

**MARIPOSA COUNTY  
BOARD OF SUPERVISORS**

**AGENDA  
ACTION FORM**

**DATE: 8/15/00  
AGENDA ITEM NO.: 9**

**DEPARTMENT:** County Counsel

**BY:** Jeffrey G. Green

**PHONE:** 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:** (Policy Item: Yes\_\_\_ No\_\_\_)

Resolution authorizing Chairman to sign a Memorandum of Understanding with the Mariposa County Unified School District for the continuation of branch library services located at the El Portal Elementary/Yosemite Park High School site.

The County has had a branch library located on the School site for a number of years and it is the desire of both parties to continue these services with a written agreement.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

<b>COSTS:</b>	( ) Not Applicable	
A. Budgeted current FY		\$ _____
B. Total anticipated costs		\$ _____
C. Required additional funding		\$ _____
D. Internal transfers		\$ _____

<b>SOURCE:</b>	( ) 4/5ths Vote Required	
A. Unanticipated revenues		\$ _____
B. Reserve for contingencies		\$ _____
C. Source description:		_____
Balance in Reserve for Contingencies,		_____
if approved: \$		_____

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLERK'S USE ONLY:**

Res. No.:	<u>00-309</u>	Ord. No.	_____
Vote - Ayes:	<u>5</u>	Noes:	_____
Absent:	_____	Abstained:	_____
Approved	( )	Denied	( )
Minute Order Attached	( )	No Action Necessary	( )

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: \_\_\_\_\_

\_\_\_\_\_

A.O. Initials: WJG

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes\_\_\_ No\_\_\_)

Resolution authorizing Chairman to sign a Memorandum of Understanding with the Mariposa County Unified School District for the continuation of branch library services located at the El Portal Elementary/Yosemite Park High School site.

The County has had a branch library located on the School site for a number of years and it is the desire of both parties to continue these services with a written agreement.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

COSTS: ( ) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CLERK'S USE ONLY:

Res. No.: 00-309 Ord. No. \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Approved Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

( ) Minute Order Attached ( ) No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_

A.O. Initials: UNW

**MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING** is entered into on the most recent date below written, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "County," and the Mariposa County Unified School District, hereinafter referred to as "School."

**WHEREAS**, County desires to continue to provide branch library services in the El Portal area, and

**WHEREAS**, El Portal branch library services are now located at the El Portal Elementary/Yosemite Park High School site, and

**WHEREAS**, it is in the mutual interest of County and School to provide branch library services to school children and the general public in El Portal, and

**WHEREAS**, School desires to have branch library services continue in El Portal.

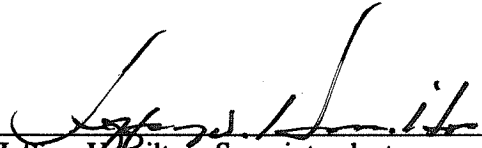
**NOW, THEREFORE**, based upon the mutual interest of County, School and the public, the parties hereto agree as follows:

1. County agrees to operate its branch library in the El Portal Elementary/Yosemite Park High School site located at 9670 Rancheria Flat Road, El Portal, California, hereinafter referred to as "School Site", and School agrees to allow County to continue to operate its branch library at the School Site.
2. This Agreement shall be automatically renewed on an annual basis unless either party hereto shall serve upon the other party written notice of cancellation ninety (90) days prior to June 30 of any calendar year.
3. County shall provide, at County's sole cost and expense, a minimum of ten and one half (10 ½) hours per week of County staffing to operate the branch library. The library operating hours shall be mutually agreed upon between County and School and approved by the County Board of Supervisors.
4. Library related events outside of the normal operating hours shall be approved by the El Portal School Administration and the County Board of Supervisors. Non-library events that are sponsored by School may also occur in the branch library space during non-library operating hours.
5. County shall provide, at County's sole cost and expense; shelving, furnishings, and equipment needed to house the branch library located at the School Site. All shelving, furnishings, equipment and other properties belonging to County shall be returned to County at such time as this Memorandum of Understanding is terminated. An inventory of the current shelving, furnishings and equipment is attached hereto marked Exhibit "A" and by this reference incorporated herein. Exhibit "A" shall be amended from time to time as shelving, furnishings and equipment are changed.
6. County shall make available to the branch library for the benefit of the El Portal residents and the School, Countywide books on the same basis that Countywide books and other library inventory is available to branch libraries in Mariposa County.
7. School shall provide custodial services at the branch library for the "student attendance" school year. County shall provide custodial services for the "non-student attendance" school year, i.e., summer months. The custodial services shall be provided as needed to keep the premises wherein the branch library is located in a clean and sanitary condition, including but not limited to, the adjacent

restrooms. School shall provide for utilities and building/facility maintenance of the space wherein the branch library is located.

8. County shall hold School harmless for any injuries to persons or property resulting from the negligence of County personnel and/or staff operating the branch library at the School Site. County warrants that it is self-insured for the first One Hundred Thousand Dollars (\$100,000) of any claim and carries additional liability insurance in the amount of Ten Million Dollars(\$10,000,000).
9. County shall provide workman's compensation coverage for County staff and employees who operate the branch library at the School Site.
10. This Memorandum of Understanding shall supercede and replace any and all previous agreements, either written or oral, between the parties relative to the operation of the El Portal branch library.
11. This Agreement may be modified only by a written document executed by the parties hereto.
12. This Memorandum of Understanding shall be interpreted pursuant to the laws of the State of California.

**MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT**

  
\_\_\_\_\_  
Dr. Jeffrey Hamilton, Superintendent

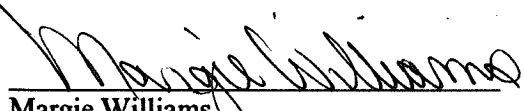
Date: 9/22/00

**COUNTY OF MARIPOSA**

  
\_\_\_\_\_  
Garry R. Parker, Chairman  
Mariposa County Board of Supervisors


Date: 9-12-00

**ATTEST:**

  
\_\_\_\_\_  
Margie Williams  
Clerk of the Board

Date: 9-12-00

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

  
\_\_\_\_\_  
Jeffrey G. Green  
Mariposa County Counsel

Date: 9-6-00

El Portal Branch Library  
 9670 Rancheria Flat Road  
 El Portal, CA 95318  
 209.379.2401

County ID Number	Description	Purchase Date
5370	Book Cart, Flat Top	1982
5371	Book Cart	1982
7284	Wood Book Shelf	1956
7285	Magazine Rack-Wood	1956
8528	Indoor BK Return w/cart	1997
8835	Wood Corner Table	1998
8836	Computer Work Station	1998
8837	Task Chair	1998
8842	(3) 5 Drawer Card Catalog	1998
8843	Circulation Desk-Custom	1998
8526-8527	2 Wood Carousel Video Display	1998
8539-8550	12 Oak Juvenile Library Chairs	1998
8551-8562	12 Oak Adult Library Chairs	1998
8563-8565	3 Large Library Tables	1998
8831-8832	2 Wood Magazine Display Racks	1998
8833-8834	2 Fabric Wing Back Chairs	1998
10175	Premio Pentium CPU	1999
10177	HP Lazer Jet Printer	1999
10180	Optiquest Monitor Color	1999
10277	Cisco Router	2000
10279	Metal Shelving w/wood panel	1998
10285	1 Large Library Table	1998
10281-82	Metal Shelving w/wood panel (6)	1998
10549	Gateway CPU	2000
10550	Monitor	2000
10551	HP Lazer Jet Printer	2000
10552	Custom 16 Port Hub	2000
10695	CSU/DSU Modem	2000
10946	Gateway CPU	2000
10950	Monitor	2000

**EXHIBIT A**