capital improvement budgets and projects, determine funding and select sites. “Pooling” of small, non-site-specific funding sources shall be a part of this process. Site-specific and citywide projects shall be determined. A consultant with expertise in master plan development and public art may facilitate this process. The Annual Public Art Plan shall be presented by staff to the Civic Arts Commission for approval and then forwarded to the City Council for their information.

#### D. ADMINISTRATION

##### 1. Berkeley City Council

The Berkeley City Council shall approve acceptance of gifts of artwork to the City valued at \$1,000 or more, and approve loans of City-owned artwork to other organizations or institutions.

##### 2. Berkeley Redevelopment Agency

The Berkeley Redevelopment Agency shall:

- a. Review and approve Public Art Program Policies and Procedures as they may relate to Agency Policies.
- b. Assist in the coordination of public art projects on Agency properties.

##### 3. Civic Arts Commission

The Civic Arts Commission and the Civic Arts Coordinator shall administer the Public Art Program and shall be responsible for reporting Public Art Program activities to the Berkeley City Council and Redevelopment Agency. The Commission shall:

- a. Recommend Public Art Program policies and procedures to the City Council.
- b. Make all aesthetic decisions as outlined in the 1985 Visual Art/Public Art Ordinance, including final selection of public art sites and artwork.

- c. Approve the Annual Public Art Plan and submit it to the City Council and/or Agency for information.
- d. Approve loans of artwork to the City.
- e. Review and recommend to the City Council the acceptance or rejection of all proposed gifts of artwork to the City valued at \$1,000 or more, approve gifts of artwork valued under \$1,000, and make recommendations for the lending of City-owned artwork to other organizations or institutions.
- f. Revise Public Art Program policies and procedures as necessary.
- g. Review and recommend extensions of time for temporary projects.

4. Public Art Committee of the Berkeley Civic Arts Commission

The Public Art Committee (PAC) shall be comprised of four members of the Civic Arts Commission as stated in the 1985 Ordinance. The commission shall strive for ethnic, social, and professional diversity in the PAC's membership. Members of the PAC will be selected for their expertise in public art, urban design and community participation.

The Public Art Committee shall:

- a. Recommend program policies and procedures to the Civic Arts Commission.
- b. Recommend public art projects and budgets, in the form of an Annual Public Art Plan, to the Civic Arts Commission.
- c. Review for acceptance or rejection, proposals for public art acquisitions, as recommended by selection panels, and forward a recommendation for acceptance or rejection to the Civic Arts Commission.
- d. Review and recommend to the Civic Arts Commission the acceptance or rejection of all proposed gifts or loans of artwork to the City, and make recommendations for the lending of City-owned artwork to other organizations or institutions.

- e. Serve as community liaisons and provide advocacy for the Public Art Program and its activities.
- f. Select its Chairperson for the same term as the Chair of the Commission.

#### 5. The Public Art Advisory Committee

For certain projects, staff and/or the Public Art Committee may elect to establish a project “advisory” committee. An advisory committee is an ad hoc group which provides the Arts Commission, staff and artists with information regarding policy issues in public art, the physical parameters of the site, the site’s users or audience, the social, historical, or cultural history of the neighborhood where the artwork will occur, and other types of information that may assist the Arts Commission in public art decisions.

A Public Art Advisory Committee (PAAC) shall augment the four-person Public Art Committee by providing professional advice. This will allow a greater area of expertise to assist the Arts Commission in its selections and policy decisions. The PAAC can choose to sit with and advise the Public Art Committee. The PAAC can also choose to meet quarterly and serve to help settle issues in the public art process. Staff and/or the Public Art Committee shall recommend putting such a panel in place according to the complexity of the projects and sites, with people whose expertise is relevant to the specific project. The Public Art Advisory Committee will not have a vote but its recommendations shall be taken into consideration by the Public Art Committee.

The Advisory Committee is not limited to, but may consist of one or more of the following persons.

- i. The design architect. When the project calls for an artist or artists to participate on a design team, the project architect may be asked to serve as a voting member of the selection panel as well.
- ii. The project manager or designee from the City department collaborating on the project.

#### 6. Public Art Program Staff

The Civic Arts Coordinator shall be responsible for the overall management and administration of the public art program and public art projects from inception to completion. The Civic Arts Coordinator's responsibilities shall include, but are not limited to, the following.

- a. Review, evaluate and allocate the City/Agency Annual Capital Improvement Projects list and identify potential art projects to be implemented in conjunction with projects described therein.
- b. Review other planned or existing City/Agency projects to determine other appropriate public art project opportunities.
- c. Prepare the Annual Public Art Plan with the Public Art Committee.
- d. With assistance from the PAC, develop project parameters, budgets, and schedules for each adopted project.
- e. Develop and implement an artist recruitment plan, including writing and disseminating Requests For Proposals/Qualifications or Calls for Artists, and identify appropriate methods for the artist selection process.
- f. For selection processes involving a selection panel, identify and recommend to the PAC qualified panelists.
- g. Assemble Public Art Advisory Committee members as appropriate.
- h. Review artists' application materials and pre-screen the applicant pool to select a slate of qualified candidates for review by the selection panel.
- i. Prepare artists' materials for presentation to the panel.
- j. Schedule, facilitate, and oversee the artist selection process.
- k. Submit panel's recommendations to the PAC and Civic Arts Commission.
- l. Solicit review, comments, and/or approvals for works of art from appropriate City departments, relative to safety and maintenance, and if required, for resolution.
- m. Convene and facilitate any public meetings related to the project.

- n. Negotiate and administer contracts; review and approve general contractor bid documents as they pertain to the implementation of the public art project.
- o. Collaborate with other city departments to coordinate the roles and responsibilities of the artist, architect, engineer, general contractor, and other professionals involved in the project.
- p. Prepare and distribute press and publicity materials related to the Public Art Program.
- q. Prepare and maintain project files.
- r. Prepare grant requests from outside funding sources, as appropriate.
- s. Review the Public Art collection to evaluate and make recommendations for maintenance or conservation needs.
- t. Solicit funds from foundations, corporations, public agencies, and other appropriate sources.

7. City Departments/Client Agencies

All City agencies and departments collaborating on public art projects with the Civic Arts Commission and the Civic Arts Coordinator shall:

- a. Deposit public art allocations in the City's Public Art Fund.
- b. Provide information to the Civic Arts Coordinator, which identifies existing or planned sites under the Department's jurisdiction which may be appropriate for public art projects.
- c. Include the cost of architectural services related to the coordination and implementation of the Public Art Program in the total construction budget. Incorporate into bid packages and contracts, language describing the architect's scope of services relative to the public art project.

- d. Direct the project architect to work within the intent of the program as described in the Percent for Art Resolution and in these guidelines.
- e. Assist staff in the development and implementation of public art projects.
- f. Inform staff of the relationship of any advisory groups, neighborhood groups, or other groups which may be impacted by or be interested in the development of a public art project.
- g. Inform staff of any proposed or planned project involving construction, renovation, or further development of a site or facility soon enough to allow for adequate review of the project's potential for incorporation of artwork, and for planning of an appropriate artwork project or design team effort.
- h. Advise staff of any municipal, division, or departmental ordinances, resolutions, or regulations, which may affect or be affected by proposed public art projects.
- i. Inform staff of planning projects for neighborhood improvement, redevelopment area projects, private or public planning studies and/or long-range policy recommendations, which have the potential to incorporate public art.

#### 8. Consultants

Consultants may be needed to advise and/or assist the Commission with specific projects. Consultant/Project Manager fees may be taken out of the .5% described in Section B, and as a general rule the fee shall range from 10-15% of the cost of the artwork. The consultant shall report to the Civic Arts Coordinator who shall keep the Arts Commission apprised of the work involved.

#### 9. Selection Panel

Selection panels are ad-hoc, assembled for specific projects, to assist the Public Art Program in identifying qualified artists for a project. The number of panelists and the composition of the panel appointed for projects depend upon the size, location, and complexity of each project. Selection panels should be assembled with racial, cultural and gender diversity as a guide. The



panel composition shall comply with the 1985 City Ordinance on Visual Art/Public Art and may include:

- a. Three consultants. A qualified consultant means a professional visual artist, educator, scholar, historian, collector, environmental designer, or planner, whose authorities and skills are known and respected in the community and, whenever feasible, who has demonstrated an interest in, and has participated in, the arts of the city. {Ord. 5630-NS1 {part}. 1985}

And when appropriate:

- b. A representative of the neighborhood
- c. A representative of the Civic Arts Commission
- d. A representative of other City boards and Commissions
- e. A project architect
- f. Non-voting Advisory Members

## E. ACQUISITION OF PUBLIC ARTWORK

### 1. Criteria For The Acquisition Of Artwork

Criteria to be used in the acquisition of public artwork or design elements shall include, but not be limited to, the following:

- a. Artistic Quality: Excellence of the artworks' craftsmanship, originality and appropriateness of concept, and integrity of materials used.
- b. Media: All forms of media shall be considered. Works may be portable, permanently affixed, or incorporated in the design and/or function of a public space. Temporary exhibits and installations may also be considered for commissions except when excluded by funding sources with specific restrictions.
- c. Permanence: For permanent works of art or design elements, due consideration shall be given to the work's structural soundness, surface integrity, and to

inherent resistance to theft, vandalism, weathering, public safety, and maintenance or repair costs, sufficient to endure 30 years.

- d. Public Safety: All works of art, design elements, or temporary installations shall be evaluated to ensure their compliance with public safety requirements.
- e. Diversity: The Public Art Program recognizes the cultural, ethnic, and social diversity of the Berkeley population, as well as that of the greater Bay Area, and shall incorporate diversity in every aspect of the program. Means by which the Program may realize the goal of cultural and aesthetic diversity shall include, but is not limited to:
  - (i) Artist ethnicity,
  - (ii) Geographic distribution throughout Berkeley,
  - (iii) Style, scale and media,
  - (iv) Community participation in the public art process, and
  - (v) Experimental and traditional forms of art.

## 2. Compatibility

Before a proposal for a public art project is given final approval, it shall be evaluated for its compatibility relative to:

- a. Visibility and public access.
- b. Public safety.
- c. Traffic patterns.
- d. The relationship of the proposed public art project to the site's existing or future architectural features, its natural features, its historical, geographic and social/cultural context.
- e. The function and uses of the facility or site.

- f. The nature of the site’s surrounding neighborhood and potential impact of the public art project on residents, businesses, existing works of art or design elements within the site’s vicinity.
- g. Future development plans for the area which may affect the public art project.
- h. The feasibility of the budget and material list relative to the available funding.

## F. SELECTION OF ARTISTS

Selecting the artist, whether to create a discrete artwork or to participate in a design or community collaboration, is the single most important decision in the public art process. Special care must be taken in all aspects of selecting the artist in order to ensure the best possible public art project, taking into account the goals of the project, the community served, the nature of the site, and the other members of the design team.

### 1. Methods Of Selection

Artists (or artwork) may be selected for public art projects by one of the following methods:

- a. Direct selection: artist(s) or completed artwork(s) chosen directly by the Public Art Committee or by a Selection Panel.
- b. Invitational selection: a limited number of artists are invited to submit proposals, a completed art work, or otherwise participate in a public art project selection process. The Public Art Program may utilize direct recruitment methods to solicit qualified artists for a project by means of direct mailings of the RFQ/RFP, or through phone contact with artists, arts organizations, galleries or other sources.
- c. Open competition: any professional artist is eligible to participate, subject to limitations established by the Public Art Committee in a Call for Artists.

For competitive projects described in b and c above, staff shall develop a Request for Qualifications (“RFQ”), a Request for Proposals (“RFP), or a Call for Artists.

- (i) A description of the project, including its goals; work scope, including the site's physical description; potential approaches to the project; and any physical or legal restrictions which may apply to the project.
- (ii) Application procedures, including materials requested, eligibility and timelines.
- (iii) Selection procedures (if appropriate).
- (iv) Criteria for the selection of artist(s) and artwork(s).
- (v) Project budget.

## 2. Artist Selection Procedures

### a. Screening

Public Art staff may screen applications, and evaluate them relative to the minimum candidate criteria and qualifications outlined in the RFQ/ RRP/Call for Artists. Staff shall then present the slate of qualified candidates to the selection panel. Along with the candidates recommended for review, the panel will receive a list of all project applicants.

### b. Selection Panel

Staff shall develop a list of qualified panelists. The panelist's list shall be reviewed and approved by the PAC.

Public Art Program staff shall recommend panelists for each project and shall submit these recommendations to the PAC for approval. Selection of panelists by the PAC shall be made based on the following: experience in implementing or administering public art projects; knowledge of current trends, interest in working with Berkeley's multi-cultural community; ability to assess the creativity, design skills, and problem-solving abilities of artists under review; knowledge of materials and methods of fabrication used in public art projects and an ability to assess their appropriateness to a particular site; ability to represent a particular neighborhood or area of Berkeley in which the artwork will be sited; and ability to work cooperatively and effectively in a panel process.

The Selection Panel reviews proposals submitted by artists and makes recommendations to the Public Art Committee.

c. Public Art Advisory Committees

Advisory Committee members shall be identified through existing community organizations and by referrals from other agencies, public or private. Members should have public art expertise and be familiar with the neighborhood in which the art project will occur. The Advisory Committee shall provide the Arts Commission with useful information in the development of Public Art projects. Decisions or questions by the Public Art Committee can be brought to the Public Art Advisory Committee for clarification and decision making advice. One or more Advisory Committee members may serve on the selection panel if requested by the PAC to do so.

3. Artist Eligibility Criteria

Specific eligibility requirements will be established at the initiation of each project and will be described on the RFQ/RFP. In general:

- a. Artists shall be considered for commission on the basis of their qualifications, as demonstrated by past work, relevant experience, the appropriateness of a specific proposal to the project goals, and the likelihood that the artist can successfully complete the project.
- b. Excluded from consideration are works of art or proposals submitted by the project architect and/or members of the design team, and artists who are members of or immediate family of the Public Art Program staff, the PAC, Commission, or the City Council.

4. Artist Selection Criteria

The Panelists shall select artists based on the appropriateness of their proposal to the particular project and the probability of its successful completion, as indicated by the artist's past work or by his/her ability to work within the funding framework to ensure successful completion of the

project. In evaluating proposals for public art projects, panelists shall consider criteria in Section E.1 above and:

- a. An evaluation of the artist's proposed budget and the artist's ability to successfully complete the project within the proposed budget.
- b. An analysis of the artist's proposed method of installation of the artwork and an evaluation of safety and structural factors involved in the installation.

5. Selection Process

- a. All meetings of selection panels shall be open to the public and will be publicly noticed.
- b. Staff shall issue written instructions to panelists detailing the duties and responsibilities related to the project before the first panel meeting.
- c. The Panel shall review credentials, proposals, and/or materials submitted by artists.
- d. The Panel shall recommend to the Public Art Committee an artist or artists to be commissioned for the project; to develop design proposals for the project, or whose existing work is to be selected for the project. In the case when an artist or artists have been asked to prepare a specific design proposal, the Panel shall reconvene to review the proposal.
- e. A vote shall be taken, with the majority carrying the decision. Panelists shall each have one vote.
- f. The Panel shall have the option of making no selection. In that event, the PAC shall determine whether to initiate a new selection process, revise the project, or abandon the project.
- g. The Panel's decision shall be recorded by Public Art staff in the form of a written record to the Public Art Committee.

h. The PAC shall forward a recommendation to the Civic Arts Commission. The Commission shall review and approve or reject the PAC's recommendation.

i. If the Commission approves the PAC's recommendation and the dollar amount exceeds staff's approval of authority, the Commission shall forward the proposed contract recommendation to the City Council for acceptance. Otherwise, the Civic Arts Commission's selection is final.

j. If the Commission rejects the PAC's recommendation, it shall provide a report to the PAC with the reasons for the rejection. The PAC shall then determine whether to 1) revise or modify the project; 2) initiate a new review and selection process; or 3) abandon the project.

#### 6. Conflict of Interest

a. Any artist selected to serve on the Selection Panel is precluded from having his/her work considered for inclusion in any Percent for Art Project during the term of service.

b. Persons who would directly benefit from the selection of a particular artist or artworks are ineligible as panelists (gallery owners, brokers, artists' representatives, etc.).

c. A member of the Arts Commission is not eligible for city public art commissions. Members of the project architect's firm are not eligible for consideration as artists.

d. An artist who is currently under consideration for selection for another Civic Arts Commission public art project (i.e. is an applicant or finalist), may not serve as a panelist.

#### G. PUBLIC PARTICIPATION

Public participation is a crucial element of any public art program. As a city whose residents pride themselves on their commitment to local affairs, Berkeley makes public participation an important and creative part of its public art program. Public participation can be achieved in a variety of ways--from lectures and workshops that encourage public awareness of the public art program to the involvement of

interested residents in the actual planning, design, installation and maintenance of public art projects. Public Art program staff and the PAC shall outline approaches for public participation for each project.

Public participation in the public art program shall include, but not be limited to, the strategies listed below.

1. Education and Outreach

In order to stimulate and encourage public awareness of the arts, the Civic Arts Commission will initiate events and activities designed to provide a greater understanding of public art. These may include:

- a. Conferences, symposia, workshops, artist's lectures, presentations, community meetings, and public art tours.
- b. Development of cooperative programs with educational and arts institutions and community organizations.
- c. Regular distribution of promotional and publicity packets, including press releases and public service announcements.

2. Community Representation

Community representatives may be appointed to serve on selection panels for public art projects, and on Public Art Advisory Committees, when such committees are warranted.

3. Creative Interactions Between Artists and Community

Involvement of community representatives may include participation in the planning, design and installation of public art projects. Staff shall facilitate creative collaborations between project artists and organizations that represent community stakeholders and have expressed interest in public art collaboration. These organizations might include, but not be limited to, community organizations, educational institutions, arts organizations, and non-profit agencies.



## H. PROJECT MANAGEMENT

### 1. Inter-Agency Procedures

- a. The Civic Arts Coordinator shall negotiate the contract with the artist and with other consultants as necessary for the purchase or design, fabrication, installation of and payment for the artwork.
- b. Installation of artwork shall be coordinated between Public Art Program staff and the appropriate City official (s) within the Department having jurisdiction over the site or construction.
- c. Unless otherwise agreed, routine maintenance of the artwork shall be the responsibility of the Department of Public Works. Routine maintenance shall include such tasks as dusting, sweeping, and other such activities. Extraordinary maintenance and/or conservation of the artwork shall be the responsibility of the Civic Arts Coordinator and Commission. No other City Agency or Department shall be responsible for the conservation of artwork, and no conservation or repair work shall be performed without the prior written approval of the Civic Arts Commission.
- d. Public Art program staff, in consultation with other City agencies, shall develop an annual maintenance schedule for the public art collection and, shall determine appropriate budgets and procedures for the care and maintenance of the collection.

### 2. Project Files And Records

Public Art Program staff shall maintain a registry of all City public art that is owned, borrowed and loaned, including title, artist, value, location, date of purchase, installation, loan, receipt, deinstallation, and other relevant information. Staff shall also maintain records of each project, which shall include, but not be limited to, the following:

- a. Contract(s) with the artist(s) and consultants participating in the project.
- b. Records of City Council, Commission, PAC and Public Art Advisory Committee actions bearing on the project.

- c. Interdepartmental agreements relating to the siting or implementation of the project.
- d. Correspondence, announcements, memoranda, press clippings and publicity information relating to the project.
- e. Records of all billings made in connection with the project.
- f. All proposals submitted and other visual or written materials relating to the artist's design or method of execution as they are submitted or become available.
- g. Photo documentation in the form of black and white photographs, color slides, videos and/or transparencies of the completed project.

3. Artist Fee Policy

The following guidelines for fee structures are based on professional standards established by the public art field, and on the fees paid to other design professionals in the related fields of architecture and landscape architecture. The following should be seen as guidelines only.

In general, the Commission shall consider the following factors in determining the artist fees awarded for each project.

- a. The scope of work and degree of artist involvement.
- b. The project budget.
- c. The artist's experience and professional standing.
- d. The fee scale for similar scopes of work on comparable projects.

I. LOANS

The Loans Policy provides a process for the review of proposed loans of artwork or other artistic objects to the City of Berkeley, and for the placement of artwork acquired through this process.

1. Conditions Governing the Exhibition of Loaned Artwork on City Property

Persons or organizations requesting to temporarily exhibit a work of art in or on City-owned property must submit the following:

- a. Photographs and/or slides of the work(s) of art to be exhibited.
- b. A description of the location where the artwork will be exhibited and a written authorization from the City agency with jurisdiction over the site that approves the proposed loan of the artwork in the location and a time period for the artwork.
- c. A written description and/or drawing of the proposed method of installation and a schedule for the transportation, installation, and removal of the artwork.

2. Lender's Agreements

When exhibiting a work of art on City property, the lender must agree in writing to the following:

- a. Unless otherwise agreed to in writing by the City, the lender shall be responsible for all costs associated with the transportation, installation, deinstallation, and insuring of the artwork.
- b. Upon removal of the artwork, the lender must return the site to its original condition and remove any debris caused by or resulting from the exhibition the artwork.
- c. Unless otherwise agreed to in writing by the City, the lender must agree to exhibit the artwork at his/her own risk and to bear the expenses of any losses or damages to the artwork. The lender must agree in writing to hold the City harmless from any and all liabilities and for any damages or losses to the artwork.
- d. The lender shall produce and display a descriptive label for display next to or near the loaned artwork.
- e. If the artwork becomes damaged, destroyed, or becomes a danger to the public, the lender shall remove the artwork within three days notice from the City.

## J. ARTWORK GIFTS POLICY

### 1. INTRODUCTION

The Artwork Gifts Policy provides the process for reviewing proposed gifts of artwork, or donated funds for the specific purpose of purchasing or commissioning artwork for the City of Berkeley; guidelines for prospective donors regarding their responsibilities; and procedures for the placement, care, and disposition of artwork acquired through this process. This policy aims to ensure that all donated artworks that are accepted into the City's Civic Art Collection and installed in Berkeley's public realm demonstrate outstanding aesthetic values, meet technical criteria that ensure safety and sustainability, convey clear relationships to the City of Berkeley or to the region, and are appropriate to the surroundings in which the work will be located. While the City appreciates all offers of donations of artwork, it is not able to accept every proposed gift due to the economic and administrative obligations inherent in responsible art collection management and ownership.

The City's acceptance of gifts of Artwork is a four step process that requires review and approval by: 1. The Civic Arts Commission's Public Art Committee; 2. The Civic Arts Commission; 3. For permanently installed artworks, approval of artwork installation location by the City department or Commission with jurisdiction over the installation site; and 4. For gifts valued at more than \$1,000, approval by City Council. The process to obtain these approvals is detailed within this Artwork Gifts Policy.

### 2. DEFINITIONS

For the purposes of this policy, the following definitions apply:

- Artist: as defined in the Berkeley Municipal Code, Section 23C.23.040 "means an individual independent professional practitioner of the visual, performing, or literary arts, as judged by educational qualifications, a history of creating a body of public or publicly-displayed artwork, critical recognition in publications or online, a record of exhibitions and/or artwork sales."
- Artwork: Per the Berkeley Municipal Code, Section 6.14.101, Artwork is an original work by an artist and includes, but is not limited to, functional art integrated into public

improvements, a sculpture, monument, mural, painting, drawing, photography, fountain, banner, mosaic, weaving, stained art glass, multi-media, computer-generated art, electronic and media art, video, and earth art, installation art, performance and time based works of visual art, and social practice art.

- Civic Art Collection: The Civic Art Collection is comprised of artworks that have been approved and accessioned by the Civic Arts Commission and for artworks valued at more than \$1,000, approved by City Council, or are otherwise under the jurisdiction of the City.
- Civic Art Collection Maintenance Endowment: An endowment fund to ensure the continued care of the City's artworks.
- Civic Arts Commission: Per the Berkeley Municipal Code Chapter 3.12, the Civic Arts Commission consists of nine members appointed to by council members and charged with a variety of duties related to fostering programs for the cultural enrichment of the City and advising the City Council on all matters affecting the beauty and culture of the City of Berkeley, including recommendations regarding the approval of artwork gifts valued at more than \$1,000. Artwork gifts valued at less than \$1,000 are approved by the Civic Arts Commission. The Civic Arts Commission appoints the four person Public Art Committee from its members which reports back to the full Commission.
- Civic Arts Program: The Civic Arts Program consists of City staff who administer and develop projects which accomplish the mission of the Civic Arts Commission.
- Memorial Artwork: Three-dimensional artwork, two-dimensional artwork or other artwork created by a professional practicing Artist to commemorate a person, event, or topic.
- Public Art Committee: The Public Art Committee (PAC) is comprised of four members of the Civic Arts Commission selected by the Civic Arts Commission for their expertise. The Public Art Committee is responsible for reviewing and recommending to the Civic Arts Commission the acceptance or rejection of all proposed gifts of artwork to the City.

### **3. CRITERIA**

The criteria for the City's final acceptance of gifts of Artwork are as follows:

- Project Costs: Acceptance of a gift is contingent upon receipt of payment from the donor for all costs associated with the gift.

- **Quality:** The overall aesthetic quality and craftsmanship of a proposed gift will be an important consideration for acceptance.
- **Compatibility with Site Context:** Proposed gifts must be compatible in scale, material, form, and content with their surroundings. Attention shall be given to the social context of the work and the manner in which it may interact or contribute to the use of the site.
- **Media:** All forms of visual art executed in permanent materials may be considered. Works may be either portable or installed in the built environment.
- **Durability:** Due consideration shall be given to the structural and surface soundness, and to inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs.
- **Compatibility with Collection:** Proposed gifts shall be evaluated within the context of the existing Civic Art Collection.
- **Public Safety:** Each work shall be examined for unsafe conditions or factors that could impact potential for liability arising from danger or injury to members of the public.
- **Duplication:** Artworks should be unique, one-of-a-kind works of art with the noted exception of prints, photographs or a desirable high quality limited edition work of art by a renowned artist.

#### **4. GIFT PROPOSAL REVIEW PROCESS**

Proposed gifts of Artwork will be considered for acceptance into the Civic Art Collection through the following process.

4.1 **Proposal:** The prospective donor must submit a written proposal to the Civic Arts Program which includes:

- Information about the Artist including biographical information, history of exhibitions and/or gallery representation, other public art projects or commissions, and any other pertinent facts which highlight why this Artist should be included in the City's Civic Art Collection.
- Description of the Artwork (size, materials, etc.) and photograph or drawing of the proposed gift.
- Proposed site, if any.
- Condition assessment and information regarding maintenance requirements.

Note: Proposals for gifts of large scale artworks or public monuments require careful consideration and may require additional documentation, multiple meetings, and significant public comment before a final decision can be made.

4.2 Preliminary City Department Approval: For Artworks proposed for installation on sites under the jurisdiction of other City departments, a letter of preliminary approval from the head of the department must accompany the proposal. Donors must comply with any guidelines the department has in regard to the acceptance of Artwork. Final approval for the installation of the Artwork may be subject to additional approvals by City Departments or Commissions.

4.3 Evidence of Community Support: For Artwork proposed for installation in the public realm, the donor must provide evidence of input from stakeholders which must be submitted with the proposal. The amount and quality of the evidence of support will depend on the project nature, scope and size and may include letters of support from key stakeholders or petitions with names, addresses and signatures from neighboring residents, businesses and organizations. Other forms of documented community support will also be considered.

4.4 Consultation with Civic Arts Program: Civic Arts Program staff meets with the prospective donor to review the proposed gift prior to the proposal being submitted to the Civic Arts Commission's Public Art Committee for action. After review of the proposed gift, staff will prepare a written report to the Public Art Committee with a recommendation to either accept or decline the gift.

4.5 Public Art Committee Approval: The gift proposal will be reviewed by the Public Art Committee. The Committee may recommend to accept or decline the proposed gift based upon the criteria. Committee recommendations are forwarded to the full Civic Arts Commission for approval.

4.6 Civic Arts Commission Approval: Upon recommendation of the Public Art Committee, the gift proposal will be reviewed by the Civic Arts Commission for approval.

4.7 Other City Department Approval: Once approved by the Civic Arts Commission, Civic Arts Staff will prepare a report for consideration by the department who has jurisdiction over the proposed site. Said department will review the proposed installation site for approval and will facilitate any additional site approvals necessary from any other entities having jurisdiction over the site such as City Commissions or other regulatory bodies.

4.8 City Council Approval: For proposed gifts valued at more than \$1,000, Civic Arts Program staff will seek approval by City Council as required per Berkeley Municipal Code Section 2.06.150.

4.9 Notwithstanding the foregoing, the City may, in its sole discretion, reject a gift proposal and/or determine the appropriate site for any and all Artwork accepted into its collection.

## **5. RELATED POLICIES FOR COMMEMORATIVE ELEMENTS**

Proposed gifts of Memorial Artwork are subject to the Memorial Artwork Policy.

## **6. DONOR'S FINANCIAL RESPONSIBILITIES**

All costs associated with the gift must be borne by the donor. The Civic Arts Commission has the discretion to waive or adjust the donor's contribution if the Civic Arts Commission identifies funding to cover those costs. Costs may include, but are not limited to:

- The costs associated with design, engineering, building permits, fabrication, and insurance.
- The cost of design and fabrication of a pedestal, base, or structural support, and identification plaque.
- The cost of artwork installation by the City, including (but not limited to) any alterations to the landscape or installation site that are needed to allow the artwork to appear aesthetically appropriate in its chosen location and any architectural or engineering services required for safe installation.
- The donor must provide a contribution to the Civic Art Collection Maintenance Endowment Fund equal to 10% of the value of the Artwork as determined by a qualified appraiser approved by the City or an amount as mutually agreed by the City and donor.
- For gifts of large scale Artwork, the City also requires an administrative fee to cover costs associated with staff coordination and oversight of the project.
- The City may consider on a case by case basis accepting an agreement from a donor to maintain an Artwork in perpetuity and in accordance with City standards rather than a cash contribution to the Civic Art Collection Fund; however, this will require the City to incur additional effort and cost. In any maintenance agreement, the City will require an



up-front deposit to cover at least one year's maintenance of the Artwork to protect the City against future default.

## **7. ACCEPTANCE OF MONETARY GIFTS FOR THE ACQUISITION OF ARTWORK**

The commissioning of Artwork paid for by donated private funds will be implemented according to the Public Art Guidelines. The following funding requirements apply to proposed monetary gifts to the City for the purpose of acquiring artwork:

- The amount donated must cover all project costs including site preparation and installation and an amount equal to 10% of the value of the donation to go into the Civic Art Collection Maintenance Endowment and an amount equal to 20% of the value of the donation to cover the staff cost of administering the artwork commission.
- Proposed monetary gifts shall be referred to the Public Art Committee and the Arts Commission for review and approval.
- Proposed monetary gifts of \$1,000 or more shall be referred to the City Council for final approval and acceptance.

## **K. ARTWORK DEACCESSION POLICY**

### **1. INTRODUCTION**

The term “deaccession” applies to the specific process by which a decision is made to remove an artwork from the City of Berkeley’s civic art collection. The City of Berkeley, through its Civic Arts Commission, reserves the right to deaccession works of art in its civic art collection in the best interest of the public and as a means of improving the overall quality of the City’s civic art collection. Removing artwork from the City’s civic art collection by deaccession should be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence and the premature removal of a work from the collection. Except in the case of an immediate threat to public safety, no artwork in the collection will be deaccessioned until the policies set forth below have been observed.

### **2. DEFINITIONS**

For the purposes of this Policy, the following definitions apply:

- Artwork: Per the Berkeley Municipal Code, Section 6.14.101, Artwork is an original work by an artist and includes, but is not limited to, functional art integrated into public improvements, a sculpture, monument, mural, painting, drawing, photography, fountain, banner, mosaic, weaving, stained art glass, multi-media, computer-generated art, electronic and media art, video, and earth art, installation art, performance and time based works of visual art, and social practice art.
- Deaccession: The procedure for the removal of an artwork owned by the City and the determination of its future disposition.
- Deaccession Notification: A written letter to the artist or donor referencing the applicable conditions of the artwork and describing reasons why the deaccession review is being undertaken.

### **3. CONDITIONS FOR DEACCESSION**

A work of art may be considered for deaccession if one or more of the following conditions apply:

- The work presents a threat to public safety.
- Condition or security of the work cannot be guaranteed, or the City cannot properly care for or store the work.
- The work requires excessive or unreasonable maintenance, or has faults in design or workmanship.
- The condition of the work requires restoration in gross excess of its market value, or is in such a deteriorated state that restoration is infeasible, impractical, or would be so extensive as to fundamentally transform the work from the artist's original intent.
- Significant changes in the use, character or actual design of the site require reevaluation of the artwork's relationship to the site.
- If the artwork cannot remain at its original installation site and if no suitable alternate site for the work is available.
- The work interferes with the operations of the City.
- Significant adverse public reaction over an extended period of time (5 years or more).
- The work is judged to have little or no aesthetic and/or historical or cultural value, or is judged to have negative historical or cultural value.

- The Civic Arts Commission wishes to replace a work with a more appropriate work by the same artist.
- The work can be sold to finance or be traded for a work that refines and improves the quality and appropriateness of the City's collection and better serves the Civic Arts Commission's mission.
- Written request from the artist has been received to remove the work from public display.
- The work is duplicative in a large holding of work of that type or of that artist.
- The work is fraudulent or not authentic.
- The work is rarely or never displayed.

#### **4. PROCEDURES**

The following steps shall be followed for works being considered for deaccession:

4.1 Absence of Restrictions: Before disposing of any artworks from the collections, reasonable efforts shall be made to ascertain that the City is legally free to do so.

4.2 Deaccession Notification: City staff shall comply with any applicable state or federal notice requirements and shall make every reasonable effort to contact the artist whose artwork is being considered for deaccession, and any other known parties with a vested interest in the artwork. Staff shall make reasonable effort to notify the artist of the Public Art Committee and Civic Arts Commission meetings where the issue will be discussed.

4.3 Civic Arts Program Staff Report: The Civic Arts Program staff shall prepare a report which includes a staff evaluation and recommendation along with the following information:

- Artist's name and biographical information, samples of past work and resume.
- Written description and images of artwork.
- Information about and images of the artwork's site.
- City Attorney's Opinion: The City Attorney shall be consulted regarding any restrictions that may apply to a specific work.
- Rationale: An analysis of the reasons for deaccessioning and its impact on the Collection and the artist, and an evaluation of the artwork.
- Community Opinion: If pertinent, public feedback on the dispensation of the artwork in question.

- Independent Appraisal or other documentation of the value of the artwork: Prior to deaccessioning of any artwork having a value of \$10,000 or more, Civic Arts Program staff should obtain an independent professional appraisal, or an estimate of the value of the work based on recent documentation of gallery, comparable public commissions and/or auction sales.
- Related Professional Opinions: In cases of where deaccessioning or removal is recommended due to deterioration, threat to public safety, ongoing controversy, or lack of artistic quality, it is recommended that the Commission seek the opinions of independent professionals qualified to comment on the concern prompting review (conservators, engineers, architects, critics, safety experts etc.).
- History: Provide written correspondence, press and other evidence of public debate; Original Acquisition method and purchase price; Options for Disposition; and Replacement Costs.

4.4 Considerations for Disposition of a Work of Art: Civic Art Program Staff shall research and present to the Civic Arts Commission all feasible alternatives for the disposition of the proposed artwork for deaccession. Recommendations shall adhere to the following principles:

- The manner of disposition is in the best interest of the Civic Arts Commission and the public it serves.
- Preference should be given to retaining works that are a part of the historical, cultural, or artistic heritage of Berkeley and the Bay Area.
- Consideration should be given to placing the artwork, through gift, exchange, or sale, in another tax-exempt public institution where it may be accessible to the public and thereby continue to serve the purpose for which it was acquired initially by the Civic Arts Commission.
- Artworks may not be given or sold privately to City employees, officers, members of the governing authority, or to their representatives.

## 5. DEACCESSION CRITERIA

The following criteria will be used by the Civic Arts Commission to evaluate whether to deaccession an artwork:

- Inherent Artistic Quality: The assessed aesthetic merit of the piece as a work of art, independent of other considerations.

- Cultural or Historical Impact: Whether the artwork has negative cultural or historical impact.
- Context of Artwork within the Civic Art Collection: Proposed artwork should be evaluated within the context of the larger collection, and whether it is judged to strengthen the collection.
- Context of Artwork with Site: Accessibility, public safety, and social, cultural, historical, ecological, physical, and functional context of the artwork in relation to the site, both existing and planned.
- Availability of City Support: The availability of necessary funding for conservation, maintenance, repair, storage or required staff support.
- Legal Considerations: Issues related to liability, insurance, copyright, moral rights, warranties, ownership, theft, vandalism, loss, indemnification, and public safety. The City Attorney shall review the recommendation of the Civic Art Program staff to determine whether there are any known legal restrictions that would prevent deaccession of the artwork. The City Attorney's approval must be obtained prior to deaccessioning an artwork.
- Timing: Timing for the deaccession of an artwork may be affected by issues such as a hazardous condition related to the artwork that would pose an immediate threat to public safety, relevant construction schedules, or the allowance of sufficient time for a normal review process.
- Acquisition process: Method by which the artwork was originally acquired and accessioned in the City's collection (i.e. by donation, loan, or commission).
- Community feedback: Community feedback about the artwork, its site, and its condition solicited via a publicly-noticed meeting or placed on the agenda of the Public Art Committee.
- Restrictions: Any recognized restrictions associated with the artwork.

## **6. PUBLIC HEARINGS**

The proposed deaccession of an artwork will be heard at two meetings which are open to the public.

6.1 Public Art Committee: The recommendation to deaccession an artwork will be considered by the Public Art Committee as part of the Committee's regular meeting. The Committee shall make its recommendation to the full Civic Arts Commission.

6.2 Civic Arts Commission: The Commission must approve the Public Art Committee's recommendation that an artwork owned by the City should be deaccessioned.

## **7. DISPOSITION OF ARTWORK**

7.1 Right of First Refusal: In all cases, the Artist or Artist's legally recognized representative or heir shall be given, when possible and within a reasonable time frame, the opportunity to purchase the artwork for the fair market value (as determined by a qualified appraiser), or if the artwork is determined to be of negligible value, the artist shall be given the opportunity to claim the artwork at the artist's own cost for removal and transportation.

7.2 When the artist does not purchase or claim the deaccessioned artwork, the Civic Arts Commission at its discretion, may use any of the following methods to remove the Artwork:

- Sale: Proceeds from the sale shall be deposited into the City's public art fund.
  - Sale through a dealer.
  - Sale through a public auction.
- Trade or exchange of a deaccessioned artwork for another by the same artist.
- Donation of deaccessioned artwork to a public institution or nonprofit organization.
- Destruction: for the following instances:
  - The entire artwork or the majority of the artwork has been damaged or has deteriorated and repair or remedy is impractical or infeasible, and artist is not willing to claim the remaining artwork at artist's own cost.
  - Public safety considerations support destroying the artwork.
  - Every reasonable effort to locate the artist, the artist's heirs or next of kin, or donor has failed.
  - The Civic Arts Commission determined that no other methods of disposition are feasible.

7.3 Civic Arts Program staff duties for all deaccessioned artworks:

- Update Civic Art Collection database: The artwork will stay in the database, but be noted as deaccessioned and include the years during which it was displayed.

- Coordinate the removal of identification plaques from artwork site and coordinate the artwork's physical removal from the City's collection.
- Report on the sale or exchange at the next regularly scheduled Public Art Committee and Civic Arts Commission meetings.
- Transmit a report informing City Council of the removal of the artwork from the City's collection.
- Maintain a deaccession file that includes documentation on the artwork and all associated deaccession documents.
- If the art work is in good enough condition to yield quality photographic documentation, that documentation will be kept in the deaccession file and offered to the artist.

## **L. MEMORIAL ARTWORKS POLICY**

### **1. INTRODUCTION**

The purpose of this policy is to establish criteria and guidelines for the consideration of memorial artworks to be permanently installed on City property. Permanent placement of a memorial artwork conveys the City's recognition of the cultural or historic significance of the person, event, or topic being commemorated. It is therefore important that the placement of commemorative artworks be limited to circumstances of the highest community-wide importance, both to maintain the significance of such commemorative artworks and to minimize conflicts with the active and variable use of public spaces.

### **2. DEFINITIONS**

For the purposes of this policy, the following definitions apply:

- Artist: as defined in the Berkeley Municipal Code, Section 23C.23.040 "means an individual independent professional practitioner of the visual, performing, or literary arts, as judged by educational qualifications, a history of creating a body of public or publicly-displayed artwork, critical recognition in publications or online, a record of exhibitions and/or artwork sales."
- Artwork: Per the Berkeley Municipal Code, Section 6.14.101, Artwork is an original work by an artist and includes, but is not limited to, functional art integrated into public improvements, a sculpture, monument, mural, painting, drawing, photography, fountain,

banner, mosaic, weaving, stained art glass, multi-media, computer-generated art, electronic and media art, video, and earth art, installation art, performance and time based works of visual art, and social practice art.

- Memorial Artwork: Three-dimensional artwork, two-dimensional artwork or other artwork created by a professional practicing Artist to commemorate a person, event, or topic.

Commemorative elements which are not “Artwork” are not subject to this policy.

### **3. CRITERIA**

3.1 Content Criteria. Memorial Artworks will be evaluated according to the following content criteria:

- The person, group of people, event, or topic being commemorated must have made a substantial impact upon the City of Berkeley; or must have a significant connection to Berkeley; or bear a relation to Berkeley and have made an important historic or cultural contribution beyond or outside the City of Berkeley.
- Whether the person, group of people, event, or topic being memorialized is deemed by the City to have made a significant enough contribution or impact to merit the scale, cost and visibility of the proposed Memorial Artwork.
- The proposed Memorial Artwork does not duplicate existing memorials.
- Evidence of community support gathered by the proposing group or persons through a community outreach process and evidence that the proposed Memorial Artwork is not objectionable to persons or community that it is intended to honor.

3.2 Presentation Criteria: Memorial Artworks will be evaluated according to the following criteria:

- The Memorial Artwork represents broad community values and has timeless qualities that will be meaningful to future generations.
- Memorial Artworks shall reflect the highest aesthetic standards and craftsmanship.
- The Memorial Artwork has been designed by a qualified Artist in consultation with a qualified design professional. Qualified artists must demonstrate professional recognition in the form of past public commissions or significant public installations. Qualified design professionals include registered architects, engineers, and landscape architects.



3.3 Site: The location under consideration is an appropriate setting for the Memorial Artwork and shall be evaluated according to the following criteria:

- Geographic justification for the Memorial Artwork to be located in a specific site.
- The scale and character of the Memorial Artwork are at a level commensurate with the proposed setting.
- Public accessibility and visibility.
- Prominence of installation location within architectural hierarchy of building or site.
- Compatibility with use of the site for programs and special events and proximity to existing artwork.
- Ability to ensure the safety and protection of the Memorial Artwork.
- Compatibility with historical context of site.

#### **4. ADDITIONAL AND RELATED CONDITIONS & POLICIES**

In addition to satisfying the criteria set forth in Section 3 above, any Memorial Artwork proposed for installation on City property must additionally comply with the City's Artwork Gift Policy; the requirement that any gift of funds, goods or services valued at more than \$1,000 must be approved by City Council; any Public Art Guidelines; and any other pertinent administrative guidelines or procedures. Under no circumstances is the City under any obligation to accept proposed donations of Memorial Artworks even if all required criteria are met. The City reserves the right to relocate, remove or destroy any Memorial Artworks acquired pursuant to this Policy and any applicable requirements set forth in the Deaccession Policy or required by State or Federal law.





**ACTION CALENDAR**

October 19, 2022

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: Strategic Planning Update

**INTRODUCTION**

Review most recent activity around BPL's strategic planning process.

**FISCAL IMPACTS OF RECOMMENDATION**

The proposals represented a range from at least \$100K to \$200K.

**BACKGROUND**

In recent years, to support the organization's ability to align work and identify priorities, staff created work plans that were largely routed in the City's Strategic Goals of 2018-2019. While this approach has been successful in terms of developing and framing goals, it would be helpful for the Library to develop a longer-term, less reactive strategy that incorporates new information, such as the 2020 Decennial Census data. Although the Library continues to focus on pandemic response and reopening, it is important that at the same time, the organization plans and prepares for the future. Library staff brings some level of experience and knowledge of strategic planning and processes, but additional capacity is required in the current environment to do this successfully.

In the [Final Report of the Berkeley Public Library Organizational Assessment](#) conducted by Moss Adams LLP (November, 2018) it was recommended that the Library, "in alignment with the City of Berkeley's 2018-19 Strategic Plan, develop a five-year outcome-based operating plan and supporting unit work plans to unify and focus Library efforts." (p.3)

More specifically: "Currently, the Library does not have a multi-year operating plan in place to define priorities, drive budgets and annual work plans, and guide ongoing strategic decisions and initiatives. The Library's historical planning processes tended to span two to three years, but have not been adhered to due to Director turnover. In 2015, the Library created a strategic plan for the 2016-2018 period; however, due to leadership turnover and lack of staff buy-in, the plan was not effectively adopted or implemented. Starting in 2018, the Library began the process of creating short-term work plans based on three priorities from the City's Strategic Plan. However, many units have not yet developed work plans that align with the Department's work plan. As a result, Library leadership, management, and staff pursue the Library's mission by relying on fragmented approaches based on outdated priorities rather than present-day business needs." (p.15)

Similarly, in the City of Berkeley Auditor's report dated August 27, 2020, "we recommend the management and Board support the new permanent director in developing a strategic plan. To assess whether the Library's programs and activities meet community needs over time and align with its strategic plan, we recommend the Library develop and implement a program evaluation process." (p.2)

The Acting Library Services Director along with the Board of Library Trustees prioritized recruiting a new Library Director in 2019. The onboarding of the incoming Director, Mayer, took place in Fall of 2020 and into 2021.

CURRENT SITUATION AND ITS EFFECTS

On November 3, 2021, the Board of Library Trustees adopted **RESOLUTION NO: R21- 126** to authorize the Library to issue a Request for Proposals for a consultant in support of the Library's strategic planning work.

In April, 2022, the Board of Library Trustees had the opportunity to review the draft Request for Proposal to contract for a strategic planning consultant.

A team of six Library staff evaluated the proposals of a total of nine respondents. The team discussed the evaluation criteria identified in the RFP which included:

- |                                                                                    |     |
|------------------------------------------------------------------------------------|-----|
| 1. Project Approach, including<br>how proposal addresses<br>racial equity concerns | 50% |
| 2. Expertise & References                                                          | 30% |
| 3. Costs*                                                                          | 20% |

Other factors considered included overall quality of response.

The team identified a list of interview questions to use during interviews, paying special attention to communication, racial equity, and staff/community engagement. Five consultants were invited to participate in the interview process on August 23, 2022.

After conducting the interviews, the panel evaluated the responses and identified two finalists. References are being checked for these two, and a request for additional examples of community engagement prompts was fulfilled as well. The final decision will be made shortly.

FUTURE ACTION

When the successful candidate is selected, Library staff will seek authorization to contract from the Board of Library Trustees.

CONTACT PERSON

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

Attachments:

- 1: RFP for Strategic Planning



Finance Department  
General Services Division

## REQUEST FOR PROPOSALS (RFP)

Specification No. [REDACTED]

FOR

NAME OF RFP: **Berkeley Public Library Strategic Planning**  
**PROPOSALS WILL NOT BE OPENED AND READ PUBLICLY**

Dear Proposer:

The City of Berkeley is soliciting written proposals from qualified firms or individuals is seeking proposals from organizations experienced in work with libraries and with strategic planning to aid in the development and facilitation of a community-focused process resulting in a Strategic Plan and updated Mission, Vision, Values, and Culture statements. The Plan will serve as a tool to guide the organization and to communicate with the community about the Library.

As a Request for Proposal (RFP) this is not an invitation to bid and although price is very important, other factors will be taken into consideration.

The project scope, content of proposal, and vendor selection process are summarized in the RFP (attached).

**Proposals must be received no later than 2:00 pm, on Wednesday, June 1, 2022.** Proposals are to be sent via email with the “**Berkeley Public Library Strategic Planning**” and **Specification No. [REDACTED]** clearly indicated in the subject line of the email. Please submit one (1) PDF of the technical proposal. Corresponding pricing proposal shall be submitted as a separate document.

### Email Proposals to:

City of Berkeley  
Finance Department/General Services Division  
[purchasing@cityofberkeley.info](mailto:purchasing@cityofberkeley.info)

Proposals will not be accepted after the date and time stated above. Incomplete proposal or proposals that do not conform to the requirements specified herein will not be considered. Issuance of the RFP does not obligate the City to award a contract, nor is the City liable for any costs incurred by the proposer in the preparation and submittal of proposals for the subject work. The City retains the right to award all or parts of this contract to several bidders, to not select any bidders, and/or to re-solicit proposals. The act of submitting a proposal is a declaration that the proposer has read the RFP and understands all the requirements and conditions.

**For questions** concerning the anticipated work, or scope of the project, please **contact, Tess Mayer, Director of Library Services**, via email at [tmayer@cityofberkeley.info](mailto:tmayer@cityofberkeley.info) no later than **Monday, June 23**. Answers to questions will **not** be provided by telephone or email. Answers to all questions or any addenda will be **posted** on the City of Berkeley’s site at <http://www.cityofberkeley.info/ContentDisplay.aspx?id=7128>. It is the vendor’s responsibility to check this site. For general questions concerning the submittal process, contact purchasing at 510-981-7320.

We look forward to receiving and reviewing your proposal.

Sincerely,

Darryl Sweet  
General Services Manager

## **I. BACKGROUND /SUMMARY/or INTRODUCTION**

### **LIBRARY SYSTEM BACKGROUND**

Berkeley Public Library's current mission statement is: "We believe free, universal access to information is fundamental to a healthy democracy and that reading and learning are key to a well-lived life. The Berkeley Public Library is a trusted hub of reading, learning, and community engagement."

The Berkeley Public Library (BPL) has served the people of Berkeley since 1893 and is one of the most heavily used public libraries in California. The Library is supported by a \$25 million budget and 144 staff members. The Library provides access to collections of physical and electronic books, music, articles, and films; offers cultural and learning experiences for community members; provides access to spaces for studying and meeting with others; and develops opportunities for community engagement and skill sharing. The Library offers five facilities: Central Library in downtown Berkeley and four neighborhood branches: Claremont, North, Tarea Hall Pittman South, and West branches. The Tarea Hall Pittman South facility includes the Tool Lending Library that provides access to a wide range of borrowable household tools. Although hours vary between the Central Library and the branches, Berkeley Public Library generally offers services seven days a week with some temporary scheduling changes in place due to the impacts of the pandemic.

In 1980, Berkeley citizens passed a special tax to exclusively fund the yearly budget of the Berkeley Public Library. This tax includes a cost-of-living adjustment. The tax continues and currently brings in over \$20 million a year.

### **CITY OF BERKELEY**

Famous around the globe as a center for academic achievement, scientific exploration, free speech and the arts, the City of Berkeley is renowned for its green space, mild weather, and world-class cultural life. International shopping districts, outstanding restaurants, cutting-edge environmental organizations, art galleries, theaters, museums, Berkeley City College and the University of California at Berkeley all add to the City's uniquely diverse and culturally rich atmosphere. Residents are highly educated and ethnically, economically, socially and politically diverse.

Berkeley is noted for its activism and community involvement. Berkeley is a thriving creative environment, with more than 100 cultural arts organizations, including the Berkeley Art Museum & Pacific Film Archive, Black Repertory Group Theater, Berkeley Art Center, Berkeley Repertory Theatre, and Aurora Theatre Company. Incomparable weather, over 50 public parks, miles of bike lanes and walking trails, a public marina, Lake Anza in Tilden Park, and the Botanical Garden at UC Berkeley, with 34 acres of plants from all over the world are all resident favorites.

Berkeley Unified School District educates more than 9,400 students in 11 public elementary schools, 3 middle schools, one comprehensive high school, and one alternative high school. The district has 3 preschool facilities and an Adult School serving several thousand students.

The City of Berkeley experiences disparity in socioeconomic levels. While the Bay Area's technology sector and University of California, Berkeley, represent significant economic influences among others, there is a poverty rate of 17.8% and the city (and surrounding area) is characterized by a high cost of living.

Berkeley's [Diversity Index](#), the likelihood that two people chosen at random will be from different ethnic groups, increased from 64% in 2010 to 68% in 2020. Berkeley's population, about 124,000 people, has grown by 10% since 2010. The percentage of Hispanic and Asian residents grew as white and Black/African American populations decreased, according to 2020 U.S. Census Bureau data. Berkeley saw an 11% increase as of 2020 in its density, which is a measure of the city's population divided by its land area.

<https://www.berkeleyside.org/2021/08/13/2020-census-berkeley-is-denser-and-more-diverse-than-it-was-10-years-ago>  
<https://www.census.gov/quickfacts/berkeleycitycalifornia>

BPL libraries are community gathering places for people with many backgrounds, values, interests, and challenges. BPL serves people who are not residents of Berkeley as all California residents are eligible for free cards. Predominant social concerns in the city include access to affordable housing and homelessness, which are also reflected in libraries. Gentrification continues to be a critical issue, as does reimagining public safety and police reform. Berkeley residents and local government are highly focused on climate change and addressing environmental sustainability through local and collective action.

## **ADDITIONAL INFORMATION**

Please find attached to this RFP the following documents:

City of Berkeley 2018-2019 [Strategic Plan](#)  
BPL Preliminary Budget FY 23-24  
BPL Budget Priorities and Work Plan, FY 2023-24  
BPL Mission Clarification Project Final Report (May 2020)  
BPL [Strategic Plan](#) 2015-2018  
BPL Organizational Assessment, [Final Report](#), Moss Adams (Nov 2018)  
BPL Executive Summary of Spring 2019 [Community Survey](#)

More information about the Library System is available through the Library's website at <https://www.berkeleypubliclibrary.org>.

## **II. SCOPE OF SERVICES**

The term of the proposed contract will be July 25, 2022 through February 2023:

July 25, 2022 - January 2023: Work performed  
February 15, 2023: Final deliverables submitted

### **Organizational Assessment**

- Review BPL's current organizational mission, vision, values and strategic plan.
- Review BPL's current organizational structure and capacity.
- Review current collection and associated plans.
- Review current library services and programs, including underlying planning and evaluation processes.
- Identify strengths and weaknesses inside the Library and outside of it, and examine the political, economic, social, and technological trends that are affecting the Library and its operating environment.
- Work with the Strategic Planning Committee, staff, and the Board, the Foundation and others to identify key stakeholders in the community engagement process.
- Explore key environmental trends and data relating to BPL's services and operations.

### **Community Engagement**

- Develop and facilitate a process for community engagement with external stakeholders, both individuals and groups/agencies, to gather input and identify community perspectives, needs, concerns and interests. Prioritize and ensure feedback and engagement with organizations that provide service to BIPOC communities, as well as those serving youth and people with disabilities.
- Develop and facilitate a process for engagement with stakeholders within the City of Berkeley team.
- Develop and facilitate a process for engagement with internal stakeholders, including Board of Library Trustees, administration, management and staff to gather input around the future emphasis of the Library.
- Provide multiple channels for communication to account for differences, needs, and preferences within the communities that Berkeley serves; for example, ensure that multilingual communication strategies are employed as appropriate and engage in person, online, and offsite.



## **Completed by October 31, 2022**

### **Report and Presentation**

- Prepare and present a report to the Strategic Planning Committee and other key internal stakeholders on the first stages of the project, assessment, and preliminary recommendations.

## **Completed by November 30, 2022**

### **Strategic Plan Development**

- Using findings, facilitate a working process with the Strategic Planning Committee and selected key stakeholders (community members, Library Trustees, Foundation, Friends, City of Berkeley, Library staff) to:
  - Develop new or revise Mission, Culture, Values and Vision statements
  - Identify essential library service priorities, goals and objectives for both the short (3-5 years) and long (10-20 years) terms, including those currently offered that continue to be relevant and those that needs to be developed to address gaps between existing library services and identified service priorities
  - Prepare a dynamic and compelling BPL Strategy Plan with Executive Summary that outlines short and long-term priorities, goals, and objectives.

### **Communications**

- Work in partnership with the Strategic Planning Committee, Library Trustees and administration to develop a plan for internal and external communications.

### **Assessment of Organizational Readiness**

- Discuss current capacity for implementing the Plan as described and make recommendations for changes that would better position the organization to accomplish stated goals.

### **Ongoing Evaluation and Planning**

- Provide self-assessment methodology, including appropriate tools, for ongoing strategic planning and evaluation of progress toward goals. Consider any existing racial equity priorities that have been identified by the BPL Racial Justice Advisory Group and embed in assessment methodology.

### **Summary of Deliverables**

- Organizational assessment
- Community engagement feedback analysis
- First stage report
- Revised or new BPL Vision, Mission, Values, and Culture statements and Strategic Plan
- Communication Plan
- Assessment of organizational readiness
- Framework for evaluation that incorporates existing and new racial equity goals for system

## **Completed by January 31, 2023**

## **III. SUBMISSION REQUIREMENTS**

All proposals shall include the following information, organized as separate sections of the proposal. The proposal should be concise and to the point.

### **1. Contractor Identification:**

Provide the name of the firm, the firm's principal place of business (see section VII, F. – Local Vendor Preference), the name and telephone number of the contact person and company tax identification number.

2. Client References: *(3-5 References is usual)*

Provide a minimum of three client references. References should be California cities or other large public sector entities. Provide the designated person's name, title, organization, address, telephone number, and the project(s) that were completed under that client's direction.

3. Price Proposal:

The proposal shall include pricing for all services. Pricing shall be all inclusive unless indicated otherwise. Pricing proposals shall be a separate document. The Proposal shall itemize all services, including hourly rates for all professional, technical and support personnel, and all other charges related to completion of the work shall be itemized. Evaluation of price proposals are subject to the local vendor business preference (see section VII.F.)

4. Summary of deliverables:

Please provide written information that includes an Executive Summary, a proposed approach, the above-mentioned price proposal, a description of the organization's work, examples of past projects, and staff team, as well as its perspective on public libraries, and references.

5. Contract Terminations:

**If your organization has had a contract terminated in the last five (5) years, describe such incident.** Termination for default is defined as notice to stop performance due to the vendor's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the vendor, or (b) litigated and such litigation determined that the vendor was in default.

Submit full details of the terms for default including the other party's name, address, and phone number. Present the vendor's position on the matter. The City will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience.

If the firm has not experienced any such termination for default or early termination in the past five (5) years, so indicate.

6. *(Other submission requirements needed to evaluate proposals and determine if contractor is qualified to do project.)*

**IV. SELECTION CRITERIA**

The following criteria will be considered, although not exclusively, in determining which firm is hired.

- |                                                                                    |                               |
|------------------------------------------------------------------------------------|-------------------------------|
| 1. Project Approach, including<br>how proposal addresses<br>racial equity concerns | 50% (xx points or percentage) |
| 2. Expertise & References                                                          | 30% (xx points or percentage) |
| 3. Costs*                                                                          | 20% (xx point or percentage)  |
| 4. <i>Other specific items</i>                                                     | (xx points or percentage)     |

*\* Effective 1/1/2022. Local Vendor Preference. For the purposes of comparing pricing as part of this competitive RFP for goods up to \$100,000 or non-professional services up to \$250,000, 5% shall be deducted from the bid price proposal from any local Berkeley vendor.*

The responses to this RFP will be evaluated by a Selection Committee. The Selection Committee may consider any factors it deems necessary, including but not limited to: quality of response, relevant experience, price, and references. BPL reserves the right to reject all proposals for any reason.

BPL may invite one or more representatives from any organization to meet with Library representatives to clarify the organization's proposal. Upon completion of the evaluation process, one respondent will be selected by the Selection Committee for negotiation of an agreement. Organizations not selected will be notified by letter. BPL reserves the right to accept other than the lowest priced proposal.

**V. PAYMENT**

Invoices: Vendor shall submit invoices no more than once per month. Invoices must be fully itemized and provide sufficient information for approving payment and audit. Invoices must be accompanied by receipt for services in order for payment to be processed. Mail invoices to the **Berkeley Public Library** and reference the contract number.

Berkeley Public Library

2031 Bancroft Way  
Berkeley, CA 94704  
Attn: Finance Manager

Payments: The City will make payment to the vendor within 30- days of receipt of a correct and complete invoice.

## **VI. CITY REQUIREMENTS**

*(Do not modify any part of this section except: Living Wage would not apply if commodities are being purchased and Equal Benefits would not apply if the contract amount will be less than \$25,000. If this is the case, do not delete the section just note next to it “Does Not Apply to this Request for Proposal”)*

### **A. Non-Discrimination Requirements:**

Ordinance No. 5876-N.S. codified in B.M.C. Chapter 13.26 states that, for contracts worth more than \$3,000 bids for supplies or bids or proposals for services shall include a completed Workforce Composition Form. Businesses with fewer than five employees are exempt from submitting this form. (See B.M.C. 13.26.030)

Under B.M.C. section 13.26.060, the City may require any bidder or vendor it believes may have discriminated to submit a Non-Discrimination Program. The Contract Compliance Officer will make this determination. This applies to all contracts and all consultants (contractors). Berkeley Municipal Code section 13.26.070 requires that all contracts with the City contain a non-discrimination clause, in which the contractor agrees not to discriminate and allows the City access to records necessary to monitor compliance. This section also applies to all contracts and all consultants. **Bidders must submit the attached Non-Discrimination Disclosure Form with their proposal.**

### **B. Nuclear Free Berkeley Disclosure Form:**

Berkeley Municipal Code section 12.90.070 prohibits the City from granting contracts to companies that knowingly engage in work for nuclear weapons. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that engages in nuclear weapons work. If your company engages in work for nuclear weapons, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Nuclear Free Disclosure Form with their proposal.**

### **C. Oppressive States:**

The City of Berkeley prohibits granting of contracts to firms that knowingly provide personal services to specified Countries. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that is covered by City Council Resolution No. 59,853-N.S. If your company or any subsidiary is covered, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Oppressive States Disclosure Form with their proposal.**

### **D. Sanctuary City Contracting Ordinance:**

Chapter 13.105 of the Berkeley Municipal Code prohibits the City from granting and or retaining contracts with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security (“ICE”). **Bidders must submit the attached Sanctuary City Compliance Statement with their proposal.**

### **E. Conflict of Interest:**

In the sole judgment of the City, any and all proposals are subject to disqualification on the basis of a conflict of interest. The City may not contract with a vendor if the vendor or an employee, officer or director of the proposer's firm, or any immediate family member of the preceding, has served as an elected official, employee, board or commission member of the City who influences the making of the contract or has a direct or indirect interest in the contract.

Furthermore, the City may not contract with any vendor whose income, investment, or real property interest may be affected by the contract. The City, at its sole option, may disqualify any proposal on the basis of such a conflict of interest. **Please identify any person associated with the firm that has a potential conflict of interest.**

**F. Berkeley Living Wage Ordinance:**

Chapter 13.27 of the Berkeley Municipal Code requires that contractors offer all eligible employees with City mandated minimum compensation during the term of any contract that may be awarded by the City. If the Contractor is not currently subject to the Living Wage Ordinance, cumulative contracts with the City within a one-year period may subject Contractor to the requirements under B.M.C. Chapter 13.27. A certification of compliance with this ordinance will be required upon execution of a contract. The current Living Wage rate can be found here: [https://www.cityofberkeley.info/Finance/Home/Vendors\\_Living\\_Wage\\_Ordinance.aspx](https://www.cityofberkeley.info/Finance/Home/Vendors_Living_Wage_Ordinance.aspx). The Living Wage rate is adjusted automatically effective June 30<sup>th</sup> of each year commensurate with the corresponding increase in the Consumer Price Index published in April of each year. If the Living Wage rate is adjusted during the term of your agreement, you must pay the new adjusted rate to all eligible employees, regardless of what the rate was when the contract was executed.

**G. Berkeley Equal Benefits Ordinance:**

Chapter 13.29 of the Berkeley Municipal Code requires that contractors offer domestic partners the same access to benefits that are available to spouses. A certification of compliance with this ordinance will be required upon execution of a contract.

**H. Statement of Economic Interest:**

The City's Conflict of Interest Code designates "consultants" as a category of persons who must complete Form 700, Statement of Economic Interest, at the beginning of the contract period and again at the termination of the contract. The selected contractor will be required to complete the Form 700 before work may begin.

**VII. OTHER REQUIREMENTS**

**A. Insurance**

The selected contractor will be required to maintain general liability insurance in the minimum amount of \$2,000,000, automobile liability insurance in the minimum amount of \$1,000,000 and a professional liability insurance policy in the amount of \$2,000,000 to cover any claims arising out of the performance of the contract. The general liability and automobile insurance must name the City, its officers, agents, volunteers and employees as additional insured.

**Insurance not Necessary:** *If the services are such that the risk of exposure to liability is very low, insurance may not be required. An example of such a service is an individual using his/her computer at home to lay out a newsletter for the City. This determination must be made by the Risk Manager in writing before the RFP is issued.*

**Insurance Waiver:** *A situation in which insurance is not necessary is different from a case in which insurance may be waived. An insurance waiver is appropriate where insurance would usually be necessary but when, as a policy matter, the City is willing to take the risk of allowing an uninsured or under-insured individual or business to perform the work (usually when the risk of liability is low). An insurance waiver may be granted only by the Risk Manager in writing with the approval of the City Manager. If a potential bidder expresses an inability to meet the insurance requirement, he or she should be encouraged to contact the Project Manager & Risk Manager for assistance in obtaining insurance.)*



**B. Worker's Compensation Insurance:**

A selected contractor who employs any person shall maintain workers' compensation insurance in accordance with state requirements. Sole proprietors with no employees are not required to carry Worker's Compensation Insurance.

**C. Business License**

Virtually every contractor that does business with the City must obtain a City business license as mandated by B.M.C. Ch. 9.04. The business license requirement applies whether or not the contractor has an office within the City limits. However, a "casual" or "isolated" business transaction (B.M.C. section 9.04.010) does not subject the contractor to the license tax. Warehousing businesses and charitable organizations are the only entities specifically exempted in the code from the license requirement (see B.M.C. sections, 9.04.295 and 9.04.300). Non-profit organizations are granted partial exemptions (see B.M.C. section 9.04.305). Persons who, by reason of physical infirmity, unavoidable misfortune, or unavoidable poverty, may be granted an exemption of one annual free license at the discretion of the Director of Finance. (See B.M.C. sections 9.04.290).

Vendor must apply for a City business license and show proof of application to Purchasing Manager within seven days of being selected as intended contractor.

The Customer Service Division of the Finance Department located at 1947 Center Street, Berkeley, CA 94704, issues business licenses. Contractors should contact this division for questions and/or information on obtaining a City business license, in person, or by calling 510-981-7200.

**D. Recycled Paper**

**Any printed reports for the City required during the performance of the work shall be on 100% recycled paper, and shall be *printed on both sides of the page* whenever practical.**

**E. State Prevailing Wage:**

Certain labor categories under this project may be subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et seq. These labor categories, when employed for any "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," constitute a "Public Work" within the definition of Section 1720(a)(1) of the California Labor Code requiring payment of prevailing wages.

Wage information is available through the California Division of Industrial Relations web site at:  
[http://www.dir.ca.gov/OPRL/statistics\\_and\\_databases.html](http://www.dir.ca.gov/OPRL/statistics_and_databases.html)

**F. Local Vendor Preference**

***City of Berkeley applies a local vendor preference for comparing pricing submittals in RFP responses (City Council Resolution No. 69,890-N.S.)***

A **local business** is defined as "a business firm with fixed offices or distribution points located within the City of Berkeley boundaries and listed in the Permits and License Tax paid file, with a Berkeley business street address."



**VIII. SCHEDULE (dates are subject to change)**

|                                                                         |                          |
|-------------------------------------------------------------------------|--------------------------|
| <input type="checkbox"/> Issue RFP to Potential Bidders:                | May 13, 2022             |
| <input type="checkbox"/> Questions from Potential Bidders Due           | Monday, May 23, 2022     |
| <input type="checkbox"/> Proposals Due from Potential Bidders           | Wednesday, June 1, 2022  |
| <input type="checkbox"/> Complete Selection Process                     | Wednesday, June 22, 2022 |
| <input type="checkbox"/> Board of Library Trustees Approval of Contract | Wednesday, July 6, 2022  |
| <input type="checkbox"/> Award of Contract                              | Thursday, July 7, 2022   |
| <input type="checkbox"/> Sign and Process Contract                      | Friday, July 20, 2022    |
| <input type="checkbox"/> Notice to Proceed                              | Monday, July 25, 2022    |

Thank you for your interest in working with the City of Berkeley for this service. We look forward to receiving your proposal.

**Attachments:**

|                                                 |              |
|-------------------------------------------------|--------------|
| • Check List of Required items for Submittal    | Attachment A |
| • Non-Discrimination/Workforce Composition Form | Attachment B |
| • Nuclear Free Disclosure Form                  | Attachment C |
| • Oppressive States Form                        | Attachment D |
| • Sanctuary City Compliance Statement           | Attachment E |
| • Living Wage Form                              | Attachment F |
| • Equal Benefits Certification of Compliance    | Attachment G |
| • Right to Audit Form                           | Attachment H |
| • Insurance Endorsement                         | Attachment I |

## ATTACHMENT A

### CHECKLIST

- ☐ Proposal describing service (one (1) PDF of proposal)
- ☐ Contractor Identification and Company Information
- ☐ Client References
- ☐ Costs proposal by task, type of service & personnel (as a separate document from the proposal)
- ☐ *Other items the contractor is being requested to supply*
- ☐ The following forms, completed and **signed in blue ink** (attached):
  - ☐ Non-Discrimination/Workforce Composition Form Attachment B
  - ☐ Nuclear Free Disclosure Form Attachment C
  - ☐ Oppressive States Form Attachment D
  - ☐ Sanctuary City Compliance Statement Attachment E
  - ☐ Living Wage Form (*may be optional*) Attachment F
  - ☐ Equal Benefits Certification (EBO-1) (*may be optional*) Attachment G

### ADDITIONAL SUBMITTALS REQUIRED FROM SELECTED VENDOR AFTER COUNCIL APPROVAL TO AWARD CONTRACT.

- ☐ Provide **original-signed in blue ink** Evidence of Insurance
  - ☐ Auto
  - ☐ Liability
  - ☐ Worker's Compensation
- ☐ Right to Audit Form Attachment H
- ☐ Commercial General & Automobile Liability Endorsement Form Attachment I
- ☐ Berkeley Business License

**For informational purposes only: Sample of Personal Services Contract can be found on the City's website on the current bid and proposal page at the top of the page.**

**NON-DISCRIMINATION/WORKFORCE COMPOSITION FORM FOR NON-CONSTRUCTION CONTRACTS**

To assist the City of Berkeley in implementing its Non-Discrimination policy, it is requested that you furnish information regarding your personnel as requested below and return it to the City Department handling your contract:

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Business Lic. #: \_\_\_\_\_

| Occupational Category:<br>(See reverse side for explanation of terms) | Total Employees |      | White Employees |      | Black Employees |      | Asian Employees |      | Hispanic Employees |      | Other Employees |      |
|-----------------------------------------------------------------------|-----------------|------|-----------------|------|-----------------|------|-----------------|------|--------------------|------|-----------------|------|
|                                                                       | Female          | Male | Female          | Male | Female          | Male | Female          | Male | Female             | Male | Female          | Male |
| Official/Administrators                                               |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Professionals                                                         |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Technicians                                                           |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Protective Service Workers                                            |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Para-Professionals                                                    |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Office/Clerical                                                       |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Skilled Craft Workers                                                 |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Service/Maintenance                                                   |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Other (specify)                                                       |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |
| Totals:                                                               |                 |      |                 |      |                 |      |                 |      |                    |      |                 |      |

Is your business MBE/WBE/DBE certified? Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, by what agency? \_\_\_\_\_

If yes, please specify: Male: \_\_\_\_\_ Female: \_\_\_\_\_ Indicate ethnic identifications: \_\_\_\_\_

Do you have a Non-Discrimination policy? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Verified by: \_\_\_\_\_ Date: \_\_\_\_\_

City of Berkeley Contract Compliance Officer

**Attachment B** (page 1)

## Occupational Categories

**Officials and Administrators** - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy superintendents, unit supervisors and kindred workers.

**Professionals** - Occupations that require specialized and theoretical knowledge that is usually acquired through college training or through work experience and other training that provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, and kindred workers.

**Technicians** - Occupations that require a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers and operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences) and kindred workers.

**Protective Service Workers** - Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police officers, fire fighters, guards, sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, and kindred workers.

**Para-Professionals** - Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of a staff development and promotion under a "New Transporters" concept. Includes: library assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker aides, home health aides, and kindred workers.

**Office and Clerical** - Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, office machine operators, clerk-typists, stenographers, court transcribers, hearings reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

**Skilled Craft Workers** - Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairpersons, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, and kindred workers.

**Service/Maintenance** - Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, and construction laborers.

**Attachment B** (page 2)

**CITY OF BERKELEY**  
**Nuclear Free Zone Disclosure Form**

I (we) certify that:

1. I am (we are) fully cognizant of any and all contracts held, products made or otherwise handled by this business entity, and of any such that are anticipated to be entered into, produced or handled for the duration of its contract(s) with the City of Berkeley. (To this end, more than one individual may sign this disclosure form, if a description of which type of contracts each individual is cognizant is attached.)
2. I (we) understand that Section 12.90.070 of the Nuclear Free Berkeley Act (Berkeley Municipal Code Ch. 12.90; Ordinance No. 5784-N.S.) prohibits the City of Berkeley from contracting with any person or business that knowingly engages in work for nuclear weapons.
3. I (we) understand the meaning of the following terms as set forth in Berkeley Municipal Code Section 12.90.130:

"Work for nuclear weapons" is any 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.

"Nuclear weapon" is any device, the intended explosion of which results from the energy released by reactions involving atomic nuclei, either fission or fusion or both. This definition of nuclear weapons includes the means of transporting, guiding, propelling or triggering the weapon if and only if such means is destroyed or rendered useless in the normal propelling, triggering, or detonation of the weapon.

"Component of a nuclear weapon" is any device, radioactive or non-radioactive, the primary intended function of which is to contribute to the operation of a nuclear weapon (or be a part of a nuclear weapon).

4. Neither this business entity nor its parent nor any of its subsidiaries engages in work for nuclear weapons or anticipates entering into such work for the duration of its contract(s) with the City of Berkeley.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Project Name/XX-XXXXX**

**Attachment C**

**CITY OF BERKELEY**  
**Oppressive States Compliance Statement**

The undersigned, an authorized agent of \_\_\_\_\_ (hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution No. 59,853-N.S. (hereafter "Resolution"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolution:

"Business Entity" means "any individual, firm, partnership, corporation, association or any other commercial organization, including parent-entities and wholly-owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Oppressive State" means: **Tibet Autonomous Region and the Provinces of Abo, Kham and U-Tsang**

"Personal Services" means "the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual relationship."

Contractor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract it provides Personal Services to:

- a. The governing regime in any Oppressive State.
- b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
- c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with, or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing the Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Project Name/XX-XXXXX**

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment D**

**CITY OF BERKELEY**  
**Sanctuary City Compliance Statement**

The undersigned, an authorized agent of \_\_\_\_\_ (hereafter "Contractor"), has had an opportunity to review the requirements of Berkeley Code Chapter 13.105 (hereafter "Sanctuary City Contracting Ordinance" or "SCCO"). Contractor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security ("ICE"). Contractor understands the meaning of the following terms used in the SCCO:

- a. "Data Broker" means either of the following:
  - i. The collection of information, including personal information about consumers, from a wide variety of sources for the purposes of reselling such information to their customers, which include both private-sector business and government agencies;
  - ii. The aggregation of data that was collected for another purpose from that for which it is ultimately used.
- b. "Extreme Vetting" means data mining, threat modeling, predictive risk analysis, or other similar services." Extreme Vetting does not include:
  - i. The City's computer-network health and performance tools;
  - ii. Cybersecurity capabilities, technologies and systems used by the City of Berkeley Department of Information Technology to predict, monitor for, prevent, and protect technology infrastructure and systems owned and operated by the City of Berkeley from potential cybersecurity events and cyber-forensic based investigations and prosecutions of illegal computer based activity.

Contractor understands that it is not eligible to receive or retain a City contract if at the time the Contract is executed, or at any time during the term of the Contract, it provides Data Broker or Extreme Vetting services to ICE.

Contractor further understands and agrees that Contractor's failure to comply with the SCCO shall constitute a material default of the Contract and the City Manager may terminate the Contract and bar Contractor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

By executing this Statement, Contractor certifies that it complies with the requirements of the SCCO and that if any time during the term of the Contract it ceases to comply, Contractor will promptly notify the City Manager in writing. Any person or entity who knowingly or willingly supplies false information in violation of the SCCO shall be guilty of a misdemeanor and up to a \$1,000 fine.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_, California.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Project Name/XX-XXXXX**





**CITY OF BERKELEY**  
**Living Wage Certification for Providers of Services**

**TO BE COMPLETED BY ALL PERSONS OR ENTITIES ENGAGING IN A CONTRACT FOR PERSONAL SERVICES WITH THE CITY OF BERKELEY.**

The Berkeley Municipal Code Chapter 13.27, Berkeley's Living Wage Ordinance (LWO), provides that contractors who engage in a specified amount of business with the City (except where specifically exempted) under contracts which furnish services to or for the City in any twelve (12) month period of time shall comply with all provisions of this Ordinance. The LWO requires a City contractor to provide City mandated minimum compensation to all eligible employees, as defined in the Ordinance. In order to determine whether this contract is subject to the terms of the LWO, please respond to the questions below. Please note that the LWO applies to those contracts where the contractor has achieved a cumulative dollar contracting amount with the City. Therefore, even if the LWO is inapplicable to this contract, subsequent contracts may be subject to compliance with the LWO. Furthermore, the contract may become subject to the LWO if the status of the Contractor's employees change (i.e. additional employees are hired) so that Contractor falls within the scope of the Ordinance.

**Section I.**

**1. IF YOU ARE A FOR-PROFIT BUSINESS, PLEASE ANSWER THE FOLLOWING QUESTIONS**

- a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid, or proposal, with the City of Berkeley for a cumulative amount of \$25,000.00 or more?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If **no**, this contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If **yes**, please continue to question **1(b)**.

- b. Do you have six (6) or more employees, including part-time and stipend workers?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**If you have answered, "YES" to questions 1(a) and 1(b) this contract IS subject to the LWO.** If you responded "NO" to 1(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

**2. IF YOU ARE A NON-PROFIT BUSINESS, AS DEFINED BY SECTION 501(C) OF THE INTERNAL REVENUE CODE OF 1954, PLEASE ANSWER THE FOLLOWING QUESTIONS.**

- a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid or proposal, with the City of Berkeley for a cumulative amount of \$100,000.00 or more?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If **no**, this Contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If **yes**, please continue to question 2(b).

- b. Do you have six (6) or more employees, including part-time and stipend workers?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**If you have answered, "YES" to questions 2(a) and 2(b) this contract IS subject to the LWO.** If you responded "NO" to 2(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

**Section II**

**Please read, complete, and sign the following:**

THIS CONTRACT IS SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

THIS CONTRACT IS NOT SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

**Attachment F (page 1)**

The undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, hereby certifies that he or she is fully aware of Berkeley's Living Wage Ordinance, and the applicability of the Living Wage Ordinance, and the applicability of the subject contract, as determined herein. The undersigned further agrees to be bound by all of the terms of the Living Wage Ordinance, as mandated in the Berkeley Municipal Code, Chapter 13.27. If, at any time during the term of the contract, the answers to the questions posed herein change so that Contractor would be subject to the LWO, Contractor will promptly notify the City Manager in writing. Contractor further understands and agrees that the failure to comply with the LWO, this certification, or the terms of the Contract as it applies to the LWO, shall constitute a default of the Contract and the City Manager may terminate the contract and bar Contractor from future contracts with the City for five (5) years from the effective date of the Contract termination. If the contractor is a for-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 25% or more of their compensated time engaged in work directly related to the contract with the City. If the contractor is a non-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 50% or more of their compensated time engaged in work directly related to the contract with the City.

These statements are made under penalty of perjury under the laws of the state of California.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Project Name/XX-XXXXX**

### Section III

---

- **\*\* FOR ADMINISTRATIVE USE ONLY -- PLEASE PRINT CLEARLY \*\***

I have reviewed this Living Wage Certification form, in addition to verifying Contractor's total dollar amount contract commitments with the City in the past twelve (12) months, and determined that this Contract IS / IS NOT (circle one) subject to Berkeley's Living Wage Ordinance.

\_\_\_\_\_  
Department Name

\_\_\_\_\_  
Department Representative

**Attachment F (page 2)**

To be completed by  
Contractor/Vendor



**Form EBO-1  
CITY OF BERKELEY**

**CERTIFICATION OF COMPLIANCE WITH EQUAL BENEFITS ORDINANCE**

If you are a **contractor**, return this form to the originating department/project manager. If you are a **vendor** (supplier of goods), return this form to the Purchasing Division of the Finance Dept.

**SECTION 1. CONTRACTOR/VENDOR INFORMATION**

|                 |  |       |             |      |
|-----------------|--|-------|-------------|------|
| Name:           |  |       | Vendor No.: |      |
| Address:        |  | City: | State:      | ZIP: |
| Contact Person: |  |       | Telephone:  |      |
| E-mail Address: |  |       | Fax No.:    |      |

**SECTION 2. COMPLIANCE QUESTIONS**

- A. The EBO is inapplicable to this contract because the contractor/vendor has no employees.  
☐ Yes ☐ No (If "Yes," proceed to Section 5; if "No", continue to the next question.)
- B. Does your company provide (or make available at the employees' expense) any employee benefits?  
☐ Yes ☐ No  
If "Yes," continue to Question C.  
If "No," proceed to Section 5. (The EBO is not applicable to you.)
- C. Does your company provide (or make available at the employees' expense) any benefits to the spouse of an employee? ..... ☐ Yes ☐ No
- D. Does your company provide (or make available at the employees' expense) any benefits to the domestic partner of an employee? ..... ☐ Yes ☐ No

**If you answered "No" to both Questions C and D, proceed to Section 5. (The EBO is not applicable to this contract.) If you answered "Yes" to both Questions C and D, please continue to Question E. If you answered "Yes" to Question C and "No" to Question D, please continue to Section 3.**

- E. Are the benefits that are available to the spouse of an employee identical to the benefits that are available to the domestic partner of the employee? ..... ☐ Yes ☐ No

**If you answered "Yes,"** proceed to Section 4. (You are in compliance with the EBO.)  
**If you answered "No,"** continue to Section 3.

**SECTION 3. PROVISIONAL COMPLIANCE**

- A. Contractor/vendor is not in compliance with the EBO now but will comply by the following date:
- ☐ By the first effective date after the first open enrollment process following the contract start date, not to exceed two years, if the Contractor submits evidence of taking reasonable measures to comply with the EBO; or
- ☐ At such time that administrative steps can be taken to incorporate nondiscrimination in benefits in the Contractor's infrastructure, not to exceed three months; or
- ☐ Upon expiration of the contractor's current collective bargaining agreement(s).

**Attachment G (page 1)**

- B. If you have taken all reasonable measures to comply with the EBO but are unable to do so, do you agree to provide employees with a cash equivalent?\* ..... ☐ Yes ☐ No

\* The cash equivalent is the amount of money your company pays for spousal benefits that are unavailable for domestic partners.

## SECTION 4. REQUIRED DOCUMENTATION

At time of issuance of purchase order or contract award, you may be required by the City to provide documentation (copy of employee handbook, eligibility statement from your plans, insurance provider statements, etc.) to verify that you do not discriminate in the provision of benefits.

## SECTION 5. CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am authorized to bind this entity contractually. By signing this certification, I further agree to comply with all additional obligations of the Equal Benefits Ordinance that are set forth in the Berkeley Municipal Code and in the terms of the contract or purchase order with the City.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_\_  
(City) (State)

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Federal ID or Social Security Number

### **FOR CITY OF BERKELEY USE ONLY**

☐ Non-Compliant (The City may not do business with this contractor/vendor)

☐ One-Person Contractor/Vendor

☐ Full Compliance

☐ Reasonable Measures

☐ Provisional Compliance Category, Full Compliance by Date: \_\_\_\_\_

Staff Name(*Sign and Print*): \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment G (page 2)**

**CITY OF BERKELEY**  
**Right to Audit Form**

The contractor agrees that pursuant to Section 61 of the Berkeley City Charter, the City Auditor's office may conduct an audit of Contractor's financial, performance and compliance records maintained in connection with the operations and services performed under this contract.

In the event of such audit, Contractor agrees to provide the Auditor with reasonable access to Contractor's employees and make all such financial, performance and compliance records available to the Auditor's office. City agrees to provide Contractor an opportunity to discuss and respond to/any findings before a final audit report is filed.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name & Title: \_\_\_\_\_

Company: \_\_\_\_\_

Contract Description/Specification No: **Project Name/XX-XXXXXX**

Please direct questions regarding this form to the Auditor's Office, at (510) 981-6750.

**Attachment H**

**CITY OF BERKELEY**  
**Commercial General and Automobile Liability Endorsement**

The attached Certificates of Insurance are hereby certified to be a part of the following policies having the following expiration dates:

| Policy No. | Company Providing Policy | Expir. Date |
|------------|--------------------------|-------------|
| _____      | _____                    | _____       |
| _____      | _____                    | _____       |
| _____      | _____                    | _____       |
| _____      | _____                    | _____       |

The scope of the insurance afforded by the policies designated in the attached certificates is not less than that which is afforded by the Insurance Service Organization's or other "Standard Provisions" forms in use by the insurance company in the territory in which coverage is afforded.

Such Policies provide for or are hereby amended to provide for the following:

1. The named insured is \_\_\_\_\_.
2. CITY OF BERKELEY ("City") is hereby included as an additional insured with respect to liability arising out of the hazards or operations under or in connection with the following agreement:  
\_\_\_\_\_.

The insurance provided applies as though separate policies are in effect for both the named insured and City, but does not increase the limits of liability set forth in said policies.

3. The limits of liability under the policies are not less than those shown on the certificate to which this endorsement is attached.
4. Cancellation or material reduction of this coverage will not be effective until thirty (30) days following written notice to \_\_\_\_\_, Department of \_\_\_\_\_, Berkeley, CA.
5. This insurance is primary and insurer is not entitled to any contribution from insurance in effect for City.

The term "City" includes successors and assigns of City and the officers, employees, agents and volunteers.

\_\_\_\_\_  
Insurance Company

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Underwriter's  
Authorized Representative

Contract Description/Specification No: **Project Name/XX-XXXXX**

**Attachment I**



**INFORMATION REPORTS**

October 19, 2022

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

**Reopening planning and restoration of hours**

The Library staff continue to expand services and plan for the eventual restoration of regular operating hours. The first adjustment will be the addition of evening hours, followed by the addition of Sunday hours at Central:/

| Central Hours:  | Branch Hours:      | TLL Hours:           |
|-----------------|--------------------|----------------------|
| Mon. 12pm-8pm   | Mon. 10am-6pm      | Sun.-Mon.: Closed    |
| Tue. 10am-8pm   | Tue.-Wed. 10am-8pm | Tue: 10am-6pm        |
| Wed. 10am-6pm   | Thu. 12pm-8pm      | Wed.-Thurs. 12pm-8pm |
| Thurs. 10am-6pm | Fri-Sat. 10am-6pm  | Fri.-Sat. 10am-6pm   |
| Fri. 10am-6pm   | Sun. Closed        |                      |
| Sat. 10am-6pm   |                    |                      |
| Sun. 1pm-5pm    |                    |                      |

Additional reopening changes including the restoration of meeting room access on the part of the public. The planning team is working toward a date in November for implementation.

**Latinx Heritage Month Programming**

In honor of Latinx Heritage Month, staff planned seven creative and varied programs around the system, from September 15 through October 15. Please the flyers that highlight these wonderful events.

**All Staff Days**

The Board of Library Trustees authorized a closure of the Library system on Friday, September 23, and Friday, September 30, to enable staff to participate in racial equity training with [Race-Work's](#) Dr. Lori A. Watson. The Elevation 2 Transformation session is the foundation for all equity leadership development phases. In this session, participants engaged in exercises to elevate personal racial consciousness, developed a deeper understanding of the impact of race, and gained clarity around the construct of whiteness and its role in sustaining systemic racism. A very high percentage of Library staff were able to participate in these sessions. Many thanks to the Berkeley Public Library Racial Justice Advisory Group for vetting trainings and consultants and selecting Dr. Watson for this important work.

**Recent Threats of Violence Against U.S. Library Systems**

Over the last few weeks of September, at least three different Library systems across the country experienced threats of violence including bomb threats and shooting threats: Fort Worth Public Library (and two smaller adjacent suburbs), Denver Public Library, and Salt Lake City Public Library. Some of these threats were shared over email, chat messaging, and social media. While the Salt Lake threat was determined not to be credible by the FBI, systems are asked to share this information with the Department of Homeland Security so that this national trend can be investigated.

Please see the following note from Maria McCauley, current PLA President and Director of Libraries, Cambridge Public Library:

Dear Colleagues,

Responding to threats to my library or my colleagues is something that I never expected to need to prepare for in my role as a library director. Unfortunately, these incidents seem to be coming up more often, and most recently colleagues in five cities have worked with local authorities to address bomb or shooting threats in their libraries over the last two weeks. Thankfully, no one was hurt in these recent threats, but the stress and disruption of service take a toll on our colleagues and users. The ALA Executive Board [has asked the FBI to investigate](#) these incidents across five states all within a short time period and coming on the heels of intimidation related to censorship across the country in the past year. PLA leaders agree this is needed and stand with all our colleagues facing threats or other challenges to their safety and service to our communities.

We are stronger together as we share information and strategies, and PLA is committed to strengthening our networks and supports for all public library staff. In addition to notifying local law enforcement, we suggest filing a report with the FBI and reporting incidents to ALA at [notify@ala.org](mailto:notify@ala.org). All reports to ALA will be treated confidentially.

## **Recruitment**

With the Library Specialist and Library Assistant interviews concluded, the Library staff has begun another significant recruitment for the Library Aide position. A number of people who had been Aides were promoted into Assistant positions.

The first round of Deputy Director interviews was concluded and a second phase is being coordinated.

Current recruitments include: Supervising Librarian for West and Tarea Hall Pittman South Branches, Assistant HR Analyst, and Library Aide. The temporary Librarian II recruitment has been initiated, as well as the permanent Building Maintenance Mechanic, Mail Services Aide (Delivery Driver position), and Information Services Specialist recruitments.

## **CONTACT PERSON**

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

## **Attachments:**

1. Latinx Heritage Month Flyer



Berkeley Public Library

# LATINX HERITAGE MONTH

## September 15 - October 15

### EVENTS



#### Sept. 15 Lotería for Kids and Families

15

Let's kick off Latinx Heritage Month by playing the game of lotería!

Central Children's Room, 3:30 pm- 5:00pm.

#### Sept. 16 Film Encanto

16

Join us for a free screening of Encanto at

Tarea Hall Pittman South Branch, 1:00 pm-3:00 pm.

#### Sept. 24 Cuauhtli Mitotiani Mexica

24

Cuauhtli Mitotiani Mexica is the RISE Danza program.

North Branch, 11:00 am- 11:30 am.

#### Oct. 1 Lowriders at the Library

1

Four lowrider cars, free ice-cream, Ballet Folklórico Reflejos del Sol, crafts, free books.

Central Library on Kittredge Street, 2:00-4:00 pm

#### Oct. 8 Cascada de Flores

8

Music, dance, and story mingle to create a dynamic, participatory, bilingual experience for the whole family.

Tarea Hall Pittman South Branch, 3:00-3:30 pm

#### Oct. 13 Sabores y Libros

13

Enjoy food and books in this Spanish virtual event. For kids 6-12 years old (with adult supervision). Registration required.

Virtual event by West Branch 3:30 pm- 4:30 pm.

#### Oct. 15 Benvenue Beats Mini Music Festival

15

Three hours of live music and dance! Including Mariela Herrera, Afro-Peruvian dance company Cunamacué, and the Latin Jazz Youth Ensemble of San Francisco.

Claremont Branch, 3:00 pm- 6:00 pm.



Sponsored by the Friends of the Berkeley Public Library

Biblioteca Pública de Berkeley

# MES DE HERENCIA LATINA

15 de septiembre a 15 de octubre

## EVENTOS



### Sept. 15 Lotería para niños y familias

15

¡Comencemos el Mes de Herencia Latina con un divertido juego de lotería!

Sala Infantil de la Biblioteca Central 3:30 - 5:00 pm

### Sept. 16 Película: *Encanto*

16

Venga a disfrutar una proyección gratuita de *Encanto*.

Biblioteca Tarea Hall Pittman South 1:00 - 3:00 pm

### Sept. 24 Cuauhtli Mitotiani Mexica

24

Cuauhtli Mitotiani Mexica es el programa de baile de RISE.

Biblioteca North 11:00 - 11:30 am

### Oct. 1 Lowriders en la Biblioteca

1

En este show habrán cuatro autos lowrider, helados, Ballet Folklórico Reflejos del Sol, artesanías, y libros gratis.

Biblioteca Central, Calle Kittredge 2:00 - 4:00 pm

### Oct. 8 Cascada de Flores

8

Música, danza e historia se combinan en una experiencia dinámica, participativa y bilingüe para su familia entera.

Biblioteca Tarea Hall Pittman South 3:00 - 3:30 pm

### Oct. 13 Sabores y Libros

13

Vamos a cocinar y a leer en este evento virtual en español para niños de 6 a 12 años (con supervisión de un adulto). Se requiere registracion.

Evento en línea de la Biblioteca West 3:30 - 4:30 pm

### Oct. 15 Festival de Música Benvenue Beats

15

¡Tres horas de música y baile en vivo! Incluye a Mariela Herrera, Compañía de Danza Afroperuana Cunamacué, y el Latin Jazz Youth Ensemble de San Francisco.

Biblioteca Claremont 3:00 - 6:00 pm



Patrocinado por Friends of the Berkeley Public Library