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MAY 14 2015



**MEMORANDUM**                      **Cultural Affairs - Council Memo No. CA15-014**

**DATE:**            MAY 14, 2015

**TO:**                MAYOR AND COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *RD*  
                         NACHIE MARQUEZ, ASSISTANT CITY MANAGER *NM*

**FROM:**            BRENDA BROWN, CULTURAL AFFAIRS DIRECTOR *BB*

**SUBJECT:**        RESOLUTION NO. 4854, AUTHORIZING THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE MARICOPA COUNTY LIBRARY DISTRICT (MCLD) FOR THE LIBRARY ASSISTANCE PROGRAM

RECOMMENDATION: Staff recommends City Council pass and adopt Resolution No. 4854 authorizing the First Amendment to the Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) for The Library Assistance Program.

BACKGROUND/DISCUSSION:

On September 12, 2013, Council adopted Resolution No. 4702 of the City of Chandler, Arizona authorizing the IGA with MCLD for the Library Assistance Program for a two-year term of July 1, 2013 through June 30, 2015. Under this IGA, the Chandler Public Library received \$219,914 in FY13/14 and \$220,628 in FY14/15 as a credit for the purchase of library materials through a vendor that is on contract with the Library District.

Under provisions of the IGA, residents of Chandler may obtain library cards free of charge from any other library in Maricopa County. In return, the Chandler Public Library also issues cards free of charge to all Maricopa County residents.

The Chandler Public Library is estimated to receive \$232,717 for FY15/16 under the First Amendment to the IGA, which is effective July 1, 2015 through June 30, 2018 and is renewable only upon written amendment executed by both parties. It will be administered by the Maricopa County Library District.

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PROPOSED MOTION: Move City Council pass and adopt Resolution No. 4854 authorizing the First Amendment to the Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) for The Library Assistance Program.

Attachments: Resolution No. 4854  
First Amendment to Intergovernmental Agreement (4)

**RESOLUTION NO. 4854**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA APPROVING THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE MARICOPA COUNTY LIBRARY DISTRICT AND CITY OF CHANDLER FOR THE LIBRARY ASSISTANCE PROGRAM.

WHEREAS A.R.S. Section 48-3901 and Section 11-903 allow a City to elect to become part of, or participate in a county library district, which is a political taxing subdivision of this state for purposes of providing library services to district residents;

WHEREAS the City is a member of the Library District program, and wishes to participate in the Library Assistance Program of the Library District;

WHEREAS, pursuant to its charter and A.R.S. Section 9-411 et seq., the City has established and provided for a City library and library facilities and services which are owned and funded by the City and its governing body;

WHEREAS, the Library District has established a Library Assistance Program for the benefit of its members in order to expand the availability of Library Services;

WHEREAS, the City and the Library District are authorized to act and enter into this intergovernmental agreement regarding the Library Assistance Program pursuant to A.R.S. Section 11-952;

WHEREAS the City wishes to have its municipal library participate and benefit from the Library Assistance Program by purchasing library materials in an amount to be determined based on the percentage of assessed valuation and the percentage of cards issued for the use of its library and library services by Non-Residents of the City who are entitled to the benefits of the Maricopa County Library District.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Chandler, Arizona hereby approves the First Amendment to Intergovernmental Agreement between the City of Chandler and the Maricopa County Library District and authorizes the Mayor to sign the agreement.

PASSED AND ADOPTED BY THE City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I HEREBY CERTIFY that the above and foregoing Resolution No. 4854 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 and that a quorum was present thereat.

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY (*keb*)

FIRST AMENDMENT TO  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE  
MARICOPA COUNTY LIBRARY DISTRICT  
AND THE CITY OF CHANDLER  
FOR  
THE LIBRARY ASSISTANCE PROGRAM

Agenda # C-65-14-021-M-01

THIS FIRST AMENDMENT ("Amendment") TO INTERGOVERNMENTAL AGREEMENT C-65-14-021-M-00, that was effective July 1, 2013, by and between the City of Chandler ("City") and the Maricopa County Library District ("Library District"), with reference to the following facts:

RECITALS

WHEREAS A.R.S. §§ 48-3901 and 11-903 allow a City to elect to become a part of, or participate in a county library district, which is a political taxing subdivision of this state for purposes of providing library services to district residents;

WHEREAS the City is a member of the Library District program and wishes to participate in the Library Assistance Program of the Library District;

WHEREAS, pursuant to its charter and A.R.S. § 9-411 et seq., the City has established and provided for a City library and library facilities and services which are owned and funded by the City and its governing body;

WHEREAS, the Library District has established a Library Assistance Program for the benefit of its members in order to expand the availability of Library Services;

WHEREAS, the City and the Library District are authorized to act and enter into this intergovernmental agreement regarding the Library Assistance Program pursuant to A.R.S. § 11-952; and

WHEREAS the City wishes to have its municipal library participate and benefit from the Library Assistance Program by purchasing library materials in an amount to be determined based on the percentage of assessed valuation and the percentage of cards issued for the use of its library and library services by Non-Residents of the City who are entitled to the benefits of the Maricopa County Library District.

NOW, THEREFORE, in consideration of the covenants hereinafter set forth, the parties agree as follows:

AMENDMENTS

- 1.1. The Term for services under this Agreement shall be amended to: July 1, 2015 to June 30, 2018.
- 1.2. Section II, paragraph 3 of the original agreement shall be amended to require the assessed valuation allocation to be based on the primary net assessed value for all participating municipal libraries as opposed to secondary net assessed valuation.
- 1.3. All other terms and conditions of the IGA shall remain in full force and effect.

IN WITNESS WHEREOF, the CITY OF CHANDLER and the MARICOPA COUNTY LIBRARY DISTRICT have executed this Agreement effective on the date first above written.

CITY OF CHANDLER

MARICOPA COUNTY LIBRARY DISTRICT

By: \_\_\_\_\_  
Mayor  
City of Chandler

By: \_\_\_\_\_  
Chairman, Board of Directors  
Maricopa County Library District

ATTEST:

ATTEST:

By: \_\_\_\_\_  
City Clerk Date

By: \_\_\_\_\_  
Clerk of the Board Date

The foregoing Agreement has been reviewed by the undersigned counsel who has determined that it is in proper form and within the power and authority granted under the laws of the State of Arizona.

By: \_\_\_\_\_  
Attorney  
City of Chandler *kb* Date

By: \_\_\_\_\_  
Attorney  
Maricopa County Library District Date