



Office of the City Manager

CONSENT CALENDAR

November 17, 2020

To: Honorable Mayor and Members of the City Council
 From: Board of Library Trustees
 Submitted by: Tess Mayer, Director of Library Services, Acting as Secretary, Board of Library Trustees
 Subject: Annual Report on Gifts Received in Excess of \$1,000 Aggregate Value

RECOMMENDATION

Adopt a Resolution accepting the Library's annual gift report to the Berkeley City Council as presented and recommended by the Board of Library Trustees.

FISCAL IMPACT OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

The Board of Library Trustees accepts gifts throughout the fiscal year; for the period July 1, 2019 through June 30, 2020 the following gifts equal to or in excess of the \$1,000 aggregate were received and accepted into Library Fund accounts: the Friends of the Berkeley Public Library for \$120,000, and the Berkeley Public Library Foundation for \$19,079.

Donor funds are kept separate and apart from other funds and are managed as part of the regular budget management process per the *Library's Gift / Donation Policy A.R. Number 10.11*.

BACKGROUND

The Council has delegated the responsibility of acceptance and appropriation of Library gift funds to the Board of Library Trustees, such that the Library will be better able to honor the intent and wishes of the grantor/donor and fulfill identified community needs in a timely manner. The Council's delegation of authority to the Board of Library Trustees ensures that public noticing of gifts occurs on a regular basis and annual reporting ensures that the Council remains well-informed regarding gifts to the Library.

On September 20, 2011 the Council approved Resolution No. 65,444-N.S., "Mandating annual reporting from the Board of Library Trustees of gifts in excess of \$1,000 in aggregate in an informational report to be presented before the Council on a regular

meeting agenda.” Information relevant to the report was prepared by staff for Board of Library Trustee consideration and approved for communication to the City Council. The submitted report will fulfill the ordinance’s obligation covering the period from July 1, 2019 through June 30, 2020.

RATIONALE FOR RECOMMENDATION

The approval of this recommendation will satisfy the intent of the Council Resolution regarding acceptance of gift funds. In addition, the Board of Library Trustees has reviewed and recommends the report for acceptance. This action will have no negative implications and honors the original intent of the donor parties.

ALTERNATIVE ACTIONS CONSIDERED

No other alternative actions were considered.

CONTACT PERSON

Tess Mayer, Director of Library Services, 981-6195

Attachment:

1. Resolution

RESOLUTION NO.: ##,### N.S.

ANNUAL REPORT TO COUNCIL FROM THE BOARD OF LIBRARY TRUSTEES ON
GIFTS RECEIVED IN EXCESS OF \$1,000 AGGREGATE

WHEREAS, the Berkeley Public Library regularly receives gifts from two support organizations, the Berkeley Public Library Foundation and the Friends of the Berkeley Public Library, as well as many individuals and groups; and

WHEREAS, the Open Government Ordinance, pursuant to section 2.06.150, stipulates that, *“Contributions to the City or any of its functionaries or Legislative Bodies, for the purpose of carrying out or assisting any City function, shall be disclosed and approved on the Agenda of a regular Meeting of the City Council”*; and

WHEREAS, the City Council at a regular meeting on September 20, 2011 approved on the consent calendar Resolution No. 65,444-N.S., which delegated to the Library Board of Trustees the authority to accept any gifts of funds, goods, or services made to the Library up to \$200,000 that do not include unduly restrictive conditions on their use, and all gifts from the Library Foundation constituting payments toward the Foundation’s Branch Library FF&E Campaign and included a requirement that the Board of Library Trustees report to Council annually gifts in excess of \$1,000 in aggregate; and

WHEREAS, the submitted covers the period from July 1, 2019 through June 30, 2020, corresponding with the fiscal year calendar; and

WHEREAS, gifts to the Library subject to reporting to the City Council during this period are: the Friends of the Berkeley Public Library for \$120,000, and the Berkeley Public Library Foundation for \$19,079; and

WHEREAS, on October 14, 2020 at a special meeting of the Board, by Resolution 20-057 the board voted to approve the annual gift report to Council as presented.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley hereby accepts the annual report of gifts in excess of \$1,000 in aggregate from the Board of Library Trustees.

BE IT FURTHER RESOLVED that the following gifts to the Library are hereby approved:

1. The Friends of the Berkeley Public Library for \$120,000; and
2. The Berkeley Public Library Foundation for \$19,079.

