



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1516-97**

**File ID:** K-1516-97

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 19

**In Control:** City Council

**Department:** Legal Department

**Cost:**

**File Created:** 02/01/2016

**File Name:** Memorandum of Understanding for Library Services  
for New Central Library and New East Library

**Final Action:**

**Title:** CONTRACT K-1516-97: A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PIONEER LIBRARY SYSTEM TO PROVIDE LIBRARY SERVICES FOR THE NEW CENTRAL AND EAST LIBRARIES.

**Notes:** ACTION NEEDED: Motion to approve or reject Contract K-1516-97, a Memorandum of Understanding with Pioneer Library Services; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 02/09/2016

**Agenda Number:** 19

**Attachments:** K-1516-97

**Project Manager:** Leah Messner, Assistant City Attorney

**Entered by:** jayme.rowe@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1516-97

Body

**BACKGROUND:** The Pioneer Library System (PLS) is the multi-county library system serving Cleveland, McClain, and Pottawatomie counties. Currently, PLS operates the Norman Library at 225 N. Webster. Because of space constraints with the current administrative offices, PLS purchased the former Borders Bookstore building at 300 Norman Center Court Drive. PLS has relocated the administrative offices to this new location. In addition, in accordance with Contract K-1112-120, PLS operates the Norman Public Library West that is also located in this new location.

In addition, in accordance with Contract K-1213-48, a new 24-Hour Library Service Machine was installed at Irving Middle School to serve residents in that area. The 24-Hour Library Service Machine allows library members to pick-up library books, return library books, browse the PLS library catalog, and apply for a library card.

With the adoption of Norman Forward, voters approved the construction of a new Central Library and a new East Branch Library. For that reason, City Staff and PLS Staff have developed a Memorandum of Understanding clarifying the roles of the two parties in regards to these new library facilities.

**DISCUSSION:** In July 1962, the City of Norman and PLS entered into an agreement for operation of the Norman Library at 225 N. Webster. Under the terms of this agreement, PLS agreed to utilize the Norman Public Library as the headquarters library for the library system; provide a library staff, book stock, and other materials; provide a local telephone line and pay for all long-distance calls; to provide book-mobile services; to appoint an administrative librarian; and to provide an annual audit of all expenditures. The City of Norman agreed to provide the City's public library building; to provide one local telephone line; to provide adequate heating, lighting, air conditioning and janitorial service; to keep and maintain the Norman Public Library in good repair; and to provide insurance on any property owned by the City of Norman.

In addition to the above responsibilities of both parties, title to the building remains with the City of Norman; all furniture, fixtures, books, and materials owned by the City of Norman at the time of execution of the agreement remain City property; and the agreement shall be for an initial term of one year and then renew automatically for successive one year terms unless either party gives thirty days written notice of termination in writing.

Because of the addition of the Norman Public Library West and the 24-Hour Library Service Machine at Irving Middle School, PLS and the City of Norman entered into a new Library Services Agreement, Contract K-1314-88. The Library Services Agreement replaced the 1962 Agreement, and it incorporates Contracts K-1112-120 and K-1213-48 (regarding the Norman Public Library West and the 24- Hour Library Service Machine respectively) by reference.

Under the Library Services Agreement, PLS provides: local and administrative staff to provide library services and programs and a collection of materials including fiction, nonfiction, newspapers, magazines, audio, video, and electronic materials. PLS establishes the hours of operations for the Main Library and the Norman Public Library West.

The City of Norman appoints one member of the PLS Board of Trustees. The City of Norman provides suitable buildings in which to provide library services. This includes: easily accessible locations; adequate parking; central heat and air; electricity; public restrooms; and necessary furniture and equipment. In addition, the City of Norman provides utility and custodial service for the Main Library. The City of Norman has been providing all of the above items under the terms of the 1962 Agreement for the Main Library, and this is the arrangement that PLS has with all of its member cities.

Under the terms of the Library Services Agreement, PLS provides the City of Norman with a copy of PLS' annual audit performed by a certified public accountant. The term of this Agreement began upon the City Council's approval of the Agreement and will be renewed automatically for one year periods thereafter so long as City Council appropriates funding for such purpose. The Library Services Agreement reflects all the terms between PLS and the City of Norman regarding library services with the exception of Contracts K-1112-120 and K-1213-48 which are incorporated by reference.

The proposed Memorandum of Understanding affirms all of the above terms and responsibilities of the parties. However, it adds language regarding the technology equipment. PLS will provide all telecommunications equipment providing library network services, including power-over Ethernet switches, routers and security appliances (including video camera system and firewalls). The City will provide all wiring, cabling and final connections. Once the installation of the information technology components enumerated in this paragraph is complete, PLS will assume maintenance of all those components.

In addition, the City is responsible for the construction and installation of all remaining aspects of the facilities as are provided for in the City's contracts with the architecture firm of Meyer, Scherer & Rockcastle, LTD., Contracts K-1516-83 and K-1516-84. Also, PLS will have input into the design and location of the wiring as PLS is responsible for providing internet-access and business communications once the facilities are open.

**RECOMMENDATION:** The terms of the Memorandum of Understanding have been discussed and negotiated by PLS staff and City Staff. Both staffs feel the terms reflect compromise by both parties and represent a fair basis upon which to move forward with the construction of the two new libraries. If it is Council's desire to move forward a Memorandum of Understanding upon which to base the relationship with PLS on going forward, it is the Staff recommendation that the attached lease with the PLS be approved.