

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Library *W*

BOARD AGENDA # *B-7

Urgent Routine

AGENDA DATE Sept. 1, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Closure of the Riverbank Library on October 10, 2009, during the 33rd Annual Riverbank Cheese and Wine Exposition

STAFF RECOMMENDATIONS:

Approve the closure of the Riverbank Library on Saturday, October 10, 2009 during the 33rd Annual Riverbank Cheese and Wine Exposition.

FISCAL IMPACT:

Reduced utilities costs from closing the Riverbank Library for one day would be minimal.

BOARD ACTION AS FOLLOWS:

No. 2009-559

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

The Riverbank Library, located at 3442 Santa Fe Avenue, is open to the public 38 hours per week: Tuesday and Thursday 10:00 a.m.-6:00 p.m., Wednesday 10:00 a.m.-8:00 p.m., Friday 10:00 a.m.-5:00 p.m., and Saturday 12:00-5:00 p.m.

For many years, the Riverbank Chamber of Commerce has used the area around the Library during their Cheese and Wine Exposition. This year, the Command Center is again planned to be located directly in front of the Riverbank Library. This Command Center will be comprised of the Lost and Found, the First Aid Station, the Security Station, and the Lost Children Station.

This event has historically had quite an impact on the Riverbank Library. In the past, there have been constant lines of people waiting to use the restrooms. Very little library business has actually been conducted during this weekend. The amount of supplies used by the public exceeded that which is normally provided by the custodial service. Additionally, it is almost impossible for Library staff to close the building at 5:00 p.m., due to the number of people in line waiting to use the restrooms.

The Library is scheduled to be open Saturday, October 10, 2009, from 12:00 p.m.-5:00 p.m., and this year 60,000 are expected to attend the Exposition. Like last year, the Exposition will be conducted by the Riverbank Rotary Club. The Riverbank Rotary has recommended that the Library be closed Saturday, October 10, 2009. A signed Application and License for Temporary Use of Property is attached.

The Riverbank Library has been closed for each of the past thirteen years during the Riverbank Cheese and Wine Exposition. Library staff will again be present at a booth outside the Library to promote instant library card sign-ups, library programs and services. It is anticipated that The Friends of the Riverbank Library will also be present with staff.

POLICY ISSUES:

The Board of Supervisors must approve the closure of a County facility outside of a legal holiday. The Board should determine whether closure of the Riverbank Library during the Riverbank Wine and Cheese Exposition is consistent with its priority of striving for effective partnerships.

STAFFING IMPACT:

Library staff will be scheduled to work their regular Saturday shifts at the library card sign-up and information table.



CHIEF EXECUTIVE OFFICE

Richard W. Robinson
Chief Executive Officer

1010 10th Street, Suite 6800, Modesto, CA 95354
Post Office Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544.6886

APPLICATION AND LICENSE FOR TEMPORARY USE OF PROPERTY
(Government Code, §25537 (b))

The undersigned applicant ("Licensee") requests and applies for a temporary license to use a portion of the property owned or controlled by the County of Stanislaus ("County") on the terms and conditions set forth herein, and any additional terms agreed to by the Licensee and the County and attached to this Application and License.

Name:	Chris Elswick, Event Coordinator, Riverbank Rotary Club
Address:	6618 Third Street, Riverbank, CA 95367
Phone:	209.863.9600
Property:	Riverbank Library (Outdoor Premises) – 3442 Santa Fe Street, Riverbank, CA 95367
When:	Saturday, October 10, 2009 and Sunday, October 11, 2009
Purpose:	Riverbank Cheese and Wine Exposition – Command Center

Terms and Conditions

1. Licensors grants to Licensee and its employees, agents or contractors, a limited right of access to enter upon the Property for the purpose set forth above.
2. This License is for a limited period on the dates set forth above. The term of this License is not renewable, although the County, in its sole discretion, may grant additional, new licenses. This Agreement may be terminated by the County upon reasonable notice to the Licensee.
3. Licensee shall pay to the County as rent, a non-refundable fee in the amount of \$ 0.00 for of use of the Property during the license term.
4. Licensee shall not modify or alter the Property without prior written consent of the County. Licensee shall return the Property to its condition prior to such entry, except for reasonable wear and tear to the Property caused by the permitted use. Licensee shall keep the property free of liens and encumbrances, including mechanic's liens, arising out of the activities and conduct of the Licensee and Licensee's agents, employees and contractors.
5. Any entry upon the Property by Licensee, or Licensee's employees, agents or contractors, shall be at Licensee's sole risk and expense. The Licensees agree to assume responsibility for damages resulting from negligence or improper actions by Licensees occurring on the Property and arising out of Licensee's use of the Property.
6. Licensee shall indemnify and hold the County harmless from any and all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorneys' fees, arising out of, resulting from, or in connection with the Licensee's occupation and use of the premises. The County shall assume liability for negligent acts and omissions committed by its employees, agents or contractors during the term of the License.

Agreed To By Applicant

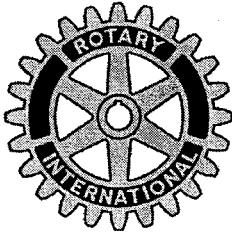
Permitted by County of Stanislaus

Date: 8/21/09

Chris Elswick
Riverbank Rotary Club

Patricia Hill Thomas
Chief Operations Officer/Assistant Executive Officer

Date: _____



RIVERBANK ROTARY
Cheese & Wine Exposition
2nd Weekend of October

6618 Third Street · RIVERBANK, CA 95367
TEL: (209) 863-9600 · FAX: (209) 863-9601



May 7, 2009

To: Vanessa Czopek
Stanislaus County Library
1500 I Street
Modesto, Ca. 95354-1166
Fax: 529-4779

From: Riverbank Rotary
Cheese and Wine Exposition

Re: Riverbank Library

Dear Ms. Czopek:

For many years, we have used the library in Riverbank during our Cheese and Wine Exposition. The location of this library is in the center of our festival, so this is great for accessibility. In the past we have been able to locate our Command Center and the First Aid Station at the library. The Command Center has been located outside by the bench underneath the Riverbank Library sign. The Command Center must have a representative 24 hours during the exposition for Lost and Found, First Aid Station, and for Lost Children.

This letter is to request the use of the premises outside the library for our 33rd Annual Cheese and Wine Exposition on October 10 & 11, 2009. The library is the most important area of our festival. Please call the Riverbank Rotary Office for information or if you have any questions.

Also, could you please have your landscaping crew turn off the sprinkles during this weekend so that our Command Center does not get wet.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Elswick".

Chris Elswick
Event Coordinator