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3/20/90

EXHIBIT B

AN ORDINANCE 7 1 2 5 4

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE FRIENDS OF THE SAN ANTONIO LIBRARY AND THE SAN ANTONIO LIBRARY FOUNDATION FOR SALE OF UNUSABLE BOOKS AND OTHER LIBRARY MATERIALS TO BE DISCARDED FROM THE LIBRARY SYSTEM, WITH MONIES GENERATED TO BE USED FOR SPECIAL COLLECTIONS, SERVICES, AND PROGRAMS AT THE LIBRARY.

* * * * *

WHEREAS, the San Antonio Public Library has books and other materials which are old, unusable, or which for other reasons will be discarded; and

WHEREAS, the San Antonio Library Foundation and the Friends of the San Antonio Library have offered to advertise, market, and sell these materials and make the proceeds available to the library for improvements; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That the City Manager is authorized to execute an agreement with the San Antonio Library Foundation and the Friends of the Library for sale of such unusable library materials. The agreement shall be in substantially the same form and content as that attached hereto and incorporated herein as Attachment A.

PASSED AND APPROVED this 22nd day of March, 1990.

Lila Cockell
M A Y O R

ATTEST: *Norma S. Rodriguez*
City Clerk

APPROVED AS TO FORM: *John Goulay*
City Attorney

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STATE OF TEXAS)
)
COUNTY OF BEXAR)

This agreement entered into by and between the City of San Antonio, owner of the San Antonio Public Library, hereinafter called "Library", and the Friends of the San Antonio Library and the San Antonio Library Foundation hereinafter called "Contractors"; WITNESSETH:

WHEREAS, within the San Antonio Public Library System there are numerous books and other materials that are unusable, outdated, or for other reason have been removed from circulation and use and which must be physically removed; and

WHEREAS, the Friends of the San Antonio Library and the San Antonio Library Foundation have offered to take these materials, market and sell them for whatever amounts can be obtained, this to be done with volunteers and without cost to the City; and

WHEREAS, all proceeds realized would be accounted for and re-invested in the San Antonio Public Library System for the benefit of collections, programs, and services, system-wide and

WHEREAS, the City wishes to take advantage of this offer which will generate needed revenue for the library system; **NOW THEREFORE:**

For and in consideration of the mutual promises and obligations hereinafter undertaken, and for the benefit and upgrading of the San Antonio Public Library System, which is the goal of all parties hereto, the parties hereto agree as follows:

1. The Library, acting through its Library Director, will make available to the Contractors such books and other materials as the Library has determined are no longer usable and should be sold or discarded.

2. The Contractors agree to accept such materials and to take whatever steps they deem necessary to sort, package, promote, advertise, and complete the sale of such materials on behalf of the City. Contractors are not limited in their programs and procedures, and are only required to use their best efforts and judgement to obtain the best price possible.

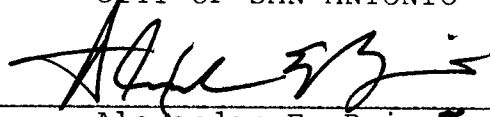
3. Accounting records of all sales and receipts shall be maintained by Contractors in accordance with generally accepted accounting practices, and are subject to audit by the City or its contracted auditor.

4. All funds shall be deposited in a fund approved by the City. Expenditure of these funds can only be made for improvements to the library through special collections, programs, and services which have been approved by the City.

IN WITNESS OF WHICH this Agreement has been executed on this the 15TH day of May, 1990.

CITY OF SAN ANTONIO

BY:



Alexander E. Briseño
City Manager

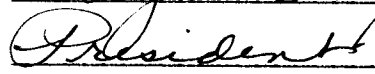
Friends of the San Antonio Library

Contractor

BY:



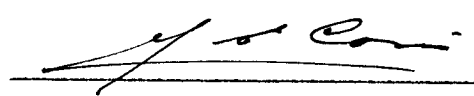
TITLE:



San Antonio Library Foundation

Contractor

BY:



TITLE:



CITY OF SAN ANTONIO

CONSENT AGENDA

Interdepartment Correspondence Sheet

AGENDA ITEM NO.

31

TO: The Mayor and City Council thru the City Manager

FROM: David L. Leamon, Library Director

COPIES TO: Rolando Bono, Assistant City Manager; File

SUBJECT: SALE OF USED, UNUSABLE AND DONATED LIBRARY BOOKS AND MATERIALS TO FRIENDS OF THE SAN ANTONIO PUBLIC LIBRARY AND/OR SAN ANTONIO LIBRARY FOUNDATION Date March 12, 1990

SUMMARY AND RECOMMENDATION:

This Ordinance authorizes the City Manager to enter into a mutual contract with the Friends of the San Antonio Library and/or the San Antonio Library Foundation for the purpose of transferring all old and unusable books and other library materials discarded from the San Antonio Public Library. All monies generated through the sale of these books and materials by the Friends and/or Foundation would be re-invested into the Public Library through special collections, programs and library services.

These discarded and unusable library materials have been systematically withdrawn from the general collections and are no longer viable for library circulation. All sales proceeds realized by the Friends and/or Foundation will be exclusively re-invested into library collections, programs, or services systemwide.

It is recommended that this Ordinance be approved.

POLICY ANALYSIS:

The Hertzberg "annex" building currently serves as a repository for overflow library materials (placed there because there is no available space in the libraries), and for worn, discarded, or unusable donated book storage. The Hertzberg building is also the only storage facility owned by the San Antonio Public Library, and consequently it is filled to capacity.

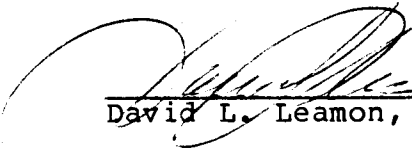
The Friends of the San Antonio Public Library and Library Foundation are both non-profit, private organizations, established for the sole purpose of soliciting private contributions for books, materials, programs and services exclusively intended to benefit the public library and its community. It would be the contractual intent of both of these organizations to return revenues to the library to support collections and other areas not adequately served by the library's operating budget.

SALE OF LIBRARY MATERIALS
March 12, 1990

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FINANCIAL IMPACT:

Revenues generated through the book sales may be estimated to produce between \$5,000 to \$10,000 annually. The San Antonio Public Library Friends and/or Foundation guarantee complete re-investment of all sale proceeds to benefit the Library Department.



David L. Leamon, Library Director

Approved:



Louis J. Fox, City Manager

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO Request For Ordinance/Resolution <i>rise</i>	For CMO use only	
Approval			Date Considered	
Finance	Budget		Consent <input checked="" type="checkbox"/>	Individual <input type="checkbox"/>
Legal	Coordinator <i>WOB</i>		Item No. <i>31</i>	Ord. No.

Date: March 12, 1990	Department: Library Department	Contact Person/Phone # David Leamon, 299-7790
Date Council Consideration Requested: March 22, 1990	Deadline for Action: March 22, 1990	Dept. Head Signature: <i>[Signature]</i>

SUMMARY OF ORDINANCE

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Council Memorandum Must Be Attached To Original

Other Depts., Boards, Committees Involved (please specify):
Library Board of Trustees, Friends of the San Antonio Library, San Antonio Foundation

Contract signed by other party
Yes No

FISCAL DATA (If Applicable)	Budgetary Implications
Fund No. _____ Amt. Expended _____	Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No. _____ SID No. _____	Positions Currently Authorized _____
Index Code _____ Project No. _____	Impact on future O & M _____
Object Code _____	If positions added, specify class and no. _____ _____ _____

Comments:
Legal Dept. will draw up the contract between the City of San Antonio (library) and the Friends and Foundation.
(attention Tom Finley)

Coordinator — White
Legal — Green
Budget — Canary
Finance — Pink
Originator — Gold