

RESOLUTION 2021-049

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO EXECUTE SUBLEASE SUPPLEMENT NO. 4 BY AND BETWEEN THE CITY OF SAN PABLO AND CONTRA COSTA COUNTY LIBRARY SERVICES FOR A TOTAL OF 53 OPERATING HOURS PER WEEK, INCLUDING 12 SUPPLEMENTAL HOURS AT CITY EXPENSE, TOTALING \$104,260 FOR THE SAN PABLO LIBRARY FOR FY 2021/22

WHEREAS, the City of San Pablo ("City") has long partnered with County of Contra Costa ("County") to provide its citizens with a local branch of the County library system;

WHEREAS, execution of the Sublease Supplement No. 4 is not subject to environmental review under the California Environmental Quality Act because it would not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore are not considered a "project" subject to CEQA review. (Pub. Resources Code, § 21065; 14 Cal. Code Regs. § 15378.);

WHEREAS, the City has been responsible for securing space for a local library branch and paying rent, maintenance and operational costs related to the space, while the County provides all library services at that location at 13751 San Pablo Avenue in San Pablo;

WHEREAS, operation of the San Pablo Library ("Library") is governed under a Library Sublease and Service Agreement ("Sublease") with the County, and under the Sublease, the County Librarian provides a Sublease Supplement ("Supplement") to the City by March 31 of each year which sets forth (i) the number of weekly baseline hours of library service the County will provide in the upcoming fiscal year 2021/22 (40 hours); (ii) the number of "extra or supplemental hours" of library service the City has requested the County to provide for the upcoming fiscal year; (iii) the resulting number of actual hours during which library services will be conducted at the Library for the upcoming fiscal year; and (iv) the cost of the extra hours to the City;

WHEREAS, the proposed Sublease Supplement No. 4 dated March 31, 2021, outlined that the County would provide 40 base hours per week for Fiscal Year 2021/22 plus 12 extra hours per week at the City's expense, bringing the actual total hours to 52 per week, which amount has proven sufficient and is proposed for FY 2021/22, at a total cost of \$104,260 which will be invoiced quarterly to the City;

WHEREAS, as a result, the City Manager requests the City Council approve the County's proposed Sublease Supplement No. 4 for FY 2021/22, and authorize a 40 Base Hours per week plus 12 supplement hours per week at City's expense for County Library Services at San Pablo Library, effective July 1, 2021; and

WHEREAS, if approved by majority vote via Resolution, this would authorize a formal contract modification with permissive language authority granted to the City Manager and City Attorney to amend the Sublease appropriately for formal execution by the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Pablo that:

Section 1. Recitals.

The Recitals set forth above are true and correct and incorporated herein.

Section 2. Execution of Sublease Supplement No. 4 for FY 2021/22.

The City Council hereby authorizes the City Manager to execute the Sublease Supplement No. 4 with the County for library services at the San Pablo Library for FY 2021/22, attached as Exhibit A, at a total cost of \$104,260 for 52 total weekly service hours, and to make necessary changes or additions thereto with the concurrence of the City Attorney as are necessary or appropriate and which do not substantially alter the rights and obligations of the City thereunder.

The City Manager is further authorized by this said Resolution to execute any other documents and take such other actions as are necessary to carry out and implement the financial obligations of the City as part of the Preliminary DRAFT FY 2021/22 General Fund Budget.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

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ADOPTED this 19th day of April, 2021, by the following votes:

AYES:	COUNCILMEMBERS:	Cruz, Ponce, Pineda and Xavier
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Pabon-Alvarado
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Dorothy Gantt
Dorothy Gantt, City Clerk

/s/ Elizabeth Pabon-Alvarado
Elizabeth Pabon-Alvarado, Mayor