

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

DEPT: Library *RC*

BOARD AGENDA # *B-4

Urgent Routine

AGENDA DATE September 18, 2012

CEO Concurs with Recommendation YES NO
(Information Attached) *pkc*

4/5 Vote Required YES NO

SUBJECT:

Approval of the Closure of the Riverbank Library on October 13, 2012 during the Annual Riverbank Cheese and Wine Exposition

STAFF RECOMMENDATIONS:

Approve the closure of the Riverbank Library on Saturday, October 13, 2012 during the Annual Riverbank Cheese and Wine Exposition.

FISCAL IMPACT:

Library staff scheduled to work on October 13, 2012 will be present at a booth outside the Riverbank Library promoting library services. There is no additional fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2012-473

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

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 Street, is open to the public 38 hours per week: Monday 10:00 a.m.-5:00 p.m., Tuesday and Thursday 10:00 a.m.-6:00 p.m., Wednesday 10:00 a.m.-8:00 p.m., and Saturday 12:00-5:00 p.m.

For many years, the Riverbank Rotary Club has used the area around the Library during their Cheese and Wine Exposition. This year, the Riverbank Rotary is requesting the Command Center be located directly in front of the Riverbank Library. This location will provide easy public access for the exposition Command Center.

Historically, this event has had quite an impact on the Riverbank Library. In the past when the library was open, there were constant lines of people waiting to use the restrooms with very little library business conducted during this weekend. The amount of janitorial supplies used by the public exceeded that which is normally provided by the Library. Additionally, it was 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.

Currently, the Library is scheduled to be open Saturday, October 13, 2012 from 12:00 p.m.-5:00 p.m. This year 60,000 people are expected to attend the Exposition. The Riverbank Rotary Club, the event sponsor, has recommended that the Library be closed Saturday, October 13, 2012. A signed Application and License for Temporary Use of Property is attached. The Riverbank Library has been closed for the past fifteen years during this event, and staff is recommending that it be closed again this year. Library staff will be present at a booth outside the Library to promote library card sign-ups, library programs and services.

POLICY ISSUES:

The closure of the Riverbank Library during the Riverbank Cheese and Wine Exposition is consistent with the Board's priority of Effective Partnerships by providing easy public access to the Command Center for this Exposition.

STAFFING IMPACT:

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

CONTACT PERSON:

Vanessa Czopek, County Library Director Phone: 558-7801



CHIEF EXECUTIVE OFFICE

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 13, 2012 and Sunday, October 14, 2012
Purpose:	Riverbank Cheese and Wine Exposition – Command Center

Terms and Conditions

1. Licensor 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

Chris Elswick
Riverbank Rotary Club

Date: 8-8-12

Vanessa Czopek
County Librarian

Date: 9/4/12