

## Legislation Text

---

File #: #21-156, Version: 1

---

**PREPARED BY:** MATT RODRIGUEZ

**DATE OF MEETING:** 04/19/21

**SUBJECT:**

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

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

*County Library Services* is an existing contractual agreement between the City and Contra Costa Library Services since 2017, and is not a specific adopted policy item required to be enumerated in the adopted FY 2021-23 City Council Priority Workplan, effective March 15, 2021.

**CEQA Compliance Statement**

The 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.).

**BACKGROUND**

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. Generally, 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. Increasingly, the County has required cities to pay for services beyond a baseline of hours of 35 hours per week established for FY 2020/21.

Operation of the San Pablo Library ("Library") is governed under a Library Sublease and Service Agreement ("Sublease") with the County originally executed on May 24, 2017. 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; (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.

**COVID-19 & Shelter-In-Place Impacts**

On March 31, 2020, amidst the COVID-19 pandemic and Contra Costa County Public Health Officer Shelter-In-Place (S.I.P.) Orders in effect, the County's Library Services reduced base hours to 35 total hours per week with no supplemental hours provided to local cities, and eventually had to close all County libraries to the public within the County library system. For FY 2019/20, the County Librarian processed a service credit to local cities from April 3, 2020 until the end of the FY 2019/20 period (June 30, 2021) due to COVID-19 impacts.

### **FY 2021/21 County Re-Opening Plans**

Due to the existing County Public Health Orders in effect to date, all County libraries were closed to the public throughout most of FY 2020/21 period. However, per State of California Department of Public Health (DPH) guidelines issued in March 2021, all County libraries, which fall into a business/retail use category, will re-open with services to the public beginning on April 26, 2021, with the San Pablo Library slated to re-open on April 27, 2021.

Due to this Re-Opening timeline for the San Pablo Library, the City will be incurring additional operating costs for increased HVAC and janitorial services beyond pre-COVID-19 levels for period April 27, 2021 through June 30, 2021. These operating costs are unforeseen budget expenses and are anticipated to cost the City an estimated \$25,000 for period ending June 30, 2021.

### **FY 2021/22 Proposed County Library Services**

On March 31, 2021, a proposed annual cost estimate and Sublease Supplement No. 4 for the FY 2021/22 period was transmitted to the City of San Pablo which enables the County to increase base hours per week from 35 to 40 base hours for FY 2021/22. Additional supplemental hour options were provided to the City, and will be reinstated at the 12 extra hours per week at the City's expense for a total cost of \$104,260 and a total service level of 52 hours per week for FY 2021/22 (see Attachment).

Prior to the COVID-19 pandemic, the total number of service hours per week authorized by the City was 47 at a cost of \$87,068 for FY 2019/20. Then, during FY 2020/21, the service level was reduced to 35 base hours by the County Librarian after March 2020 due to COVID-19 impacts. Now, with the County Library Services proposing to increase base service hours to 40 per week for the FY 2021/22 period, the City Council must authorize the additional 12 hours per week which increases total service hours per week to 52 hours, representing a +10.6% hours increase, and 19.7% cost increase (from \$87,068 to \$104,260) for FY 2021/22, effective July 1, 2021.

Therefore, should the City Council authorize total service level hours of 52 hours per week for FY 2021/22, the proposed operating hours of the San Pablo Library, effective July 1, 2021 are proposed, as follows:

Mondays:	10:00 a.m. - 8:00 p.m.	Fridays:	9:00 a.m. - 5:00 p.m.
Tuesdays:	10:00 a.m. - 8:00 p.m.	Saturdays:	9:00 a.m. - 5:00 p.m.
Wednesdays:	10:00 a.m. - 6:00 p.m.	Sundays:	CLOSED
Thursdays:	10:00 a.m. - 6:00 p.m.		

**FY 2021/22 Proposed Total Weekly County Library Service Level Hours: 52 hours**

### **City Manager Recommendation**

For budget and operational planning, the City Manager requests the City Council approve by Resolution the County's proposed Supplement No. 4 for FY 2021/22, and authorize the 52 total weekly service hours for County Library Services which includes the 40 base hours provided by the County plus the 12 supplemental hours at City expense at the San Pablo Library, effective July 1, 2021. This new service level will be increased to pre-COVID-19 pandemic service levels.

If approved by majority vote via Resolution, the City Council would direct the City Manager and City Attorney to proceed with a formal contract modification with permissive language authority to amend Supplement No. 4 appropriately with County Librarian staff before the July 1, 2021 effective date (See Attachment).

### **FISCAL IMPACT**

For FY 2020/21, due to the SP Library re-opening plans to the general public on April 27, 2021, there will be an unforeseen operating expense to cover increased HVAC and janitorial services for the San Pablo Library through June 30, 2021. These unforeseen expenses to be incurred for the remainder of FY 2020/21 will be addressed with available one-time General Fund (GF) revenue and reconciled by budget balancing measures via Resolution prior to June 30, 2021.

For FY 2021/22, based on the new County Library service level, the proposed Sublease Supplement No. 4 will obligate the City to pay the County a total of \$104,260 which includes the 12 extra hours of library operation for the upcoming FY 2021/22 period, effective July 1, 2021, with the City invoiced quarterly. Upon adoption, the City Manager will earmark this proposed annual budgeted expense in the forthcoming FY 2021/22 Preliminary DRAFT GF Budget under City Council Departmental Budget subject to City Council adoption prior to July 1, 2021.

### **Attachments:**

1. *Correspondence from Contra Costa County Library Service dated 03/31/21 re: FY 2021/22 Proposed Costs for County Library Services*
2. Proposed Sublease Supplement No. 4 for FY 2020/21, effective July 1, 2021
3. Annual Report 2020 for Contra Costa Libraries