

Memorandum of Understanding (MOU) between City of Cupertino and Santa Clara County Library District

This Memorandum of Understanding (MOU) sets the terms and understanding between the City of Cupertino and Santa Clara County Library District (Library) for the Library's permitted use of the Community Hall, located at 10350 Torre Ave, Cupertino.

Purpose

This MOU outlines parameters and procedures for the use of the Community Hall by the Library to assist both organizations in providing efficient and effective services to the Cupertino community.

Coordination

Representatives from the Library and the City of Cupertino's RCS (Recreation and Community Services Department) will meet at the invitation of RCS semi-annually in February and August to review the agreed-upon parameters and facility booking procedures outlined in this MOU, coordinate facility usage, discuss ways to strengthen the partnership, and review opportunities to cross-promote of programs and events.

Library Use of Community Hall

- No annual maximum number of permitted rentals will be established. The Library's current annual usage of 125-150 is expected to remain fairly constant. A use is defined as one or more programs offered on the same day in the facility without a change in set up.
- Library is eligible to request Community Hall bookings up to 13 months in advance.
- Library is permitted as a zero fee group for use of Community Hall. For organizations designated as zero fee groups for a facility, the City's facility use fees and security deposit are waived.
- The City of Cupertino may request that Library adjust or cancel a booking to accommodate a City or special use. The City will not adjust a Library booking without the Library's approval except in exceptional circumstances at Council's discretion. In these cases, at least 30 days advance notice will be provided to the Library when possible.
- Other City facilities may be available to the Library if Community Hall is not available for booking. Any Library booking at another City facility will be charged at the City's Cupertino Non-Profit rate as defined in the current adopted fee resolution, excluding the required deposit. In cases of cancellation of a Library booking of Community Hall by the City of Cupertino, another city facility may be provided, if possible, to the Library free of use fees and security deposit.
- Library shall not book Community Hall for usage by another organization.

July 28, 2017

- The City of Cupertino will schedule bookings for the Friends of the Cupertino Library book sales three times annually, up to 13 months in advance and with facility use fees and security deposit waived. A representative from the Friends of the Cupertino Library will work with RCS staff to schedule these bookings.
- If Community Hall is no longer needed for a scheduled booking or for the full scheduled time of a booking, the Library is required to cancel or adjust the reservation at least 30 days before the scheduled usage date. This will ensure Community Hall is available for City meetings or paid rentals and the City does not incur staffing costs for a booking that does not occur as scheduled.
- Library shall follow all conditions of use as listed in the Facility Use Permit.
- Any additional expenses incurred or resources required by the City for a Library booking may be billed to the Library, including but not limited to, set-up changes without 48 hours' notice, equipment or facility damage, or additional clean-up at a negotiated janitorial rate.

Booking Procedure

- To request a Community Hall reservation, Library will email the RCS Senior Office Assistant up to 13 months in advance. The email shall include:
 - Primary and secondary Library contact for the event booking
 - Date of use
 - Beginning and end of time of event, including setup and cleanup time
 - Event title
 - Event type (meeting, class, ceremony, conference, performance, camp, luncheon, etc.)
 - Number of people estimated to be in attendance
 - Proof of Insurance (provided annually)
- If Community Hall is available, all Library requests that meet the terms of Facility Use Permit will be granted by RCS. RCS will, within five business days, reserve the date and email the Library a Facility Use Permit to be signed and returned.
- Primary Library contact for the event booking will sign the Facility Use Permit and return it to RCS for approval. RCS will notify Library upon Facility Use Permit approval (or, if not approved).
- Setup of Community Hall and the unlocking and locking of the facility will be completed by RCS staff according to the Facility Use Permit and written setup chart. Setup charts are due from the Library at least 30 days before each event date. Changes to the setup are due in writing 2 business days before the event date.
- Library bookings made less than 30 days from the day of the event are expected to have setup charts submitted to RCS within 4 days of the event date.
- RCS will approve back-to-back rentals on the same day if both events have the same setups and there is a one hour gap between event start times and end times. If the events have different setups, two hours are required between events.

July 28, 2017

- Set up change requests made by Library within 10 days of the event are subject to approval by the RCS Supervisor. Approval is based on staffing and building availability.
- Library staff will, upon request to RCS, be provided view to the current working calendar of all Community Hall bookings, or until such times as the online internal RCS facilities booking calendar is made available for viewing by Library.

Tracking and Costs

- The annual number of facility uses, hours of use, and costs will be tracked by RCS and presented to both the Library and the Library Commission annually. Library will be provided with a copy of this information at least 10 business days before it is made publicly available.
- The Library will be invoiced for janitorial costs on a monthly basis if additional cleanup is required from any Library usage of Community Hall, as defined under Library Use of Community Hall.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from the City of Cupertino and the Santa Clara County Library District (Cupertino Library). This MOU shall become effective upon signature by the authorized officials and will remain in effect until modified or terminated by either party.

Contact Information

City of Cupertino Recreation and Community Services Department
Christine Hanel
Assistant Director
10185 North Stelling Road, Cupertino, CA 95014
408-777-3125
ChristineH@Cupertino.org

Santa Clara County Library District
Nancy Howe
County Librarian
1370 Dell Ave., Campbell, CA 95008
408-293-2326
nhowe@sccl.org

July 28, 2017

Signatures

The individuals executing this MOU represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

CUPERTINO LIBRARY

CITY OF CUPERTINO
A Municipal Corporation

By: NANCY HOWE
Title: COUNTY LIBRARIAN

By: CHRISTINE HANEL
Title: ASSISTANT DIRECTOR,
RECREATION & COMMUNITY
SERVICES

Date: _____

Date: _____

RECOMMENDED FOR APPROVAL:

By: JEFFREY S. MILKES
Title: DIRECTOR, RECREATION &
COMMUNITY SERVICES

APPROVED AS TO FORM:

RANDOLPH STEVENSON HOM
CITY ATTORNEY

ATTEST:

GRACE SCHMIDT
CITY CLERK

July 28, 2017