

Agenda item # 8.7

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* A PROFESSIONAL CORPORATION

October 9, 1997

Ms. Kathy Aaron
Executive Director
Inland Library System
3581 Mission Inn Avenue
Riverside, CA 92502

Re: Proposed Update to Joint Powers Agreement

Dear Kathy:

Thank you for the opportunity to review the Inland Library System's Joint Exercise of Powers Agreement (hereafter "JPA") and assist with your concerns regarding its possible amendment. I enjoyed meeting you the other day and am pleased to be able to respond quickly to your request. However, let me first state the facts concerning your inquiry as I understand them.

The Inland Library System (hereafter "System") has two new members: Rancho Cucamonga Public Library and Rancho Mirage Public Library. Also, the Riverside City and County Public Library has "split" into two separate libraries. You want to know if an amendment to the JPA is required to add two new members and the reorganization of another.

We have determined that an amendment to the JPA is not required and that the System's goals can be achieved through Administrative Council action and an amendment to the Bylaws.

Rancho Cucamonga and Rancho Mirage Public Libraries

The JPA allows new members to be added and existing members to withdraw without the need for an amendment. The Second Amendment to the Joint Exercise of Powers Agreement dated May 4, 1970, evidenced the System's desire to expedite the procedure by which

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new members are added. The Second Amendment added Provision 9 which states that members may join upon approval of a majority vote of the System's Executive Committee. In addition, new members are required to execute the JPA and agree to the Plan of Service adopted by the System's members. Provision 9 further states that, "...joinder to the System shall be contingent upon the State of California funds for a Public Library Services System Grant being approved by the State Librarian...at the time of said public entity's application for joinder to said System."

The addition of the Rancho Cucamonga and Rancho Mirage Public Libraries was approved by a majority vote of the Executive Committee; and, unless these entities have neither agreed to the requisite Plan of Service nor have been approved for a Public Library Services System Grant, the only requirement imposed by the JPA is to have each entity execute the JPA.

The Riverside City and County Library

Effective July 1, 1997, the Riverside City and County Library split and two new libraries were created:

Riverside County Library System
The Riverside Public Library

We recommend that you obtain letters from Judith Auth and Gary Christmas, the library directors for The Riverside Public Library and the Riverside County Library System, respectively, stating:

- the library split effective July 1, 1997;
- the name of the new library;
- the name of the director of the new library; and
- the new library's desire to retain its membership in the System.

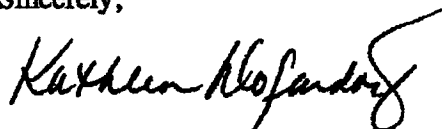
The letters should be placed on the next Executive Committee agenda for review. If the Executive Committee deems it appropriate, the two library systems should be directed by the Committee to execute the JPA under their new names. We have enclosed a draft letter that you can furnish to Ms. Auth and Mr. Christmas, and they would simply transfer the letter to library stationery.

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In addition, Article IV, Section 2, of the Bylaws and Standing Rules lists the members of the System, and should be revised to reflect the new libraries. You may want to present the Executive Committee with the proposed revision to the Bylaws at the same time or in the future when other sections of the Bylaws need revising as well.

If you have any questions or require any additional information, please do not hesitate to call me or John Brown.

Sincerely,



Kathleen Dogendorf
Legal Assistant
for Best Best & Krieger LLP

P.S. Enclosed are the following files:
Joint Powers Agreement establishing Inland Library System;
First Amendment to JPA dated September 18, 1967; and
Second Amendment to JPA dated October 15, 1969