

JOHNSON COUNTY
KANSAS
Library

**Board Report
August 10, 2017**

AGENDA

JOHNSON COUNTY LIBRARY BOARD OF DIRECTORS
REGULAR MEETING, August 10, 2017
CENTRAL LIBRARY
CARMACK MEETING ROOM
4:00 PM

- I. Call to Order
- II. Citizen Comments
- III. Remarks
 - A. Members of the Johnson County Library Board of Directors
 - B. John Nelson, Acting Chair
 - C. Friends of the Library, Kaltenbach
 - D. Michaela Scruggs, Johnson County Library Foundation
 - E. Commissioner Ashcraft, Liaison, Board of County Commissioners
- IV. Reports
 - A. Board Counsel - Fred Logan
 - 1. Report on City Lenexa City Center site; Closing; Timeline for issuance of Bonds ----- Pg. 4
 - 2. Information Technology as a Core Library Service
Collaboration between the Library and the County on information technology -----Pg. 8
 - B. County Librarian Report - Sean Casserley
 - 1. Finances and Statistics - Nicki Neufeld
 - 2. Strategic Plan
 - a) Summer Reading Program- Sean Casserley
 - b) Catholic Charities Summer Lunch Program- Dennis Ross
 - 3. Comprehensive Library Master Plan - Scott Sime
 - a) Monticello update -----Pg. 15
 - b) Lenexa City Center update -----Pg. 19
 - c) Blue Valley update -----Pg. 26
 - C. Updates
 - 1. Lenexa City Center Ribbon Cutting - Sean Casserley
 - 2. 20th Anniversary of Harry Potter Event - Sean Casserley -----Pg. 30
 - 3. Movie Night at the Park - Sean Casserley
- V. Consent Agenda
 - A. Action Items
 - 1. Minutes of the July 13, 2017 Library Board Meeting -----Pg. 35
 - B. Information Items
 - 1. Summary of New and/or Renewed Contracts
 - 2. Financial and Personnel
 - a) The County Librarian and the Finance Director certify those payment vouchers and personnel authorizations for June 2017 were handled in accordance with Library and County policy
 - b) The June 2017 Revenue and Expenditure reports produced from the

County's financial system reflect the Library's revenue & expenditures

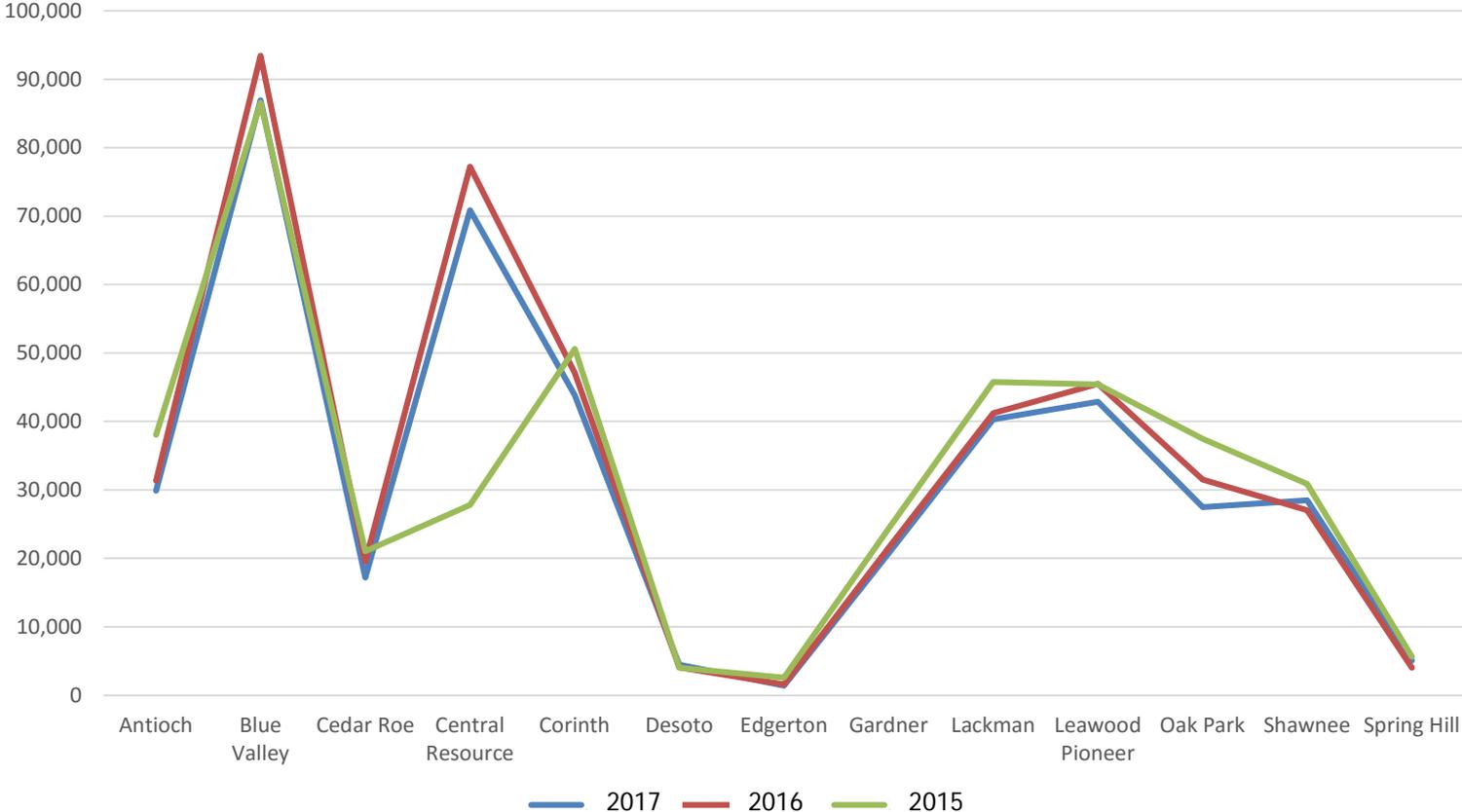
- C. Gift Fund Report
 - 1. Treasurer's Report -----Pg. 43
- VI. Old Business
 - 1. Approval of Memorandum of Understanding between the Board of Directors of the Johnson County Library and the Johnson County Department of Human Resources -----Pg. 44
 - 2. Approval of new ARM section 10-70-10, "Library Budget Review and Approval Process" -----Pg. 49
- VII. New Business
 - A. Board Action
 - 1. Approval of resolution authorizing closing on the Lenexa City Center site -----Pg. 54
 - 2. Approval of agreement with the City of Lenexa authorizing the inclusion of the Lenexa City Center site in a planned city festival -----Pg. 57
 - 3. Approval of Contractor Agreement on Central Resource Library (Phase 2) Project -----Pg. 65
 - 4. Approval of Library Board budget resolutions in accord with the budget resolution of the Board of the County Commissioners of Johnson County, Kansas for the Johnson County Library District -----Pg. 69
 - 5. Approval of allocation of Capital Funds -----Pg. 77
- VIII. Adjournment

County Librarian's Report

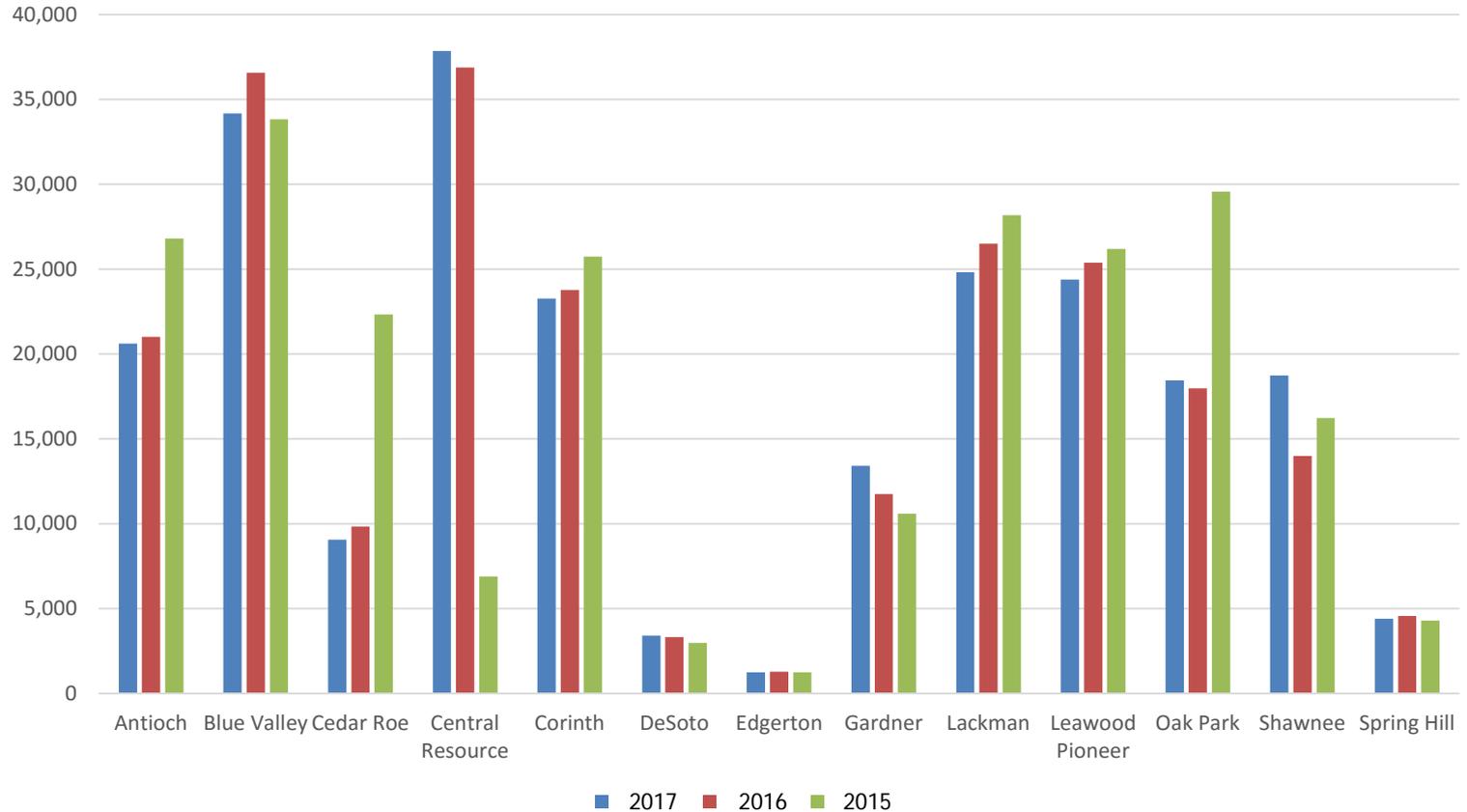
Presented August 10, 2017



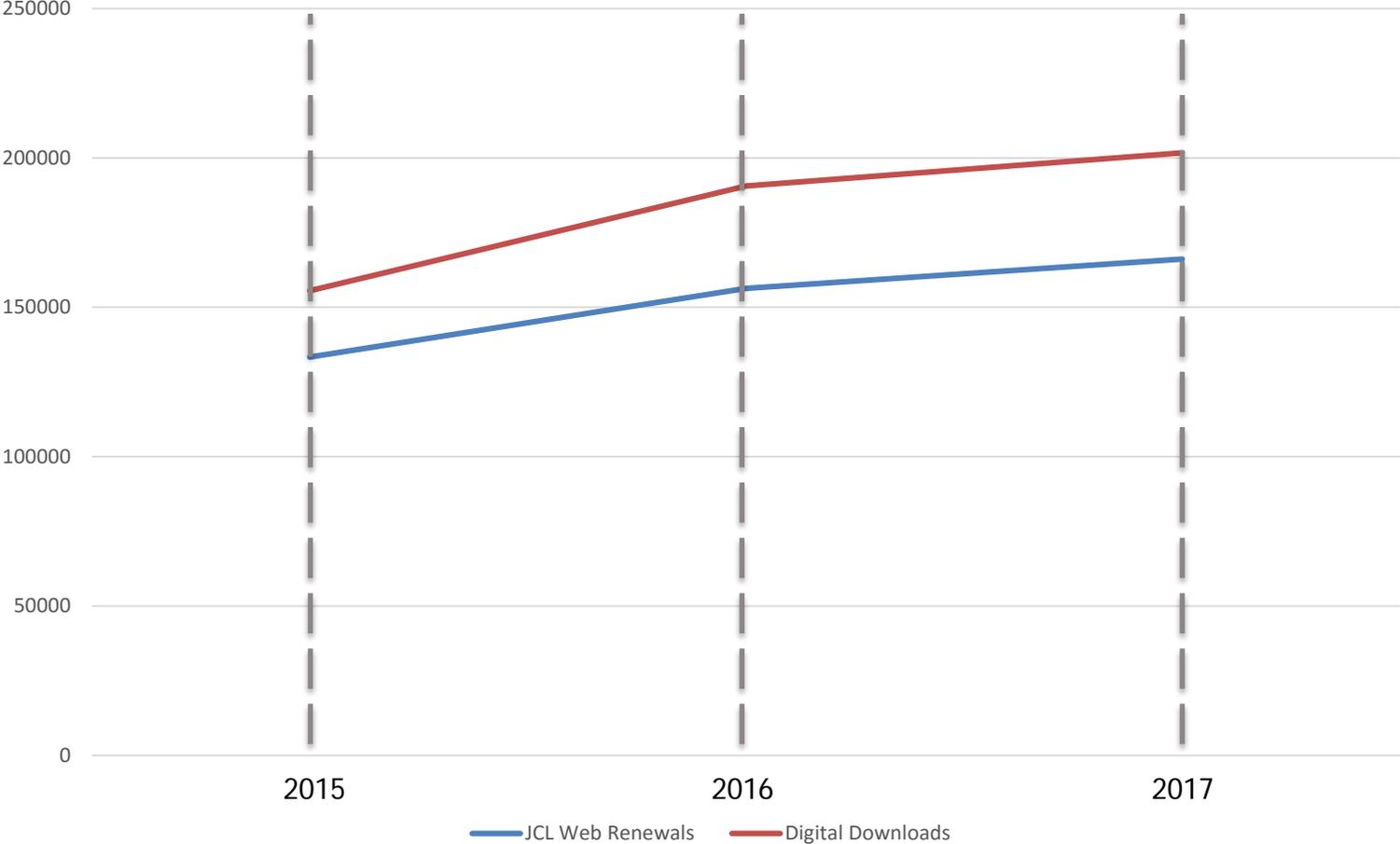
Branch Circulation: June 2017



Branch Visits: June 2017



Electronic Circulation: June 2017



JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category (.75 Increase Only)
June 2017
50% of year lapsed

OPERATING FUND	Programs	2017 Budget
	Revenue	2,025,288
	Administrative Services	
	Information Technology	
	Collection Development	300,000
	Branch/Systemwide Services	
	Transfer to Capital Projects	
	Interfund Transfers	115,000
TOTAL OPERATING FUND EXPENDITURES		<u>\$415,000</u>
TOTAL .75 INCREASE FUNDS REMAINING OPERATING		<u><u>\$1,610,288</u></u>
SPECIAL USE FUND		2017 Budget
	Revenue:	3,583,750
	Expenses:	
	Contractual Services (General Maintenance)	
	Commodities (Capital Equipment)	
	Transfer to Debt Payment	
	Transfer to Debt Payment - CLMP	
	Transfer to Capital Projects	
TOTAL SPECIAL USE FUND EXPENDITURES		<u>\$0</u>
TOTAL .75 INCREASE FUNDS REMAINING SPECIAL USE		<u><u>\$3,583,750</u></u>
TOTAL .75 INCREASE FUNDS REMAINING ALL FUNDS		<u><u>\$5,194,038</u></u>

Scheduled Replacement Account

REVENUE RECEIVED TO DATE

2015 Fund Transfer	350,000
2016 Fund Transfer	699,000
2017 Fund Transfer	1,130,250
Total Revenue	<u>2,179,250</u>

2017

Contractual Services	1,023,184
Building Repair	43,077
Architectural Services	18,000
Furnishings and Office Equipment	73,032
HVAC	138,278
Sorter Parts and Labor	4,113
Security System Maint & Repair	33,549
Vehicles	36,225
	<u>1,369,458</u>
Budget Remaining	<u><u>809,792</u></u>

JOHNSON COUNTY LIBRARY TOTAL REVENUE REPORT

June 2017

50% of Year Lapsed

REVENUE ALL FUNDS	2017 Year to Date	2017 Budget	% Budget Year to Date	% Budget YTD Prior Year
Ad Valorem	28,905,927	29,255,726	99%	98%
Ad Valorem Delinquent	248,751	278,294	89%	95%
Motor Vehicle	1,409,204	2,987,490	47%	51%
Library Generated - Copying/Printing	52,047	97,309	53%	51%
Library Generated - Overdues / Fees	319,760	777,365	41%	50%
Sale of Library Books	25,000	57,832	43%	50%
Misc Other	57,391	340,753	17%	12%
Library Generated - Other Charges	79	3,570	2%	13%
Investment	91,017	76,791	83%	45%
Unencumbered Balance Forward	0	42,092	0%	0%
Recreational Vehicle Tax	8,852	7,956	111%	49%
Commercial Vehicle Tax	48,703	68,114	72%	0%
Heavy Trucks Tax	2,289	2,588	88%	203%
Rental Excise Tax	13,373	31,710	42%	54%
State and Federal Grants	132,153	247,260	53%	71%
TOTAL REVENUE	31,314,546	34,274,850	91%	89%

JOHNSON COUNTY LIBRARY: Summary of Expenditures by Cost Category
June 2017
50% Year Lapsed

OPERATING FUND	2017	2017	% Program
Programs	Year to Date	Budget	Expended
Administrative Services	1,913,710	5,857,305	33%
Information Technology	1,140,464	2,188,111	52%
Collection Development	1,737,190	3,296,190	53%
Branch/Systemwide Services	6,153,743	13,493,094	46%
Risk Management Charges	45,822	92,494	50%
Grants *	93,639	247,260	38%
Transfer to Capital Projects	1,130,250	4,092,493	28%
Incremental Tax Fund	0	124,178	0%
Interfund Transfer	0	115,259	0%
TOTAL OPERATING FUND EXPENDITURES	12,214,817	29,506,384	41%

* Includes expenditures for 2017 calendar year only. The life of the grant may cover more than one year.

SPECIAL USE FUND	2017	2017	% Budget
	Year to Date	Budget	Expended
Contractual Services (General Maintenance)	56,292	16,305	345%
Commodities (Capital Equipment)		192,564	0%
Transfer to Debt Payment	47,924	975,847	5%
Transfer to Capital Projects	51,150	3,583,750	1%
TOTAL SPECIAL USE FUND EXPENDITURES	155,366	4,768,466	3%

TOTAL EXPENDITURES	12,370,183	34,274,850	36%
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JOHNSON COUNTY LIBRARY: Summary of Expenditures by Type
June 2017
50% Year Lapsed

ALL FUNDS	2017	2017	% Categories
Categories	Year to Date	Budget	Expended
Salaries and Benefits	7,323,544	15,918,347	46%
Contractual Services	1,958,530	5,075,450	39%
Commodities	1,719,324	4,173,950	41%
Risk Management Charges	45,822	92,494	50%
Capital / Maintenance / Repair	1,130,250	4,092,493	28%
Transfer to Debt Payment	47,924	975,847	5%
Transfer to PBC Capital Leases	51,150	3,583,750	1%
Grants	93,639	247,260	38%
Interfund Transfer	0	115,259	0%
TOTAL EXPENDITURES	12,370,183	34,274,850	36%

GRANTS*	Expenditures through 6/30/2017	Source	Received	Expenditures	Grant Award	Budget Remaining
285000065	2014 Check up and Check Out	State	7/1/2013	\$2,975.23	\$5,250.00	\$2,274.77
285000078	2017 State Aid Grant	State	2/22/2017	\$92,715.46	\$132,152.62	\$39,437.16

*Includes all expenditures and revenues over the life of the grant. (Includes multiple years due to the grants crossing fiscal years).

Expenditure of Friends of the JCL Donations 2017

<i>Expenditure Details</i>	<i>Payee</i>	<i>Current Month</i>	<i>YTD</i>
Volunteer Recognition		\$984.00	\$4,437.23
Advertising/Promotion		0.00	0.00
Collection Materials		0.00	0.00
Professional Development/Staff Recognition		0.00	4,159.51
Technology/Recruitment Consulting & Expenses		0.00	0.00
Card Services		0.00	0.00
Homework Help and Tudor.com		0.00	0.00
Summer Reading Club/Elementia		0.00	0.00
Other Library Programming		0.00	0.00
MidAmerica Regional Council		0.00	0.00
Joint Board Meeting Expense		0.00	463.43
Board Travel Expences		0.00	1,011.92
Miscellaneous		0.00	1,065.23
Total Expenditures		\$ 984.00	\$ 11,137.32

Monticello Library

Update – August 2017



Updates

- Construction Update
- Public Art Update
- Next Steps
- Timeline

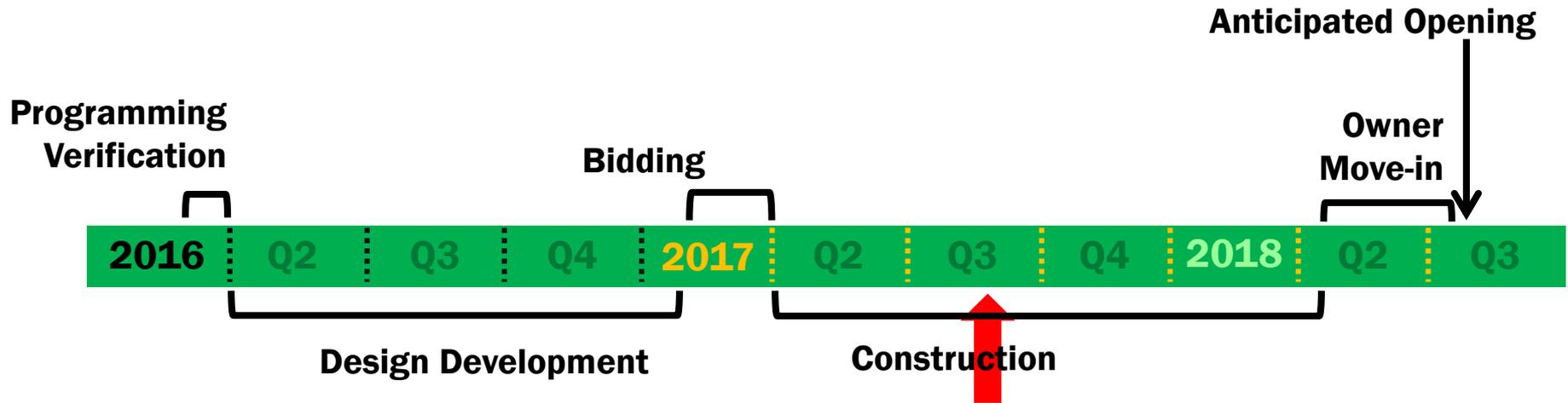


Next Steps

- Continuing with furniture selection
- More Construction
- Hard Hat Tours – please contact Scott for details



Monticello Library Anticipated Timeline



Lenexa City Center Library

Update – August 2017



Updates

- Property closing
- Design
- Public Art
- Next Steps
- Timeline



Closing Update

- Moving up Property Closing to occur this month – corresponding New Business item



Design Update

- Interior finishes



Public Art Update

- Artist proposal development in progress
- Anticipating Artist presentation to Library Board in September 2017
- Anticipating taking the proposal to the Public Art Commission (PAC) in Q4 2017

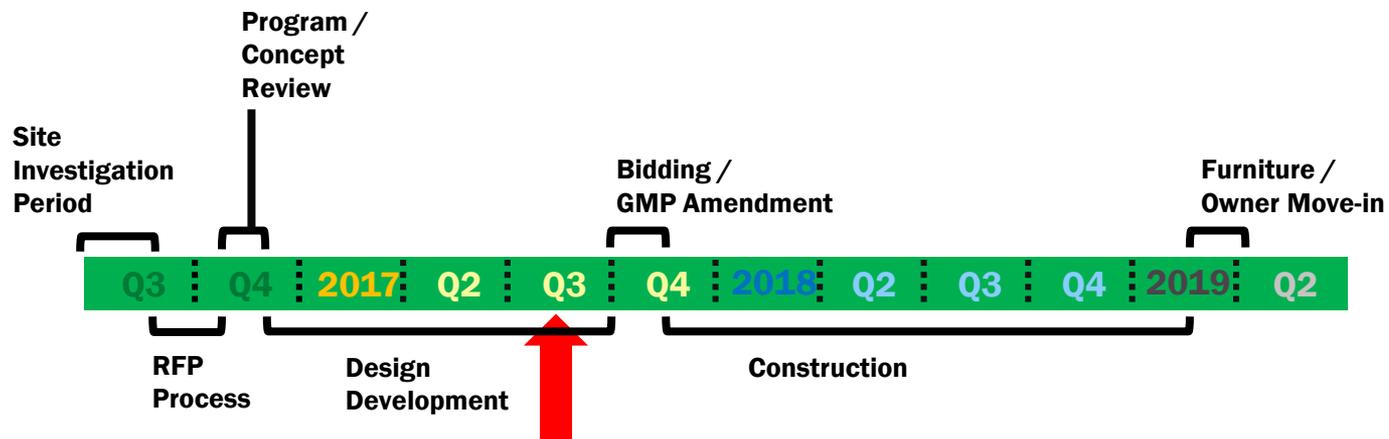


Next Steps

- Staffing submission – anticipated Q4 2017
- Bidding – anticipated Q4 2017
- Groundbreaking – Save the Date – morning of Tues 11/28



Lenexa City Center Library Anticipated Timeline



(updated 7/15/16)



Blue Valley Studies

Update – August 2017



Updates

- Library Study:
 - Public Input planning underway
 - Online / In-person components
 - Working with our City of OP partners
 - Public input meeting on Tues, 9/19
 - Board Liaison touchbase

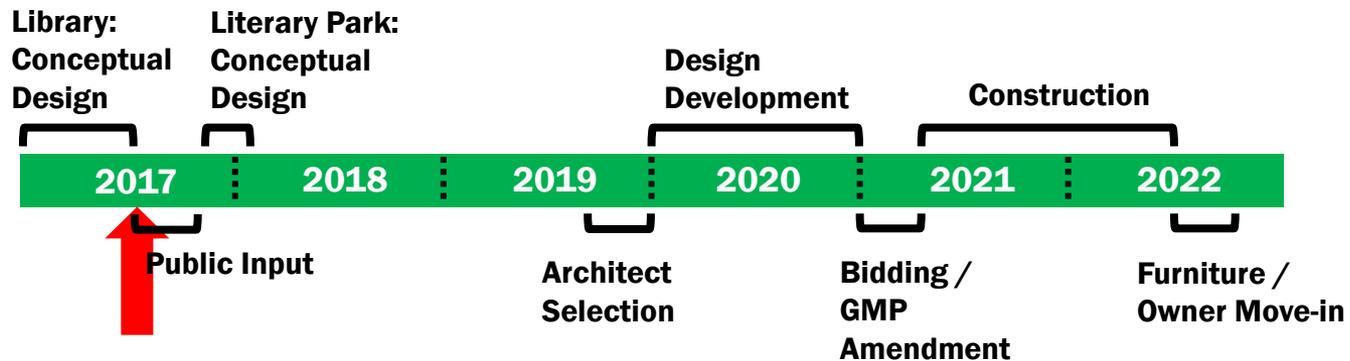


Updates

- Literary Park Study:
 - Concept Design anticipated to resume after Library Study concludes



Blue Valley Anticipated Timeline



(updated 07/07/17)



Movies in the Park Harry Potter Week

Joseph Keehn - Event Producer
Angel Tucker – Youth Services Manager

JOHNSON COUNTY
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Movies in the Park

Strategic Plan Goals:

Education - Goal 3

Community Building - Goal 4

Convenience - Goal 6



The Lego Movie
June 10



Willy Wonka & The
Chocolate Factory
July 8



The Little Rascals
August 12



Movies in the Park (cont.)

Outcomes

- Over 1,200 in attendance (390 at Santa Fe Commons Park, 855 at Electric Park)
- Downtown Overland Park restaurants provided Movie in the Park specials
- Sponsorships for Lenexa screenings were secured through Parks and Recreation; sponsors include: Alenco, Floor Coverings International, GMET Communications, a Cricket Wireless authorized dealer, Renewal By Andersen, MCSU, Deluxe Corporation, City Center Church, Macaroni Kid JoCo and Thermal King Windows
- Free media attention on KMBC, WDAF, KCTV5
- 90.1 The Bridge announced Listen Local musicians during the week of screenings





Johnson County Library Presents Harry Potter

JULY 24th - 29th

a 20th anniversary celebration for all ages



JOHNSON COUNTY
KANSAS
Library



This event was successful as it:

- ★ Was an intergenerational program that brought in an estimated 2,956 patrons
- ★ Was relevant and fun, bringing Harry Potter fans together from across the community
- ★ Highlighted library resources and locations and garnered media attention
- ★ Was a collaborative effort between staff and volunteers across the system
- ★ Brought in great feedback from patrons



Strategic Plan Goals:

Education - Goal 3

Convenience - Goal 7

Community Building - Goal 4



**MINUTES JOHNSON COUNTY LIBRARY BOARD
REGULAR MEETING
Thursday, July 13, 2017
Central Resource Library
4:00 p.m.**

BOARD: Nancy Hupp, John Nelson, JR Riley, Amy Ruo, Bethany Griffith

BOARD ATTORNEY: Fred Logan, Andrew Logan

BOCC: Commissioner Ashcraft

FRIENDS OF THE LIBRARY: Kathy McGinley

STAFF: Ellen Welch, Jennifer Mahnken, Nicki Neufeld, Michelle Beesley, Adam Wathen, Nancy Birmingham, Christopher Leitch, Mike Heffernan, Tricia Suellentrop, Sean Casserley, Scott Sime, Michelle Olsen, Michaela Scruggs, Chris Carleton, Zach Contess, Dennis Ross, Hope Harms, Tom Erdman, Lacie Griffin, Abby Giersch, Kari Sime, Kinsley Riggs, Georgia Sizemore, Ron Zluticky

GUESTS: Karen Wulfkuhle

Board vice-chair, John Nelson, called the meeting to order at 4:00 pm. Mr. Nelson opened the meeting by asking for any citizen comments.

CITIZEN COMMENTS

There were none.

BOARD OF DIRECTORS COMMENTS

Ms. Griffin reported to the board about her recent attendance at the annual American Library Association (ALA) conference in Chicago. Ms. Griffin commented that the conference was educational, informative, and personally rewarding.

Ms. Ruo thanked everyone who sent her a card after her surgery.

Ms. Hupp concurred that she found the ALA conference to be a very educational when she attended.

Mr. Riley commented that the event was larger than he anticipated.

Mr. Nelson mentioned that Ms. Robinson is not able to attend today's meeting due to a prior personal commitment.

FRIENDS OF THE LIBRARY

Ms. McGinley reported that the Sizzling Summer Book sale was a success.

- Estimated sales totaled \$57,444.05.
- An additional \$2000 was made through new Friends memberships.

- Bookstore sales for May and June totaled a little over \$16,000 and internet sale were close to \$20,000 for those two months.
- Next big event is the Back to School Sale at the Blue Valley library July 27th to July 29th.

Ms. McGinley reported the two big sellers - The Death of Captain America Omnibus sold for \$150 & They Put the Flag a Flying, a book about the Irish fight for Independence sold for \$149.95

Mr. Nelson thanked Ms. McGinley for her report.

BOARD OF COUNTY COMMISSIONER REPORT

Commissioner Ashcraft shared his thoughts on the meeting he had last month with Commissioner Eilert, Mr. Casserley, Mr. Thompson, Ms. Robinson, Mr. Nelson and Mr. Zacharias. The discussion focused on the budget and the staffing models needed for the Capital Library Master Plan.

JOHNSON COUNTY LIBRARY FOUNDATION

Ms. Scruggs reported that the Foundation audit was complete. The final written report will be issued shortly.

Ms. Scruggs reported that the Library Foundation had received the following grants:

- \$1500 from the R.A. Long Foundation in support of Elementia
- \$11,000 from the John W. Speas and Effie E. Speas Memorial Trust – to support work created by the Rabbit Hole at the Monticello Branch.

Ms. Scruggs reported that the Foundation Board will have three openings in 2018.

Ms. Scruggs shared that The Foundation is on schedule for hiring the new Executive Foundation Director.

Ms. Scruggs informed the Library Board that the “Library Lets Loose” has received \$42,000 in sponsorship, and she shared that over 800 save-the-date postcards have been sent.

Ms. Scruggs thanked honorary hosts Bob and Ann Regnier for personally signing 400 letters of support and reminded the board that the “Library Lets Loose” is on October 14th 2017.

BOARD COUNSEL

1. Report on City approval of Lenexa City Center Library Third Addendum Amended and Restated Agreement for Shared Parking and Maintenance; anticipated closing

Mr. Logan reported that the Lenexa City Center Library zoning proceeding had gone well and the plan was approved.

Mr. Logan shared that they are wrapping up the 3rd addendum between the parties, that they were approved by the City of Lenexa, and they are getting updated title work.

There was discussion about closing and getting updated title work. Taking title of the property is tentatively scheduled for October 4th due to preparing construction documents.

The potential groundbreaking will most probably occur in late November.

2. Review of Memorandum of Understanding between the Library and the Department of Human Resources (for approval at the August meeting)

Mr. Logan presented the Memorandum of Understanding between the Library Board and the county's Department of Human Resources (HR) as an informational item. A vote on this memorandum will be brought before the Library Board at the next meeting.

Mr. Logan shared that this represents the centralization of some services, which achieves great alignment, coordination and efficiencies. The County Librarian has determined, from an operational perspective, that housing the HR positions at the HR department makes sense. It is not a policy change. Have followed HR policies since January 1, 1985; HR started managing certain personnel functions in 1979.

Mr. Logan noted that this change was important for him to discuss. HR management is not a core Johnson County Library (JCL) function and neither is facilities management. Information Technology (IT) would be a core service that JCL would not want to centralize.

Mr. Logan reminded the Library Board that this Library has been awarded the National Medal for Museum and Library Service. Given to institutions that demonstrate extraordinary and innovative approaches to public service, exceeding the expected levels of community outreach, it is a very rare and prestigious award.

The Johnson County HR department possesses outstanding expertise in HR management including expertise in best practices in legal compliance, which is why we are entering the agreement. There is some history recited in recitals C, D and E, which talks about that and the governance statutes. The important decision the library made regarding personnel was made in 1993, to follow county policies and procedures.

History has shown that was a good decision. This is not a policy decision but an operational change. The County and the Library have had a very collaborative relationship since 1985, now the Library and Human Resources wish to expand collaboration to achieve greater efficiencies by expanding the Human Resources services to the Library.

The MOU outlines that County Human Resources (HR) will provide all required HR services to the Library. There are some exceptions some services will not be included, no specific library training (this will be done by the County Librarian and his staff), processing of payroll or tracking leave usage unless otherwise agreed to by parties. Those items will continue like as they have.

Mr. Logan shared that the library still has the right under this MOU to have external HR consultants, but with the agreement to work collaboratively, in terms of retention of consultants & current external HR consultants. This agreement will establish a level of collaboration and service that has been effective with County facilities. JCL does not have any history with HR in this regard. This is new relationship and both parties have things to work through.

Item B, states that nothing in this MOU shall be construed to limit the authority of the County Librarian and their ability to manage the library, and those who work at the library pursuant to the statutory authority granted of the County Librarian consistent with Johnson County administration HR policies and procedures.

Mr. Logan stated that the authority of the County Librarian to manage the County Library is statutory. The library agrees to transfer two fulltime HR positions previously assigned to the library. HR shall utilize those, at least those two full time staff to provide dedicated service to the library. This MOU is similar to the arrangement JCL has with County Facilities.

The County Librarian will report to the Library Board on how this partnership is working. There is meet and confer provision in the MOU, and HR encourages feedback from JCL. JCL will transfer funds for these two FTE positions, and they will be housed at the County Administration Building.

Mr. Logan shared that County HR will supervise the HR staff dedicated to JCL. JCL will provide timely feedback in regards to the performance of the HR staff.

Mr. Logan reported the statute provides the Johnson County Library Board shall employ and terminate the employment of the County Librarian consistent with policies The Library Board is solely responsible for the evaluation of the County Librarian.

3. Review the outline of Library regulation on Budget Review and Approval

Mr. Logan shared that the Library Board is the governing Board of the Library district, it has a statutory duty to approve and recommend a budget to the Board of County Commissioners. The Library Board works with the office of County Manager and the BOCC to develop a budget and ultimately approve a final budget in accordance with the County's policy and the procedures.

Since 1969, the County Commission has approved the JCL budget by statute, and the Library Board is required to approve a budget as well. The Library Board makes budget recommendations to the BOCC, approves the budget in a manner determined by their budget policies and procedures under the statutes in place since January 1, 1985.

The proposal is to establish a library budget review committee comprised of three Library Board members. The committee will review new spending proposals. The County Librarian will attend those meetings, take input from committee members and help construct the library's budget proposals with member's feedback. The County Librarian will still make budget and new spending recommendations to the Library Board. The committee is a review committee. The committee will be able to comment on the library budget and new spending proposals. Expressed concerns will be part of the record. There are no changes on who has authority to approve the Library's new spending proposal, budget recommendation or resolution, the Board will vote and approve those procedures. The committee will review four categories of new spending proposals; new positions, new programs, any deletion or cuts in the library budget to capital improvement plan proposals or if there is a deletion or cut in a program of programs.

This budget review process will be brought before the Library Board for a vote at the August meeting.

4. Review of Children's Internet Protection Act; filters on Library computers

Mr. Logan updated the board on a pending investigation. Mr. Logan reviewed the Children's Internet Protection Act (CIPA). A Library Board member requested a review of CIPA due to a recent incident where an individual was arrested for accessing certain items on a library computer. There is a pending federal investigation. There are remarkably few incidents like this and very few complaints about the filters.

In the 90's there were many concerns about children being exposed to obscene or pornographic images. Congress responded by adopting the Children Internet Protection Act. At first it was regarded as unconstitutional as ruled by a United States District Court. The case went to the United States Supreme Court and the Court held that installing a filter on a computer to filter certain images is a selection decision.

An adult may ask to have the filter turned off for lawful purposes. We have an internet use policy that is part of the patron code of behavior. In all of our library facilities in the past six months, a patron has asked to turn the filter off just 13 times. It is a relatively rare occurrence. The Internet use policy and patron code of behavior have worked.

B. County Librarian Report

1. Finances and Statistics

Finance Director, Nicki Neufeld, reported on the finances.

Ms. Neufeld gave the Library Board a financial update on JCL's budget. She reviewed revenue and expenditure and reported that we are in normal ranges for both revenue and expenditures for this time of year.

Ms. Neufeld gave a brief description of the remaining funds and the need for the Library Board to make a distribution decision.

The present situation is that \$300,000 will be used to support the Monticello collection in 2017. This was approved by the Library Board last year. \$115,000 has also been approved by the Library Board to support the current facility partner.

. There will be a debt payment in August

The reason we are talking about this today to get some direction from you on how you would like to use these funds. We will be providing a report for the Library Board to review and the Library Board will be asked to make a decision at the August Board meeting.

2. Strategic Plan

A. Materials Handling Implementation- Michelle Olsen

Ms. Olsen gave a brief status update on this ongoing project.

Ms. Olsen stated that this month the Library has a vendor recommendation for approval by the Library Board.

Ms. Olsen reported that JCL followed all of County's RFP Procedures and Procurement processes. The recommendation is to award the proposal to Tech Logic, Inc.

3. Comprehensive Library Master Plan-Scott Sime

Monticello - Construction, Public Art, next steps, Timeline review

Mr. Sime shared images of the construction at Monticello. Steel is going up, fire stairs in, moving right along with construction. What is happening on site this week- pouring the first part of the slab -

Library Art- Artist is currently working to fabricate their work, then installation

Next Steps-

- Furniture selection,
- active construction,
- first hardhat tour

Lenexa – Construction, Public Art, next steps, Timeline review

Construction- Mr. Sime shared that the City approved our 3rd addendum and amended shared parking and maintenance agreement last month. Currently working with a design team to refine the interiors and interiors finishes, floors walls

Public Art- The proposal development is in progress, anticipating having the artist present to the Library board in September. Then having the artist take their proposal to the public art commission in the fourth quarter of this year.

Next Step- The property closing will occur in October. Bringing back the staffing request for the new Lenexa building later this year, groundbreaking will be in late November of this year.

Time line- Still in the design process, have quite a bit before us

Blue Valley - Construction, Public Art, next steps, Timeline review

Library study- immediate next step-working with the city to get a public input session together, online and in person communication from the community. Goal is to get a large sample size, more people to be involved. Public session in the evening

Updates – Central Roofing and Paving Update

Having a large portion of the parking lot paved including the drive thru drop box area. Didn't want to change the service, what we are looking to do is to have another drop box at another location for about 2 months

Consent Agenda

1. Minutes of the June, 2017 Regular Library Board meeting

Motion: Amy Ruo moved to approve the consent agenda

Second: JR Riley

Motion carried 4 to 0

OLD BUSINESS

No Old business

NEW BUSINESS

1. Approval of “existing Sanitary Sewer Easement Vacation” and “Permanent Sanitary Sewer Easement” at the Monticello site.

Motion: Nancy Hupp moved to approve the Permanent Sanitary Sewer Easement between the Library Board and Consolidated Main Sewer District of Johnson County

Second: Amy Ruo

Motion passed unanimously

2. Approval of the Existing Sanitary Sewer Easement Vacation between the library Board and Consolidated Main Sewer District of Johnson County

Motion: Amy Ruo moved to approve the Existing Sanitary Sewer Easement Vacation between the library Board and Consolidated Main Sewer District of Johnson County

Second: Nancy Hupp

Motion passed unanimously

Mr. Logan presented the Amended and Reinstated Memorandum of Understanding with the County Facility Department. There is no change in terms; a position has been added due to the Monticello construction, the Lenexa groundbreaking and planning of the Blue Valley project. You can understand why- Monticello under construction, Lenexa ground breaking in late

3. Approval of the Amended and Reinstated Memorandum of Understanding between the Library and the County Facility

Motion: Amy Ruo moved to approve the Amended and Reinstated Memorandum of Understanding between the Library and the County Facility.

Second: Nancy Hupp

Motion passed unanimously

4. Consideration of approval of material handling vendor

Motion: Amy Ruo moved to accept the selection of Tech Logic Inc. as the material handling vendor per request of the proposal # 2017 -036

**Second: Nancy Hupp
Motion passed unanimously**

5. Approval of the memorandum of understanding between the Johnson County Parks & Recreation and County's Manager's Public Information Office to test viability of digital asset management system LIBRIS between all entities.

Motion: Motion: Nancy Hupp moved to approve memorandum of understanding between the Johnson County Parks & Recreation and County's Manager's Public Information Office for LIBRIS a digital asset management system

**Second: JR Riley
Motion passed unanimously**

ADJOURNMENT

**Motion: Nancy Hupp motioned to adjourn
Second: JR Riley**

The meeting adjourned at 5:53 p.m.

DATE _____

SECRETARY _____
John Nelson

CHAIR _____
Pam Robinson

SIGNED _____
Sean Casserley

**JOHNSON COUNTY LIBRARY
GIFT FUND
TREASURER'S REPORT**
Period: JUN-2017

		Receipts	Payments	Balance
	Opening cash balance			\$128,075.28
	Add Receipts	\$167.15		
	Less Payments		\$489.98	
	Ending Cash balance			\$127,752.45
	Less Liabilities		\$0.00	
	Unobligated cash balance			\$127,752.45

APPROVED: _____

DATE: _____

LOGAN LOGAN & WATSON, L.C.

ATTORNEYS AT LAW
CORINTH OFFICE BUILDING
8340 MISSION ROAD, SUITE 106
PRAIRIE VILLAGE, KANSAS 66206
TELEPHONE (913) 381-1121
TELEFAX (913) 381-6546
www.loganlaw.com

FRED J. LOGAN, JR.
SCOTT K. LOGAN
M. BRADLEY WATSON
JEFF K. BROWN
CHRISTOPHER H. LOGAN
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ANDREW V. LOGAN

ALL ATTORNEYS
ADMITTED IN KANSAS
AND MISSOURI

MEMORANDUM

To: Members of the Library Board, Sean Casserley

From: Fred Logan and Andrew Logan

Re: Memorandum of Understanding with County Department of Human Resources

Date: August 4, 2017

At your August 10 meeting, you will be asked to approve the enclosed Memorandum of Understanding with the County Department of Human Resources. We made an extensive presentation on every provision of this MOU at the Library Board meeting of July 13.

This MOU documents a new collaborative arrangement between the Library Board and the County Department of Human Resources. The collaboration will be patterned after the highly successful collaboration between the Library and the County Facilities Department. The MOU has been constructed to bring efficiencies into play and focuses on (1) the expertise of the Human Resources Department, (2) collaboration, and (3) service. The idea here, as with the Facilities MOU, is to promote an arrangement that is based on collaboration and outstanding service.

Under the MOU, two positions focused on human resources will be transferred to the County Human Resources Department. Those positions will be dedicated to the Library. The Library will in turn make a payment in support of the two positions. The County Librarian's statutory authority to manage Library employees is preserved and the MOU explicitly recites that nothing in the MOU is to "be construed as in any way limiting the library board's statutory authority with respect to the employment or evaluation of the County Librarian." As we noted in July, the MOU does not reflect a change in policy; it instead reflects a change in the way that human resources issues will be handled from an operational perspective.

We recommend approval of this MOU with the County Department of Human Resources.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), effective the ____ day of _____, 2017, memorializes the working relationship between the Board of Directors of the Johnson County Library and the Johnson County Department of Human Resources (Human Resources Department).

RECITALS

A. The Johnson County Library (the Library) is one of the finest library systems in the United States, having been awarded a National Medal for Museum and Library Service, given by the Institute of Museum and Library Science to institutions that “demonstrate extraordinary and innovative approaches to public service, exceeding the expected levels of community outreach.”

B. The Johnson County Human Resources Department possesses outstanding expertise in human resources management, including expertise in best practices and legal compliance with regard to human resources matters. Staff members of the Human Resources Department are noted for their commitment to professionalism and high-quality service, and their skill in dealing with human resources issues.

C. In 1979, the Library began to transfer certain personnel management issues to the county predecessor of the Human Resources Department for handling.

D. In 1984, the Library and the Board of County Commissioners agreed on the form of new governance legislation for the Library. That legislation was adopted in the 1984 session of the legislature, signed into law by the governor, and became effective January 1, 1985.

E. The new governance legislation provided, among other things, “Any action taken by the library board or its county librarian shall be subject to the following provisions established by the board of county commissioners . . . (1) Personnel policies and procedures for employees other than elected officials; (2) any pay plan and benefits for all county employees other than elected officials . . .” Those provisions were subsequently embodied in K.S.A. 12-1225b (b)(1) and (2).

F. Since January 1, 1985, the Library and the Human Resources Department have worked collaboratively to implement county human resources policies and to deal with human resources issues.

G. The Library and the Human Resources Department now wish to expand their collaboration and achieve greater efficiencies by expanding the human resources services provided by the Human Resources Department to the Library and by transferring certain library human resources positions to the Human Resources Department to help provide those services.

The parties accordingly agree to the terms set forth below.

TERMS OF UNDERSTANDING

1. The Recitals set forth above are incorporated by reference in these Terms.
2. The Human Resources Department will provide all of the required, standard Human Resources services to the Library, and the Library agrees to utilize those services, including, but not limited to, classification and compensation, recruitment, employee relations and employment investigations including those related to claims of harassment, discrimination, retaliation, threats of violence or other misconduct, training pertaining to human resources issues, management of requests for accommodation under the Americans with Disabilities Act and all other services the Human Resources Department typically provides to other agencies and departments of the County (hereinafter "Services"). Services shall not include library-specific training, processing of payroll or tracking of leave usage unless otherwise agreed to in writing by the parties.
 - a. During the term of this MOU, the Library shall work collaboratively with the Human Resources Department should there be a need to supplement the Services through the use of external human resources consultants. The Library shall also work collaboratively with the Human Resources Department to identify any current external human resources consultants and to determine whether there is an ongoing need for such consultants.
 - b. Nothing in this MOU shall be construed to limit the authority of the County Librarian to manage the Library and those employees who work at the Library pursuant to the statutory authority granted to the County Librarian consistent with the Johnson County administrative and human resources policies and procedures.
3. The Library agrees to transfer to Human Resources two (2) full-time human resources positions previously assigned to the Library. Human Resources shall utilize at least those two (2) full-time Human Resources Department staff to provide services dedicated to the Library, at least one of which shall be a professional with appropriate expertise related to the human resources function, and the other may be a non-professional position.
 - a. "Services Dedicated to the Library", for purposes of this MOU, means that the Human Resources staff shall be primarily responsible for providing human resources Services to the Library. In addition, staff dedicated to the Library may also be given assignments and projects for the benefit of the Human Resources Department or the County in general. After consultation with the County Librarian, the Human Resources Department may reassign staff dedicated to the Library at any time when reassignment is in the best

interest of the Human Resources Department, Library or Johnson County, but, at all times, there will be two (2) staff responsible for providing services to the Library.

- b. The Library shall be responsible for providing adequate funding to cover the full, budgeted costs for the two (2) staff positions transferred to the Human Resources Department, and the Library agrees that such funding shall be transferred from the Library budgeted funds to the County General Fund for the benefit of the Human Resources Department annually. Adequate funding shall include the entire salary, including any salary increases; benefits and other employment related costs; professional expenses, including dues and educational expenses (to include up to one human resources conference annually); information technology equipment as is typically utilized by Human Resources for such positions; and office chairs. The Human Resources Department shall determine the salary, salary increases and appropriate professional expenses for the dedicated staff. None of these costs shall be prorated based upon time spent by dedicated staff on Human Resources Department or County projects. The Human Resources Department at its expense shall provide the infrastructure, in the form of office space and supplies sufficient for the dedicated staff to perform their duties.
4. The Human Resources Department shall supervise the Human Resources staff dedicated to the Library. The Library is expected to provide timely feedback related to performance of Human Resources staff assigned to the Library.
5. K.S.A. 12-1225b(5) provides that “in Johnson County, the library board shall . . . employ and terminate the employment of” the County Librarian consistent with the policies of the Board of County Commissioners. Nothing in this MOU shall be construed as in any way limiting the library board’s statutory authority with respect to the employment or evaluation of the County Librarian.
6. To ensure high quality service and maximum collaboration between the parties, the Library and the Human Resources Department agree to meet and confer annually on this MOU. However, this MOU shall remain in effect through December 31, 2018, and shall automatically renew annually thereafter until such time as it is terminated by either the County Manager and/or the Board of Directors of the Johnson County Library.
7. Upon termination of this MOU, the two (2) staff positions transferred from the Library to the Human Resources Department as part of this MOU shall be transferred back to the Library. In the event such transfer occurs prior to the end of a calendar year, the County shall transfer the funds budgeted for the positions from the County General Fund to the Library Operating Fund.

***THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK
SIGNATURES FOLLOW ON NEXT PAGE***

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed and made effective the day and year first written above.

By _____
Rebecca Salter
Director, Johnson County Department
of Human Resources

By _____
Sean Casserley
Johnson County Librarian

By _____
Hannes Zacharias
County Manager

By _____
Pamela Robinson
Chair, Board of Directors of
Johnson County Library

Approved as to Form:

Approved as to Form:

By _____
Denise M. Howard
Assistant County Counselor

By _____
Fred J. Logan, Jr.
Counsel to the Board of Directors of the
Johnson County Library

LOGAN LOGAN & WATSON, L.C.

ATTORNEYS AT LAW
CORINTH OFFICE BUILDING
8340 MISSION ROAD, SUITE 106
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MEMORANDUM

To: Members of the Library Board, Sean Casserley

From: Fred Logan and Andrew Logan

Re: Approval of new ARM section 10-70-10, "Library Budget Review and Approval Process"

Date: August 4, 2017

Library staff and Library counsel are submitting to you for approval new Administrative Regulation Manual (ARM) section 10-70-10, "Library Budget Review and Approval Process."

At your July meeting, you heard an extensive presentation on a written outline of the proposed regulation. The outline had been prepared by Library counsel in consultation with the County Librarian and Library staff. The Library Board consensus was to proceed with a regulation that reflected the provisions set out in the outline.

Proposed ARM section 10-70-10 tracks closely with the outline you reviewed in July. The regulation describes how a new Library Board Budget Review Committee will review five categories of new spending or budget proposals; how the Library Board will recommend a Library budget to the County Manager's Office and the Board of County Commissioners; and how the Library Board will ultimately approve the Library budget in accordance with County budget policies and procedures.

The Budget Review Committee will be a review and comment committee. The County Librarian will still be responsible for making recommendations to the Library Board on all spending proposals and budget recommendations.

We recommend approval of ARM section 10-70-10, "Library Budget Review and Approval Process."

**ADMINISTRATIVE REGULATIONS Document ARM 10-70-10
Number**

Tab: Governance
Section: Library Board of Directors
Subject: LIBRARY BUDGET REVIEW AND APPROVAL
PROCESS

SUMMARY

The Board of Directors of the Johnson County Library (“the Library Board”), as the governing board of the Johnson County Library District, has a statutory duty to (1) approve and recommend a budget to the Board of County Commissioners for the Johnson County Library, (2) work with the office of the County Manager and the BOCC in developing a budget, and (3) ultimately approve a final budget in accordance with county budget policies and procedures. The purpose of this regulation is to describe the process by which the Library Board will achieve those goals.

Effective Date:

August 10, 2017

**LEGAL
AUTHORITY**

The Johnson County Library is a corporate and political subdivision and, through the Library Board, exercises the powers of a corporation for public purposes. K.S.A. 12-1223.

The Library Board is the governing board of the Johnson County Library taxing district. Attorney General opinions 90-11 and 92-47.

The Library Board must approve, in conjunction with the Board of County Commissioners, a budget for the Johnson County Library. K.S.A. 12-1669 and 12-1670.

The Library Board makes budget recommendations to the BOCC and approves the budget in the manner determined by budget policies and procedures adopted by the BOCC. K.S.A. 12-1225b (a) and (b).

**LIBRARY
BUDGET REVIEW
COMMITTEE**

a. The Library Board shall annually establish a Library Budget Review Committee (“Committee”). The Library Board Chair shall, subject to the approval of the Library Board, propose three Library Board members to compose the Committee membership. The Committee shall meet at designated times to review budget issues in accordance with this regulation.

<p>AUTHORITY AND SCOPE OF REVIEW</p>	<p>County Librarian's Role</p>	<p>b. The County Librarian shall attend all Committee meetings to take input from Committee members to help construct the Library's budget proposals with members' feedback. The County Librarian, however, shall be responsible for developing the budget and for making new spending recommendations to present to the Library Board.</p>
		<p>c. The Library Board has the authority to approve the Library budget and spending. The Committee does not have the authority to approve the Library's spending proposals, budget recommendation, and formal budget resolution; these tasks are the under purview of the Library Board.</p>
	<p>Library Board Budget Authority</p>	<p>1. The Library Board shall vote on and consider the Library's spending proposals, budget recommendation, and the formal budget resolution.</p>
	<p>Committee Budget Authority</p>	<p>2. The Committee has authority only to review the budget. Committee members may comment at Library Board meetings on the budget and new spending proposals learned from participation in the Committee.</p>
	<p>Scope of Committee Review</p>	<p>3. The Committee shall review only new spending. The Committee shall review five categories of new spending proposals as follows:</p> <ul style="list-style-type: none"> ▪ New positions; ▪ New programs; ▪ Significant increases in spending; ▪ Any deletions or cuts in the Library budget; and ▪ Capital Improvement Plan proposals.
<p>BUDGET PROCESS AND SCHEDULE</p>		<p>d. The Committee shall follow a schedule that tracks with the Library's and County Manager's Office budget process.</p>
	<p>Committee Schedule</p>	<p>e. The Committee shall meet on four occasions over four months: October, November, and December, and again for the fourth meeting upon receiving the "balanced budget" summary from the Johnson County Manager's Office. The fourth meeting after the balanced budget summary more likely than not will occur in May. The Committee shall adjust the timing of its meetings, as necessary, should the Johnson County Board of County Commissioners ("BOCC") and the Johnson County Manager's Office make procedural changes to the budget process.</p>

Committee Meeting Agendas and General Budget Timeline

f. Committee meetings shall follow an agenda that tracks with the county budget process. The Library Board budget process and the Committee's meetings will follow an annual schedule as follows, subject to change as to the months when meetings are held to account for changes in the county budget process:

1. In October, the Committee shall meet to begin review of new spending proposals by focusing on new positions, new programs, and significant increases in spending.

2. In November, the Committee shall meet to review Capital Improvement Proposals and cuts or deletions to the Library budget.

3. In early December, preferably before the December Library Board Meeting, the County Librarian shall present formal budget recommendations to the Committee.

4. At the December and/or January Library Board Meetings:

(i) The County Librarian shall recommend new spending proposals to the Library Board; and

(ii) The Library Board shall vote on new spending proposals to send to the Johnson County Manager's Office.

5. In the Spring:

(i) The Johnson County Manager's Office reviews the Library's new spending proposals and issues a balanced budget summary; and

(ii) After receiving the balanced budget summary, the County Librarian shall prepare the recommended Library budget.

(iii) The balanced budget summary compares the Library's new spending proposals to the prior year's budget.

6. In May or June:

(i) The Committee shall convene for review of the balanced budget summary and the County Librarian-recommended budget; and

(ii) The County Librarian shall present the County Librarian-recommended budget to the Library Board for review and consideration.

7. In August:

(i) The BOCC reviews and adopts its budget for the Library; and

(ii) The Library Board shall approve a formal budget and levy resolution or resolutions for the Library that take into account BOCC actions on the Library budget.

August 10, 2017

END

ARM 10-70-10

To: Johnson County Library Board of Directors
From: Sean Casserley, County Librarian
Date: August 10, 2017

Issue: Consider adopting a resolution authorizing closing on the Lenexa City Center site.

Background: The Library and City of Lenexa have agreed to the Property Conveyance Agreement, a First, Second, and Third Addendum to the Property Conveyance Agreement, and an Amended and Restated Agreement for Shared Parking and Property Maintenance.

Analysis: All of the conditions precedent to closing on the Lenexa City Center site under the Property Conveyance Agreement, as amended, have been met. The Library and the City have agreed to proceed to closing.

The title company has requested a resolution of the Library Board authorizing closing and also authorizing the Library Board chair, vice chair, and secretary to execute all instruments necessary to close the transaction.

Alternatives: 1) Not adopt the resolution

Legal Review: Library Legal Counsel has prepared the resolution with the counsel representing the City of Lenexa.

Recommendation: Adopt the resolution authorizing closing on the Lenexa City Center site.

Suggested Motion: I move to adopt the resolution authorizing closing on the Lenexa City Center site.

LOGAN LOGAN & WATSON, L.C.

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CORINTH OFFICE BUILDING
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ALL ATTORNEYS
ADMITTED IN KANSAS
AND MISSOURI

MEMORANDUM

To: Members of the Library Board, Sean Casserley

From: Fred Logan and Andrew Logan

Re: Library Board resolution authorizing closing on the Lenexa City Center site

Date: August 4, 2017

All of the conditions precedent to closing on the Lenexa City Center site under the Property Conveyance Agreement, as amended, have been met. The Library and the City have agreed to proceed to closing.

The title company has requested a resolution of the Library Board authorizing closing and also authorizing the Library Board chair, vice chair, and secretary to execute all instruments necessary to close the transaction. The Resolution that follows this memorandum will address the title company's requests.

We recommend that the Library Board approve the Resolution directing Library staff to take all steps necessary to close on the Lenexa City Center site and authorizing the appropriate Library Board officers to execute instruments necessary to close the transaction.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY LIBRARY
AUTHORIZING CLOSING ON THE PROPERTY CONVEYANCE AGREEMENT
BETWEEN THE CITY OF LENEXA AND THE BOARD OF DIRECTORS OF THE
JOHNSON COUNTY LIBRARY

BE IT RESOLVED this 10th day of August, 2017, by the Board of Directors of the Johnson County Library:

WHEREAS, the Board of Directors of the Johnson County Library (the Library Board) and the City of Lenexa (the City) are parties to a Property Conveyance Agreement, as amended and supplemented by three addenda (the Agreement), pursuant to which the Library Board is acquiring a site at the Lenexa City Center for construction of a new Lenexa City Center Library facility; and

WHEREAS, the Library Board finds that all conditions precedent to closing under the Agreement have been met; and

WHEREAS, the Library Board and the City have agreed to proceed to closing under the Agreement so that the Library Board might acquire title to the Lenexa City Center site,

NOW, THEREFORE, the Library Board directs that the staff of the Johnson County Library take all steps necessary to close under the Agreement and further authorizes the Chair, the Vice Chair, and the Secretary of the Library Board to execute the instruments necessary to close the transaction.

On a motion made and seconded, this Resolution was unanimously approved by the Library Board this 10th day of August, 2017.

Name: _____

Title: _____

Attest:

Name: _____

Title: _____

To: Johnson County Library Board of Directors
From: Sean Casserley, County Librarian
Date: August 10, 2017

Issue: Consider approving a License Agreement between the Library Board and the City of Lenexa authorizing the use of the Lenexa City Center site by the City in its “September to Remember” Festival.

Background: To accommodate an accelerated closing on the Lenexa City Center site, the City of Lenexa has requested that it be permitted to include the Library’s Lenexa City Center site in its “September to Remember” Festival. This request does not impact the Library’s plans in any way. The site will be vacant for the September period during which the Festival will be held and groundbreaking and construction will not take place until later in the year.

Analysis: Counsel for the City and the Library have accordingly negotiated a License Agreement that would authorize the City to include the Library site in its festival. The license to use the site would only become effective after the Library closes on the Lenexa City Center transaction.

Alternatives: 1) Not approve the License Agreement.

Legal Review: Library Legal Counsel has prepared the agreement with the counsel representing the City of Lenexa.

Recommendation: Approve the License Agreement authorizing the use of the Lenexa City Center site by the City in its “September to Remember” Festival.

Suggested Motion: I move to approve the License Agreement authorizing the use of the Lenexa City Center site by the City in its “September to Remember” Festival.

LOGAN LOGAN & WATSON, L.C.

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ALL ATTORNEYS
ADMITTED IN KANSAS
AND MISSOURI

MEMORANDUM

To: Members of the Library Board, Sean Casserley

From: Fred Logan

Re: License Agreement between the Library Board and the City of Lenexa authorizing the use of the Lenexa City Center site by the City in its "September to Remember Festival"

Date: August 4, 2017

To accommodate an accelerated closing on the Lenexa City Center site, the City of Lenexa has requested that it be permitted to include the Library's Lenexa City Center site in its "September to Remember Festival." This request does not impact the Library's plans in any way: The site will be vacant in the September period during which the Festival will be held and groundbreaking and construction will not take place until December.

Counsel for the City and the Library have accordingly negotiated a License Agreement that would authorize the City to include the Library site in its festival. You will find the License Agreement immediately following this memorandum. The license to use the site would only become effective after the Library closes on the Lenexa City Center transaction.

In negotiating this agreement, I relied heavily on the license agreement that the Library has put into place on the Gardner Festival of the Trails. That agreement, which involves the licensing of a portion of the Gardner Library parking lot to that festival, has been successfully implemented for more than 15 years. The Lenexa agreement tracks pretty closely with the Gardner agreement.

We recommend approval of the License Agreement with the City of Lenexa.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT (the "**Agreement**") is made and entered into this ___ of August, 2017, by and between the Board of Directors of the Johnson County Library ("**JCL**") and the City of Lenexa, Kansas ("**City**"). JCL and the City are collectively referred to as the "**Parties**".

WHEREAS, JCL is a quasi-municipal corporation organized and existing under the laws of the State of Kansas, K.S.A. 12-1218, et seq., with full, lawful power and authority to enter into this Agreement; and

WHEREAS, the City is a municipal corporation organized and existing under the laws of the State of Kansas with full, lawful power and authority to enter into this Agreement by the powers vested in it by Article 12, Section 5 of the Kansas Constitution and Charter Ordinance 55; and

WHEREAS, the City is the owner of that certain property within the Lenexa City Center and located west of Penrose St. and south of 87th St. Pkwy (the "**Property**") which is referred to as the Civic Campus; and

WHEREAS, the City intends to grant and convey to JCL approximately 0.5 acres of the Property which is the subject of the Property Conveyance Agreement dated April 19, 2016, as amended and legally described on Exhibit A attached hereto and incorporated herein by reference (the "**Library Property**") for JCL to develop a new library facility in Lenexa as an enhancement of its existing library services; and

WHEREAS, commencing September 1, 2017 and continuing through September 30, 2017, the City will be organizing and hosting a series of events and activities on the Property to celebrate the grand opening of the Civic Campus of which some events may include the sale or possession of alcohol beverages (the "**September to Remember Celebration**"); and

WHEREAS, the Parties anticipate closing on the Library Property prior to or during the month of September, 2017; and

WHEREAS, in the event the closing on the Library Property occurs prior to the conclusion of the September to Remember Celebration, the City desires to use the Library Property for various purposes associated with its September to Remember Celebration and JCL is agreeable and willing to grant the City a license to use the Library Property upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements hereinafter set forth, JCL and the City agree as follows:

1. License. Upon closing on the Library Property, JCL hereby grants the City a license (the "License") to use the Library Property solely for purposes associated with the September to Remember Celebration.

2. Licensing Fee. The City shall pay JCL a licensing fee of \$0.

3. Term. The term of this Agreement and the License granted hereunder is from the date and time of closing on the Library Property through September 30, 2017.

4. Use and Improvements.

A. The City shall comply with and obtain any and all permits, certifications, and clearances required by local, state or federal law or regulations for use of the Library Property, including any special event permits, alcohol permits and any other permits, certifications or clearances required by any governmental agency having jurisdiction over the Library Property. All such permits, certification, and clearances shall be obtained prior to commencing preparation for the Library Property for the September to Remember Celebration. JCL expressly authorizes the City to include the Library Property, if necessary, in any permit applications required for the events associated with the September to Remember Celebration.

B. The Library Property shall only be used by the City for the purpose of preparing for and operating the September to Remember Celebration. The City shall be responsible for all hosting activities, duties and responsibilities occurring on the Library Property during the September to Remember Celebration including, but not limited to, the following:

(1) any and all agreements, communications, and contacts with September to Remember Celebration organizers, vendors, participants, guests, the general public, and any other invitees or visitors for the September to Remember Celebration;

(2) safety and security associated with September to Remember Celebration events and activities occurring on the Library Property;

(3) managing parking associated with the September to Remember Celebration;

(4) waste disposal, including portable toilets, trash dumpsters and trash pick-up;

(5) clean-up before, during and after the September to Remember Celebration so that the Library Property is reasonably clean, sanitary and neat and in the same or better condition than when the City commenced using the License.

C. The City shall not make any permanent markings on the Library Property or permanently attach any items to the Library Property whether by mechanical, adhesive, or other means. Upon termination or expiration of this Agreement and the

License, the City shall remove its equipment and improvements and will restore the Library Property to the condition existing upon commencement of this Agreement and the License, except for ordinary wear and tear.

D. JCL shall not be responsible for any costs associated with the operation or hosting of the September to Remember Celebration with the exception of certain events that JCL has separately agreed to participate in such as the "Meet the Author" presentation(s) in the Community Forum. For the purposes of this License, all costs associated with the September to Remember Celebration not expressly accepted by JCL shall be the responsibility of and borne by the City or its vendors and partners.

E. The City shall keep the Library Property free of any and all liens arising from the work performed, materials furnished, or obligations incurred by or on behalf of the City for the September to Remember Celebration.

5. Interference. The Parties agree to coordinate with each other during the License term so that JCL will not interfere with the City's use, if any, of the Library Property during the September to Remember Celebration and the City shall not interfere with any preconstruction activities of JCL.

6. Utilities. The City shall provide and pay for all utilities, if any, used by the City on the Library Property for the September to Remember Celebration.

7. Indemnification. Subject to the limitations and immunities set forth in the Kansas Tort Claims Act as codified in K.S.A. 75-6101 et seq. (the "KTCA"), the City shall indemnify, defend and hold harmless JCL, the Board of County Commissioners of Johnson County, their officers, employees and agents from and against any all costs, damages, losses, or liabilities (including reasonable attorneys' fees) and any and all loss or liability of whatsoever kind or character, to person or property, related to or arising out of the City's use of the Library Property for its September to Remember Celebration or the City's use of the Library Property during this License term. This indemnity does not apply to claims arising from the negligence or intentional misconduct of JCL. Notwithstanding the foregoing, both Parties obligations shall be limited to the extent permitted by law and is subject to the maximum liability and immunity provisions of the Kansas Tort Claims Act as set forth in K.S.A. 75-6101 et seq. and in no event shall City or JCL be liable for damages or indemnification in excess of \$500,000. Further, neither the City nor JCL waive any immunity from punitive damages available under applicable Kansas law.

8. Loss or Damage. The City shall bear the entire risk of loss or damage to City equipment or other property from any cause whatsoever including the criminal acts of any person occasioned by or related to the City's use of the Library Property.

9. Disclaimer. JCL expressly disclaims any express or implied warranties or representations as to the condition, maintenance or repair of the Library Property and as to the suitability of the Library Property for any use intended by the City. The City

acknowledges and agrees that if it utilizes the Library Property, the City knowingly accepts the Library Property "as is".

10. Assignment. The City will not assign, sublicense or transfer this Agreement without the prior written consent of JCL.

11. Compliance with Laws. The City agrees to comply with all applicable laws regarding its use and occupancy of the Library Property.

12. Termination. If the City fails or refuses to comply with or otherwise violates or breaches any of the terms of this Agreement, JCL may, at its option, elect to terminate this Agreement immediately by providing written notice to the City. If the City determines use of the Library Property is not necessary for the September to Remember Celebration, the City, at its option, may elect to terminate this Agreement by providing written notice to JCL. Upon termination of this Agreement, the License granted hereunder will cease, and the City will immediately remove its property from the Library Property.

13. Inspection. JCL reserves the right to enter the Library Property at any time during the term of this License for the purpose of inspecting the City's use of the Library Property in compliance with the Agreement.

14. No Partnership. The City agrees that nothing contained in this Agreement is intended or should be construed as in any way creating or establishing the relationship of partners or joint venturers between JCL and the City in the September to Remember Celebration, or as constituting the City or any officer, employee or agent of City as an agent, representative or employee of JCL for any purpose or in any manner whatsoever, and that it shall not represent to any third parties that such is the case.

15. Notices. Any notice required or permitted to be given to the parties hereto will be deemed to have been given when either delivered, emailed, or if mailed, by postage prepaid mail, to such party at its respective address, as follows:

To City: Attn: City Attorney
Lenexa City Hall
17101 W. 87th Street Parkway
Lenexa, KS 66219
charmison@lenexa.com

To JCL: Attn: County Librarian
Central Resource Library
9875 W. 87th Street Parkway
Overland Park, KS 66212
CasserleyS@jocolibrary.com

16. Miscellaneous.

A. The waiver of any breach of any provision of this Agreement shall not constitute a waiver of any subsequent breach of the same or other provisions herein.

B. This Agreement contains the entire understanding between the parties and supersedes all prior agreements or understandings between the Parties with respect to the subject of this License Agreement.

C. Any modification or waiver of any provision of this Agreement shall not be effective unless made in writing and signed by both Parties.

D. This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas.

E. This Agreement shall be binding on the heirs, successors, executors, administrators, and assigns of the Parties hereof.

F. Both Parties represent and warrant that the undersigned individual has the authority to execute this Agreement and bind the respective party thereto.

City of Lenexa, Kansas (“City”)

Johnson County Library (“JCL”)

By: _____
Eric Wade, City Administrator

By: _____

Printed
Name: _____

Title: _____

Approved As To Form:

Approved As To Form:

By: _____
Attorney for the City

By: _____
Attorney for JCL

EXHIBIT A

A TRACT OF LAND BEING PART OF LOT 5 OF CITY CENTER LENEXA FIFTH PLAT, A SUBDIVISION IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS.

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 5; THENCE SOUTH 75°48'01" WEST, ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 17.56 FEET, TO A POINT OF CURVATURE; THENCE WESTERLY AND SOUTHWESTERLY, CONTINUING ALONG SAID SOUTH LINE, AND ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 590.00 FEET, AND A CENTRAL ANGLE OF 12°47'50", A DISTANCE OF 131.78 FEET; THENCE NORTH 33°50'48" WEST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 134.75 FEET; THENCE NORTH 55°48'13" EAST, A DISTANCE OF 32.51 FEET; THENCE NORTH 08°32'23" WEST, A DISTANCE OF 8.48 FEET; THENCE NORTH 72°07'25" EAST, A DISTANCE OF 48.40 FEET; THENCE SOUTH 17°52'35" EAST, A DISTANCE OF 10.29 FEET; THENCE NORTH 81°28'02" EAST, A DISTANCE OF 127.03 FEET, TO A POINT ON A NON-TANGENT CURVE, SAID POINT ALSO BEING ON THE EAST LINE OF SAID LOT 5; THENCE SOUTHERLY AND SOUTHEASTERLY, ALONG SAID EAST LINE, AND ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 695.00 FEET, AND A CENTRAL ANGLE OF 09°18'54", AND WHOSE INITIAL TANGENT BEARING IS SOUTH 02°49'20" EAST, A DISTANCE OF 112.99 FEET, TO THE POINT OF BEGINNING.

AND

A TRACT OF LAND BEING PART OF LOT 5 OF CITY CENTER LENEXA FIFTH PLAT, A SUBDIVISION IN THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS.

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 75°48'01" WEST, ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 17.56 FEET, TO A POINT OF CURVATURE; THENCE WESTERLY AND SOUTHWESTERLY, CONTINUING ALONG SAID SOUTH LINE, AND ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 590.00 FEET, AND A CENTRAL ANGLE OF 12°47'50", A DISTANCE OF 131.78 FEET, TO THE POINT OF BEGINNING; THENCE WESTERLY AND SOUTHWESTERLY, CONTINUING ALONG SAID SOUTH LINE, AND ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 590.00 FEET, AND A CENTRAL ANGLE OF 00°28'38", A DISTANCE OF 4.91 FEET, TO A POINT BEING ON THE SOUTHEASTERLY PROLONGATION OF AN EXISTING EASTERLY FOUNDATION WALL; THENCE NORTH 33°50'58" WEST, DEPARTING SAID SOUTH LINE, ALONG SAID SOUTHEASTERLY PROLONGATION AND SAID EASTERLY FOUNDATION WALL, A DISTANCE OF 112.46 FEET; THENCE NORTH 46°05'13" EAST, CONTINUING ALONG SAID EASTERLY FOUNDATION WALL, A DISTANCE OF 0.37 FEET; THENCE NORTH 33°53'18" WEST, CONTINUING ALONG SAID EASTERLY FOUNDATION WALL AND IT'S NORTHWESTERLY EXTENSION, A DISTANCE OF 21.66 FEET; THENCE NORTH 56°09'12" EAST, A DISTANCE OF 4.54 FEET; THENCE SOUTH 33°50'48" EAST, A DISTANCE OF 134.75 FEET, TO THE POINT OF BEGINNING.

To: Johnson County Library Board of Directors
From: Sean Casserley, County Librarian
Date: August 10, 2017

Issue: Consider authorizing a contract to O'Donnell Way Construction Co., Inc. for a total amount not to exceed \$166,087.00 for pavement improvements at the Central Resource Library (Phase 2), per Invitation for Bid (IFB) No. 2017-057.

Background: The northeast side lot at Central Resource Library was last resurfaced in 1995, when the building opened. Use and water damage have led to the deterioration of this lot to the point where patching is no longer a long term solution. Drainage improvements will be installed and the parking lot will be resurfaced as part of this project. Partial sidewalk replacement located along the front of the building and installation of a speed table along the front drive are also included in the scope of this project.

This is phase 2 of 3 of the Central Parking Lot resurfacing.

Analysis: On July 15, 2017 the Treasury and Financial Management Department issued an Invitation for Bid (IFB) No. 2017-057 for pavement improvements at the Central Resource Library. The IFB was advertised in the local newspaper and posted electronically on the Johnson County KS website, Drexel Technologies plan room, and Johnson County electronic bidding site powered by Ionwave Technologies.

A mandatory pre-bid meeting was held on July 20, 2017 at the Central Resource Library with seven (7) contracting firms in attendance. Bids were opened on August 1, 2017 with four (4) responsive bids received. The low and responsive bid was submitted by O'Donnell Way Construction Co., Inc. This bid is within available designated funds. SK Design Group, Inc., the consultant assisting the Library on this project, is in agreement with the Library, Facilities, and Purchasing on the recommended award to O'Donnell Way Construction Co., Inc.

Alternatives: 1) Not authorize the Contract.

Legal Review: Library Legal counsel has reviewed and approved the contractor agreement as to form and recommends its approval.

Funding Review: These funds have been allocated in the approved Capital Replacement Plan.

Recommendation: Authorize a contract to O'Donnell Way Construction Co., Inc. for pavement improvements at the Central Resource Library, for a total amount not to exceed \$166,087.00 per Invitation for Bid (IFB) 2017-057.

Suggested Motion: I move to authorize a contract to O'Donnell Way Construction Co., Inc. for pavement improvements at the Central Resource Library, for a total amount not to exceed \$166,087.00 per Invitation for Bid (IFB) 2017-057.

Attachments: Overhead map showing affected areas, Recommendation letter from SK Design Group, Inc.



Sidewalk repair
and Speed Table
addition



Temporary
Bookdrop



Phase 2 (Summer/
Early Fall 2017)



Johnson County Library

Phase 1
(Fall 2016)



C I V I L E N G I N E E R S S I N C E 1 9 8 9

August 3, 2017

Donavon Coup Architect/Project Manager
Johnson County Facilities Management Department
111 S. Cherry, Suite 2100
Olathe, KS 66061-3441
Donavon.Coup@jocogov.org

Larry Allen, CPPB, Purchasing Administrator
Johnson County, Treasury and Financial Management
111 S. Cherry Street, Suite 2400
Olathe, Kansas 66061
Larry.Allen@jocogov.org

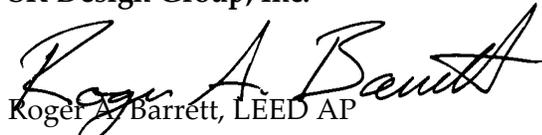
Re: **2017-057 for Johnson County CRL Pavement - Phase 2- OD Way**
SK Project 17-101

Dear Donavon and Larry:

Based on the low base bid for this project, we recommend awarding this contract to:
O'Donnell Way Construction Co., Inc.
5238 Merriam Drive
Merriam, KS 66203

SK Design Group has worked with O'Donnell on similar pavement projects and they are in good standing in the industry as well as in the Kansas City Area.

Sincerely,
SK Design Group, Inc.


Roger A. Barrett, LEED AP
Sr. Project Manager

4600 College Boulevard
Suite 100
Overland Park, KS 66211

T **913.451.1818**

F **913.451.7599**

W **skdg.com**

LOGAN LOGAN & WATSON, L.C.

ATTORNEYS AT LAW
CORINTH OFFICE BUILDING
8340 MISSION ROAD, SUITE 106
PRAIRIE VILLAGE, KANSAS 66206
TELEPHONE (913) 381-1121
TELEFAX (913) 381-6546
www.loganlaw.com

FRED J. LOGAN, JR.
SCOTT K. LOGAN
M. BRADLEY WATSON
JEFF K. BROWN
CHRISTOPHER H. LOGAN
DAVID M. TYRRELL
ANDREW V. LOGAN

ALL ATTORNEYS
ADMITTED IN KANSAS
AND MISSOURI

MEMORANDUM

To: Members of the Library Board, Sean Casserley

From: Andrew Logan

Re: Approval of Contractor Agreement on Central Resource Library Paving (Phase 2) project

Date: August 4, 2017

Library staff is submitting to you for review and approval the proposed agreement for the Central Resource Library Phase 2 Pavement Improvements project (“Agreement”). The Agreement is adapted from an American Institute of Architects Document A107 Standard Form of Agreement Between Owner and Contractor for a Project of Limited Scope (“Form”). The Johnson County Legal Department developed the Form over time for county purposes. The Johnson County Library (“Library”) used the Form on previous projects, including the first phase of the Central Resource Library Pavement Improvements Project.

As you may recall, in 2016, the Library paved a portion of the Central Resource Library (“Central”) parking lot and other paved surfaces on the Central property. This Contractor Agreement is for the second phase of three phases, with the front parking lot to be completed at a later date

In the Central Resource Library Phase 2 Pavement Improvements (“Project”), the Library will complete the next portion of this phased project on the Central property. The Agreement provides for the Library to contract with a selected contractor (“Contractor”) to complete the Project work. SK Design Group, Inc. will serve as the architect on the Project. The Project will be substantially completed on or before September 30, 2017.

The Library will pay the Contractor the sum set forth in the contract for services related to completion of the Project. The Contractor agrees to indemnify and hold harmless the Library for any damages or expenses. Additionally, the Library is named as an additional insured for any claims related to the Project for the Project’s duration.

We approve this Contractor agreement as to form and recommend its approval.

LOGAN LOGAN & WATSON, L.C.

ATTORNEYS AT LAW
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8340 MISSION ROAD, SUITE 106
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ALL ATTORNEYS
ADMITTED IN KANSAS
AND MISSOURI

MEMORANDUM

To: Members of the Library Board; Sean Casserley

From: Fred Logan, Library counsel

Re: Resolution No. 2017-1, Approval of the Fiscal Year 2018 Budget for the Johnson County Library; Resolution No. 2017-2, Approval of Johnson County Library Levy for Fiscal Year 2018

Date: August 4, 2017

At your August 10, 2017, meeting, I will be presenting to you for approval Resolution No. 2017-1, Approval of the Fiscal Year 2018 Budget for the Johnson County Library and Resolution No. 2017-2, Approval of Johnson County Library Levy for Fiscal Year 2018. Those resolutions, which follow this memorandum, are virtually identical to those approved by the Library Board last year. You will recall that the Library Board adopted those resolutions last year at the suggestion of the County Manager's Office and after I had consulted with Don Jarrett, chief counsel for the Board of County Commissioners and Cynthia Dunham, Deputy Director for Legal Services for the county. The parties agreed that the adoption of such resolutions would be the best practice on a going-forward basis.

With the adoption of Resolution 2017-1, you will formally approve the same budget for the Johnson County Library Taxing District for Fiscal Year 2018 that the BOCC will have approved the morning of the Library Board meeting.

With respect to Resolution 2017-2, I would note that governmental agencies are now required to provide notice of the tax impact of their budget decisions. That is exactly what 2017-2 does. Again, this resolution virtually mirrors a similar resolution that the BOCC will approve for the Library the morning of the Library Board meeting.

The numbers that you see in the resolutions are numbers that will be approved by the BOCC. If, for some reason, those numbers are not approved, the resolutions will be revised or withdrawn. I will explain these resolutions in more detail at your meeting.

RESOLUTION NO. 2017-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY LIBRARY, FORMALLY APPROVING THE BUDGET FOR THE JOHNSON COUNTY LIBRARY TAXING DISTRICT FOR FISCAL YEAR 2018.

At a regular meeting of the Board of Directors of the Johnson County Library (the Library Board) conducted Thursday, August 10, 2017, there came before the Library Board for consideration the matter of adopting a Resolution formally approving the budget for the Johnson County Library Taxing District for fiscal year 2017.

The Library Board, after full consideration, upon a motion duly made, seconded and carried, adopted Resolution No. 2017-1 to-wit:

WHEREAS, the Board of County Commissioners of Johnson County, Kansas (BOCC) is the governing body of Johnson County, a taxing subdivision of the State of Kansas, and has the authority and responsibility to establish and provide necessary and prudent levels of governmental services and public improvements to serve the best interests of the County and its citizens and to preserve the public health, safety and welfare, while exercising fiscal responsibility to minimize the burden of taxation and to ensure the most cost-effective expenditure of public funds; and

WHEREAS, the BOCC annually adopts a budget for the governmental services of Johnson County, which includes three separate taxing fund districts: the Johnson County Taxing District, the Johnson County Library Taxing District, and the Johnson County Park and Recreation Taxing District; and

WHEREAS, the Board of Directors of the Johnson County Library (the Library Board) is the governing body of the Johnson County Library, a taxing subdivision of the State of Kansas, and has the authority and responsibility to establish and provide necessary and prudent levels of library service in the Johnson County Library Taxing District, while exercising fiscal responsibility to minimize the burden of taxation and to ensure the most cost-effective expenditure of public funds; and

WHEREAS, the Board of Directors of the Johnson County Library has evaluated and determined the level of services and needed expenditures prudently required to fund the fiscal year 2018 budget for the Johnson County Library Taxing District, and has previously approved and sent to the BOCC its proposed budget for fiscal year 2018, and is now prepared to formally approve and adopt a total budget for that fiscal year; and

WHEREAS, the Board of County Commissioners has approved and adopted a budget authorizing expenditures of \$43,714,723 for the Library Taxing District; which after adjustment for new improvements to real property, increased personal property valuation, and valuation attributable to changes in use of property, and after exclusion of revenue produced for the purpose of repaying the principal and interest upon bonded indebtedness, temporary notes, or no-fund warrants, adjusted by the 2016 CPI for all urban consumers would require, in addition to other revenue sources, the levy of property taxes for the Library Taxing District in the amount of \$31,063,645, at an estimated mill levy of 3.823 mills; and

WHEREAS, the increase in revenue for the Library Taxing District is intended as a revenue source to fund the Comprehensive Library Master Plan, as approved through the annual budget process.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Johnson County Library that the Library Board shall and hereby approves a budget for the 2018 budget year for the Library Taxing District that includes authorized expenditures of \$43,714,723 for the Library Taxing District; which after adjustment for new improvements to real property, increased personal property valuation, and valuation attributable to changes in use of property, and after exclusion of revenue produced for the purpose of repaying the principal and interest upon bonded indebtedness, temporary notes, or no-fund warrants, adjusted by the 2016 CPI for all urban consumers would require, in addition to other revenue sources, the levy of property taxes for the Library Taxing District in the amount of \$31,063,645, at an estimated mill levy of 3.823 mills.

Adopted this 10th day of August, 2016.

BOARD OF DIRECTORS OF THE
JOHNSON COUNTY LIBRARY

John Nelson, Vice Chair, Acting Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

Fred J. Logan, Jr.
Counsel to the Board of Directors of the
Johnson County Library

RESOLUTION NO. 2017-2

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY LIBRARY, APPROVING A LEVY OF PROPERTY TAXES IN SUPPORT OF THE BUDGET FOR THE JOHNSON COUNTY LIBRARY TAXING DISTRICT FOR FISCAL YEAR 2018 EXCEEDING THAT AMOUNT DERIVED IN SUCH DISTRICT FOR FISCAL YEAR 2017, ADJUSTED BY THE 2016 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AND DISCLOSING THE REVENUE AND TAX RATE DIFFERENCE.

At a regular meeting of the Board of Directors of the Johnson County Library (the Library Board) conducted Thursday, August 10, 2017, there came before the Library Board for consideration the matter of adopting a Resolution approving a levy of property taxes in support of the budget for the Johnson County Library Taxing District for fiscal year 2018 that includes funding from property taxes in an amount exceeding that of the 2017 budget year, adjusted by the 2016 Consumer Price Index (CPI) for all urban consumers and disclosing the difference in revenue and mill levy tax rate.

The Library Board, after full consideration, upon a motion duly made, seconded and carried, adopted Resolution No. 2017-2 to-wit:

WHEREAS, the Board of County Commissioners of Johnson County, Kansas (BOCC) is the governing body of Johnson County, a taxing subdivision of the State of Kansas, and has the authority and responsibility to establish and provide necessary and prudent levels of governmental services and public improvements to serve the best interests of the County and its citizens and to preserve the public health, safety and welfare, while

exercising fiscal responsibility to minimize the burden of taxation and to ensure the most cost-effective expenditure of public funds; and

WHEREAS, the BOCC annually adopts a budget for the governmental services of Johnson County, which includes three separate taxing fund districts: the Johnson County Taxing District, the Johnson County Library Taxing District, and the Johnson County Park and Recreation Taxing District; and

WHEREAS, K.S.A. 79-2925b, as amended, requires the BOCC to adopt a resolution authorizing the levy of property taxes to finance the budget for the 2018 budget year if such budget would require property tax revenues that exceed the property taxes in the taxing fund district for the 2017 budget year, after adjustment for new improvements, increased personal property valuation, valuation changes due to change in use, or valuation of property added to the jurisdiction, adjusted by the CPI for all urban consumers; and

WHEREAS, the Board of Directors of the Johnson County Library (the Library Board) is the governing body of the Johnson County Library, a taxing subdivision of the State of Kansas, and has the authority and responsibility to establish and provide necessary and prudent levels of library service in the Johnson County Library Taxing District, while exercising fiscal responsibility to minimize the burden of taxation and to ensure the most cost-effective expenditure of public funds; and

WHEREAS, the Board of Directors of the Johnson County Library has evaluated and determined the level of services and needed expenditures prudently required to fund the fiscal year budget for the Johnson County Library Taxing District; and

WHEREAS, the Board of County Commissioners has approved and adopted a budget authorizing expenditures of \$43,714,273 for the Library Taxing District; which

after adjustment for new improvements to real property, increased personal property valuation, and valuation attributable to changes in use of property, and after exclusion of revenue produced for the purpose of repaying the principal and interest upon bonded indebtedness, temporary notes, or no-fund warrants, adjusted by the 2016 CPI for all urban consumers would require, in addition to other revenue sources, the levy of property taxes for the Library Taxing District in the amount of \$31,063,645, at an estimated mill levy of 3.823 mills, which would exceed the property tax revenues derived for the Library Taxing District for the year 2017, as adjusted, by the amount of \$1,040,602, with an effective tax impact of an increase of 0.128 mills in that District; and

WHEREAS, the increase in revenue for the Library Taxing District is intended as a revenue source to fund the Comprehensive Library Master Plan, as approved through the annual budget process; and

WHEREAS, over the past years, the Board of Directors of the Johnson County Library has held the mill levy constant and remains committed to a practice of reducing the tax levy whenever possible and increasing taxes only as prudently advisable to maintain effective governmental services, fund voter-approved projects, or to meet the needs for public improvements; the Board of County Commissioners and the Library Board have determined that the proposed increase in expenditures for the Library Taxing District is necessary and advisable and, should be adopted with full disclosure of the effective tax impact upon the residents of the Johnson County Library Taxing District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Johnson County Library that the Library Board shall and hereby approves a levy of property taxes in support of the budget for the 2018 budget year for the Library Taxing District that

requires property taxes to be levied for the Library Taxing District in an amount that exceeds the property taxes levied in the same district for the 2017 budget year, adjusted by the 2016 CPI for all urban consumers.

Adopted this 10th day of August, 2017.

BOARD OF DIRECTORS OF THE
JOHNSON COUNTY LIBRARY

John Nelson, Vice Chair, Acting Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

Fred J. Logan, Jr.
Counsel to the Board of Directors of the
Johnson County Library

Briefing Sheet

To: JCL Library Board
From: Sean Casserley, County Librarian
Date: August 10, 2017

Issue: Allocation of funds in the amount of \$4,817,829 to a Comprehensive Library Master Plan project.

Background: Revenue that is collected each year due to the increase in the JCL mill levy of .75 percent of one mill is available to be transferred for use on a Comprehensive Library Master Plan project(s). There is funding available in the Special Use fund \$1,855,586 and in the Operating Fund \$2,962,243 for a total of \$4,817,829.

Alternatives: 1) Transfer \$4,817,829 to the Lenexa City Center Project. 2) Allow the funding to move to Johnson County Library reserves at the end of 2017.

Legal Review: Fred Logan

Budget Approval: Nicki Neufeld

Recommendation: Staff recommends a transfer of \$4,817,829 to the Lenexa City Center Project to reduce the amount of debt issued on the Lenexa City Center Project. This will protect the cash flow availability of the Library for future Comprehensive Library Master Plan projects.

Suggested Motion: I move that the Library Board approve the transfer of funds from the Johnson County Library Operating fund in the amount of \$2,962,243 and from the Special Use fund in the amount of \$1,855,586 to the Lenexa City Center Library project.