

Library District Intergovernmental Agreement Amendment



Q What action is being requested?

A Clackamas County is requesting that the City Councils of the Clackamas County Library District library service providers (the cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Sandy, West Linn, and Wilsonville) approve the attached amendment to the Cooperative Intergovernmental Agreement Between the Library District of Clackamas County and Member Cities ("Master IGA").

Q What specific changes to the IGA are being proposed?

A The proposed amendment includes:

- An amended section 1.6, which would designate the County, and not the City of Gladstone, as the eventual recipient of retained funds currently held in trust by the District to support the construction of new library facilities for the Gladstone and Oak Lodge service areas.
- A new section 2.4, which would establish Clackamas County as the permanent Library Service Provider for the Oak Lodge Library Service area and memorializes the intent for Clackamas County to construct and manage two new libraries using District distributions, accumulated reserves, and other revenues.
- An amended Attachment B, which would eliminate language regarding service area boundary changes which were originally contemplated when it was anticipated that the City of Gladstone would construct a single facility to serve both the Gladstone and Oak Lodge library service areas.

Q Why are these changes necessary?

A When the Master IGA was drafted, it was anticipated that the City of Gladstone would construct and operate a new library facility which would serve both the Oak Lodge and Gladstone library service areas, and that Clackamas County would only operate

the current Oak Lodge library until this new Gladstone library facility was open.

Based on these assumptions, the Master IGA currently specifies that the District will retain in trust any unused portion of the annual distributions made to the Oak Lodge Library, for distribution to the City of Gladstone once construction of a new library facility to serve the Oak Lodge and Gladstone library service areas commences. In addition, the Master IGA only contemplates Clackamas County acting as the library service provider for the Oak Lodge library service area on an interim basis. Finally, the Master IGA indicates that certain boundary changes will be made when the City of Gladstone opens a new, single facility to serve both the Oak Lodge and Gladstone service areas.

For a variety of reasons, the original plan for Gladstone to construct a library and provide service to both the Oak Lodge and Gladstone library service areas did not come to fruition, and issues surrounding library facilities and services for these areas eventually became the subject of litigation between Clackamas County and the City of Gladstone.

On October 16, 2017, the County and the City of Gladstone resolved this pending litigation and entered into a Settlement Agreement which contemplates the County will construct and operate two new libraries, one located within the City of Gladstone, and one located in unincorporated Clackamas County within the Oak Lodge Library service area.

Both Clackamas County and the City of Gladstone agreed that the funds being held in trust for eventual use by the City of Gladstone should instead be distributed to Clackamas County to finance construction of these two new facilities. However, in order to distribute these retained funds to Clackamas County, the Master IGA must be changed to designate the County, and not the City of Gladstone, as the eventual recipient.

In addition, the Master IGA is being amended to recognize the County as the library service provider for the Oak Lodge library service area, placing the County under the same service obligations as all other participating Library Cities. This amendment also memorializes the intent for the County and the City of Gladstone to work collaboratively and enter into separate agreements for the County to construct and manage new Oak Lodge and Gladstone libraries using District distributions from both service areas, retained funds, and other revenue sources.

Finally, the IGA is being changed to preserve all library service area boundaries as they currently exist; language in the original IGA which contemplated a change to the Oak Lodge service area boundary (under the assumption that a single facility in the Gladstone area would be serving two service areas) will be eliminated.

Q How were these amendments developed?

A The amendments were developed and refined by the Settlement Agreement Implementation Task Force, a task force formed by the Board of County Commissioners (with the support of the Library District Advisory Committee) and charged with recommending the minimum changes necessary to the Master IGA in order to implement the settlement agreement between Clackamas County and the City of Gladstone and facilitate the construction of two new library facilities. This Task Force consisted of County and City of Gladstone staff and legal counsel, one County Commissioner, and three citizen members (including the Oak Lodge and Gladstone representatives to the Library District Advisory Committee). Task Force meetings were open to the public, and the Task Force's recommendations were submitted to and accepted by the Board of County Commissioners on July 17, 2018.

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Q Will these amendments have any impact on the library district distribution formula?

A No. These amendments will not make any changes to the Library District Distribution formula.

Q What is the process for approving these amendments?

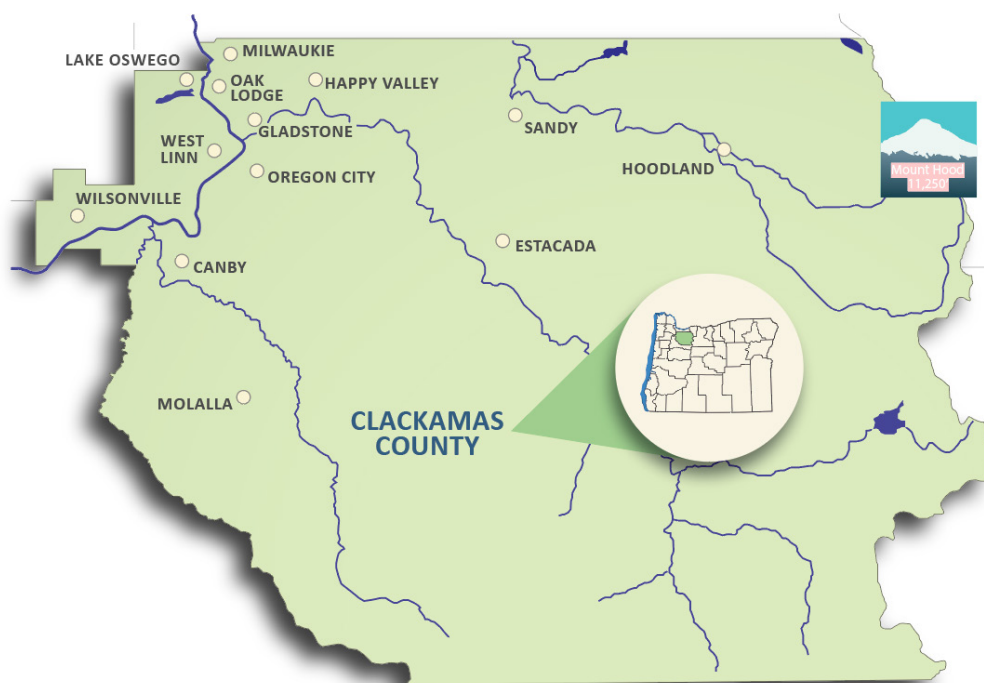
A In order to amend the Master IGA, both the Board of County Commissioners (as Library District Board) and two-thirds of Library Cities must approve the proposed changes.

County staff will soon be submitting the amendments to the Board of County Commissioners. At the same time, we are requesting that the City Managers of each Library Service Provider transmit the amendments to their respective City Councils to begin the process of Council review, discussion, and adoption.

It is our hope that all Library Service Providers will adopt the proposed amendments as soon as possible, but no later than October 31, 2018.

Q Who can I contact with additional questions?

A Please contact Laura Zentner, Director of Clackamas County Business and Community Services via phone (503.742.4351) or email (LZentner@clackamas.us).



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To learn more, visit <https://www.clackamas.us/librarydistrict>