



PUBLIC WORKS DEPARTMENT

CITY HALL
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CITY COUNCIL STAFF REPORT

Special Meeting: July 8, 2019

Subject

Community Hall license agreement with Santa Clara County Library District

Recommended Action

Authorize the City Manager to execute a Temporary Use Agreement and License with Santa Clara County Library Joint Powers Authority for library use of Cupertino Community Hall (10350 Torre Avenue)

Background

Santa Clara County Library District has utilized the Cupertino Community Hall space for programming and classes on a routine basis for many years. The process for the Library to reserve Community Hall has consisted of contacting Parks and Recreation staff, reserving the room at least 10 days prior to the event, and completing the permit application, which involved signing a waiver. Towards the end of last year, Library staff indicated that the Library Joint Powers Authority (JPA) Board would need to approve these waivers, resulting in a cumbersome process to utilize Community Hall. The Library requested that the City look into ways to streamline their reservation process and stopped making reservations in the meantime.

City and Library staff have now negotiated terms for a temporary use and license agreement that will allow the Library JPA Board to approve one document for the Library's use of Community Hall. During the term of the agreement, Library staff would be able to submit requests to reserve the facility, without having the JPA Board signoff on each waiver, thus streamlining the process for them.

Discussion

The negotiated agreement includes the following substantive terms for the Library's use of Community Hall:

1. Term – The initial term of the license agreement is for one year, and the agreement will continue thereafter on a month-to-month basis. The agreement may be terminated by either party upon 30 days written notice.

2. Rental Rate – The Library would pay to the City the standard Cupertino Non-Profit fees for each use.
3. Scheduling and Use – The Library would be permitted 120 uses per year with no more than 15 uses per month.
4. Indemnity and Insurance – City and Library have negotiated reasonable indemnities between the two organizations, and the Library will maintain insurance for use of Community Hall.

Execution of this license agreement will facilitate streamlining of the Library's use of Community Hall, and will enable the Library to resume programming of the facility.

Sustainability Impact

No sustainability impact.

Fiscal Impact

The Library would pay to the City the standard non-profit rental rates for Community Hall of approximately \$80/hour for each use Friday through Sunday and \$30/hour for each use Monday through Thursday. The estimated annual revenue to the City would be approximately \$9,600. This revenue would fluctuate based on the length of each rental and the total number of rentals per year.

Prepared by: Chad Mosley, Acting Assistant Director of Public Works/City Engineer

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A – Draft Temporary Use Agreement and License – Santa Clara County Library Joint Powers Authority