Library Commission Agenda
Special Meeting

Friday, March 20, 2020, 11am
Protocol: Held Via Audio-Conference (Computer or Telephone)

Sonoma County Library Public Meeting Protocol in Response to Coronavirus COVID-19

To comply with the Sonoma County Health Officer’s COVID-19 Order to Shelter in Place issued on March 17, 2020, and pursuant to California Governor Newsom’s Executive Order N-29-20 issued on March 17, 2020, this Special Meeting of the Library Commission shall be held only via tele-conference; no physical location of the meeting will be open to the public.

All members of the public who wish to observe and participate in this Special Meeting can do so using the audio-computer conferencing link: http://zoom.us/j/698687653 or by tele-conference by dialing 1-669-900-6833 and following the prompts (meeting ID # 698687653). You will be prompted when it is time for public comment, at which time those who are interested in making a public comment will be given the opportunity. Please be advised that space is limited, and is available on a first-come, first-serve basis.

In addition, members of the public are also provided with the opportunity to submit public comments in writing via email prior to the start of the Special Meeting, which will be read into the record during the Meeting. Such email comments must identify the Agenda Item Number in the subject line of the email, be limited to 250 words or less, and be sent at least 20 minutes prior to the start of the meeting to the following email address: commissioncomments@sonomalibrary.org

1. CALL TO ORDER

This is a Special Meeting called by the Commission Chair pursuant to the provisions of California Government Code section 54956 (and described in the Library’s Bylaws as an "emergency" meeting requiring 24 hours’ notice).
A roll call of all Commissioners attending the meeting will be taken.

2. ANNOUNCEMENTS

Pursuant to California Government Code section 54953, all votes during this teleconferenced meeting shall be taken by roll call.

3. PUBLIC APPEARANCES

Members of the public who wish to address the Commission regarding matters not on the agenda should request recognition at this time. See guidelines for public appearances in the General Information section, below.

4. ACTION ITEMS BY MOTION

4.1. Approve the agreement outlined in the SEIU side letter with the Library Director (applicable during the period March 14, 2020 through April 7, 2020), and authorize the Library to take actions consistent with such agreement as to both represented and non-represented Library employees

Agenda Item Report- 20 Mar 2020 - Pdf

5. ACTION ITEMS BY RESOLUTION

5.1. Temporarily Increase Library Director’s Delegation of Purchasing Authority

Agenda Item Report- 20 Mar 2020 - Pdf

6. DATE AND TIME OF NEXT MEETING

Meeting: Regular Meeting Date: Monday, April 6, 2020

7. ADJOURNMENT

By acclamation.

GENERAL INFORMATION

AGENDA SUPPORT MATERIALS: Agenda support materials are available on the Library's website at: http://sonomalibrary.org/
DISABLED ACCOMMODATION: If you have a disability which requires an accommodation or an alternative format, please contact the Library at jdemapan@sonomalibrary.org as soon as possible to make arrangements for accommodation. For further information regarding disability accommodations provided by the Library and related matters, see the Library’s website at https://sonomalibrary.org/accessibility.

GUIDELINES FOR PUBLIC APPEARANCES:
Members of the public are welcome to address the Commission via a public appearance on an agenda item at the time it is called and prior to its conclusion. Please await the Chair’s invitation for public comment if you wish to appear on an agenda item.

Members of the public wishing to address the Commission on items not on the agenda may do so only during the Public Appearances portion of the meeting agenda. The Commission does not take action on matters raised during Public Appearances, though you may request a response from the Commission to be provided at a later time.

Members of the public may speak at Commission meetings only after receiving recognition by the Chair. Public comments are limited to three minutes apiece, though such limit may be extended at the discretion of the Library Commission.
Subject: Approve the agreement outlined in the SEIU side letter with the Library Director (applicable during the period March 14, 2020 through April 7, 2020), and authorize the Library to take actions consistent with such agreement as to both represented and non-represented Library employees

Type: Action

Meeting: Library Commission Special Meeting - 20 Mar 2020

Department: Library Administration

Submitted By: Suzanne Silva

DRAFT MOTION:

I MOVE THAT THE SONOMA COUNTY LIBRARY COMMISSION APPROVE the agreement outlined in the SEIU side letter with the Library Director (applicable during the period March 14, 2020 through April 7, 2020), and authorize the Library to take actions consistent with such agreement as to both represented and non-represented Library employees

BACKGROUND INFORMATION:

Library Administration has been monitoring the coronavirus (COVID-19) and its impacts on libraries abilities to remain operational across the United States. On Saturday, March 14, 2020, the Operations Management Team collectively decided for the health and safety of the employees, it would close its operations to the public to limit their exposure to COVID-19; however, regular Library staff would continue to work. Regular staff are defined as full time and part time staff employed by the Library, regardless of bargaining unit status.

On Monday, March 16, the Library and SEIU began negotiating options for staff, while interpreting Governor Newsom's guidance to self isolate (as outlined in the side letter); subsequently, the Sonoma County public health officer declared an order to shelter in place, effective 12:01 March 18, 2020.

The Library, after negotiating in good faith with members of SEIU, is requesting that the Commission take the following actions:

1. Restore the leave balances of those who took leave due to Governor Newsom's encouragement to take leave during the period from March 14, 2020 until the date of Commission approval of this side letter

2. Approve all scheduled regular work hours for regular staff during the time of the “shelter in place order” using a time code entitled “Disaster Leave”
3. Authorize essential staff as identified in Attachment A to work while receiving pay and premium pay at an additional 15% when necessary during the shelter in place order.

4. Allow the vacation cap to be removed during the time of the shelter in place under the following conditions:
   
   1. No vacation request that had not been in place prior to the shelter in place will be approved within two weeks of returning to full duty (blackout period); however, unusual circumstances will be addressed on a case by case basis.
   2. Employees will be required to use any vacation accrued over the cap once the shelter in place is lifted within three months.

Extra help hours
No extra help hours will be paid unless worked. Only extra help that are classified as extra help only may use sick leave (up to 48 hours, if accrued), in accordance with CA sick leave law, to cover for time lost due to shifts not worked.

ATTACHMENTS:
#4.2.1 SCL-SEIU Side Letter - 3.20.20
#4.2.2 SCL-SEIU Side Letter Attachment A - 3.20.2020
The following document contains the Side Letter Agreement between the Sonoma County Library (hereinafter called “Library”) and the Service Employees International Union (SEIU) Local 1021 (“Union”) resulting from the meet and confer process related to the impact on and/or displacement of represented employees due to COVID-19, as defined in this Side Letter.

On March 15, 2020, in the interests of public health, Governor Newsom urged individuals who are 65 years of age or older and individuals with chronic health condition(s)* as designated by the CDC and WHO, to include complications arising from the effects of smoking (such as emphysema or C.O.P.D.); Diabetes (Type I or Type II); Lung disease (such as asthma); Heart disease; compromised immune systems; or Cancer), should isolate themselves at home in an effort to contain the spread of coronavirus.

Although the Governor’s guidance was not an order, the Library understands that staff in these categories may wish to adhere to the guidance. Library Administration is attempting to work with the Library Commission to ensure that we protect our most vulnerable employees; however, until such approval, the Library is informing full and part time staff of the following options:

1. Employees aged 65 and over who wish to self-quarantine and not come to work should notify their direct supervisor and Human Resources in writing of their intention to self-quarantine and may use sick leave or other leave balances to cover the period of their absence from work.

2. Employees with a chronic condition(s), who wish to self-quarantine and not come to work should notify their direct supervisor and Human Resources in writing of their intention to self-quarantine and may use sick leave or other leave balances to cover the period of their absence from work. The written notice must self-certify the individual qualifies as having a chronic condition, but employees should not reveal the actual condition. If requested, a physician’s verification of the condition must be provided, confidentially, at a later time.

If a full or part time employee does not meet the criteria as indicated in the Governor’s guidance, employees may still elect to self-quarantine and request to use accruals in any order (sick leave, vacation, and/or CTO) to cover their period of absence from work; accruals depleted by an employee in this category for the time period March 16, 2020 – March 17, 2020 will not be subject to the restoration request to the Commission. If approved, the employee will still be required to communicate with their supervisor in writing as to their request to self-quarantine as the work status may change regarding the Library’s closure to the public through March 31, 2020.

If the employee does not have any accruals, the Library will allow the employee to go into arrears in their vacation accruals, subject to Commission approval.

On March 17, 2020, the Sonoma County Public Health Officer ordered all citizens in Sonoma County to shelter in place until April 7, 2020. The entire order can be read at this site https://socoemergency.org/order-of-the-health-officer-shelter-in-place/
The Library, after negotiating in good faith with members of SEIU, is requesting that the Commission take the following actions:

1. Restore the leave balances of those who took leave due to Governor Newsom’s encouragement to take leave during the period from March 14, 2020 until the date of Commission approval of this side letter.

2. Approve all scheduled regular work hours for regular staff during the time of the “shelter in place order” using a time code entitled “Disaster Leave”.

3. Authorize essential staff as identified in Attachment A to work while receiving pay and premium pay at an additional 15% when necessary during the shelter in place order.

4. Allow the vacation cap to be removed during the time of the shelter in place under the following conditions:

   1. No vacation request that had not been in place prior to the shelter in place will be approved within two weeks of returning to full duty (blackout period). However, unusual circumstances will be addressed on a case by case basis.
   2. Employees will be required to use any vacation accrued over the cap once the shelter in place is lifted within three months.

Extra help hours
NO extra help hours will be paid unless worked. Only extra help that are classified as extra help only may use sick leave (up to 48 hours, if accrued), in accordance with CA sick leave law, to cover for time lost due to shifts not worked.

This Agreement is made on a non-precedential basis and shall not be relied on by either party to assert precedent or past practice in future matters.

FOR THE LIBRARY

FOR THE UNION

Date: 3/18/2020

Date: 3/18/20
ATTACHMENT A

(SUBJECT TO REVISION IF SHELTER IN PLACE IS EXTENDED BEYOND APRIL 7, 2020)

Accountant
Building Mechanic
Human Resources Specialist
Information Technology Specialist
Payroll Technician
Sr. Account Clerk
Sr. Information Technology Technician
Sr. IT Programmer Analyst
Technology Librarian
Web Programmer Analyst
DRAFT MOTION:

I MOVE THAT THE SONOMA COUNTY LIBRARY COMMISSION ADOPT the Resolution of the Sonoma County Library Temporarily Increasing Delegation of Purchasing Authority to Library Director.

BACKGROUND INFORMATION:

Library Administration has been proactive in considering how to keep the public and staff safe from the Coronavirus COVID-19, which was declared a pandemic by the World Health Organization on March 11, 2020. Library Administration has considered directions related to the pandemic from National, State, and Local Health Officials, including the March 17, 2020 Order of the Sonoma County Health Officer to “shelter in place” starting March 18, 2020 to April 7, 2020 (the “COVID-19 Emergency Period”).

As of the date of this Special Meeting, and to comply with those directions and orders, the Library has closed its operations to the public and ordered all of its staff not performing essential functions to stay away from all Library facilities. The Library continues to perform certain essential functions during the COVID-19 Emergency Period, such as building maintenance operations.

There is absolutely no evidence that COVID-19 has been introduced into any Sonoma County Library facility. However, in an abundance of caution, Library Administration is considering whether to take additional steps to clean and disinfect all Library facilities during the closure period. Based on preliminary research, Library staff believe that certain types of disinfecting services (such as fogging services designed to destroy COVID-19) for all 16 Library facilities will cost approximately $97,000. Further research or a change in factual circumstances may reveal different cleaning, maintenance, or preservation services are warranted during this emergency period.

Based on the fast-evolving nature of the current emergency and related health directions, Library Administration believes that it is in the Library’s best interest to provide the Director with an increase in her purchasing authority to timely address these issues.
The Library’s current Delegation of Authority Policy, adopted on August 1, 2016, grants authority to the Library Director to procure goods and services for the Library within its current fiscal year’s budgeted expenditures up to an amount of $50,000. In light of the potential costs of cleaning and other possible services, this Commission is requested to increase the purchasing authority delegated to the Director up to an amount of $100,000.

This increase in the Director’s delegated purchasing authority is to be temporary, and shall automatically expire on July 1, 2020, or upon the expiration of the COVID-19 Emergency Period (as may be extended by the Sonoma County Health Officer), whichever occurs later.

**FUTURE BOARD ACTIONS:**

None

**FISCAL IMPACT:**

Unknown, but within current fiscal year’s budget

**POLICY ISSUES:**

Temporary increase in the purchasing authority granted to the Director pursuant to the Library’s Delegation of Authority Policy

**ATTACHMENTS:**

Resolution
Policy Delegating Purchasing Authority to Director - 2016
RESOLUTION OF THE SONOMA COUNTY LIBRARY TEMPORARILY INCREASING DELEGATION OF PURCHASING AUTHORITY TO LIBRARY DIRECTOR

WHEREAS, the First Amended and Restated Joint Powers Agreement for the County-Wide Provision of Library Services by the Sonoma County Library (the “JPA Agreement”) governs the administration of the Sonoma County Library (“Library”).

WHEREAS, the JPA Agreement authorizes the Library Director to engage independent contractors for the benefit of the Library, and permits the Library Commission to adopt resolutions authorizing the Library Director to pay claims of the Library which do not exceed amounts identified in those resolutions.

WHEREAS, on August 1, 2016, the Library Commission adopted the Sonoma County Library Delegation of Authority Policy, which granted authority to the Library Director to procure goods and services for the Library within its current fiscal year’s budgeted expenditures up to an amount of $50,000.

WHEREAS, in light of the pandemic caused by the Novel Coronavirus COVID-19, and directions from National, State, and Local Health Officials, including the March 17, 2020 Order of the Sonoma County Health Officer to “shelter in place” starting March 18, 2020 to April 7, 2020 (the “COVID-19 Emergency Period”), the Library has closed its operations to the public and ordered all of its staff not performing essential functions to stay away from all Library facilities.

WHEREAS, during the COVID-19 Emergency Period, performance of certain essential functions are necessary to maintain and preserve Library facilities, materials, and operations, including but not limited to cleaning and disinfecting services performed by independent contractors.

WHEREAS, it is expected that certain types of independent contractor costs associated with the completion of essential functions of the Library during and immediately after the COVID-19 Emergency Period may exceed the $50,000 authority previously delegated to the Library Director.

WHEREAS, to ensure the timely completion of essential functions, the Library Commission finds it reasonable to temporarily increase the delegation of authority provided to the Library Director.
NOW, THEREFORE, BE IT RESOLVED THAT:

1. The provisions of the Sonoma County Library Delegation of Authority Policy, adopted on or about August 1, 2016, are hereby modified to increase the Library Director’s authority to procure goods and services within the current fiscal year’s budgeted expenditures up to an amount of $100,000.

2. The Library Director is also authorized to enter into agreements with independent contractors on behalf of the Library and within the delegated authority for the purpose of performing essential functions.

3. All other provisions of the Sonoma County Library Delegation of Authority Policy shall remain in full force and effect.

4. The term of this Resolution and increase in delegated authority is temporary, and shall automatically expire on July 1, 2020, or upon the expiration of the COVID-19 Emergency Period (as may be extended by the Sonoma County Health Officer), whichever occurs later.


Ayes: Nos: Absent: Abstain:
Purpose
The purpose of this policy is define the level of expenditures that the Library Commission delegates to The Library Director and other Library staff for the purchase of goods and services for the Sonoma County Library. The goal of this policy is to streamline operations, expedite approvals and allow for decisions to be made at the most appropriate staff level.

Policy
All purchases of goods and services must be:
• Approved at the appropriate staff level or by the Library Commission;
• Within the scope of the Library’s current approved budget; and
• Carried out in a manner consistent with the Library’s purchasing policy and procedures.

Responsibility
The Library Director is responsible for ensuring that:
• Purchasing methods are consistent with the Library's purchasing policies;
• All purchases are consistent with the current budget approved by the Library Commission;
• Each management report notifies the Library Commission of single purchases that exceed $25,000 as well as contracts executed since the last meeting that span more than one fiscal year.
• All contracts that span fiscal years include a termination clause that gives the Library the ability to cancel the agreement if funds are not available in the Library's budget.

Regulations
Procurement of goods and services within the scope of the current fiscal years budgeted expenditures will be delegated as follows:

<table>
<thead>
<tr>
<th>Type of Purchase:</th>
<th>Delegation (minimum level):</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Purchases up to $500,</td>
<td>Branch Managers</td>
</tr>
<tr>
<td>B. Purchases up to $1,000,</td>
<td>Facilities Manager/Human Resources Manager/ Collections Coordinator, Youth Services Administrator and Adult Services Administrator</td>
</tr>
<tr>
<td>C. Purchases up to $5,000.</td>
<td>Division Managers</td>
</tr>
<tr>
<td>D. Purchases of $5,000 to $50,000.</td>
<td>Library Director</td>
</tr>
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</table>
E. Leases, other than building leases, with a term of not greater than 36 months and total lease payments not to exceed $50,000 over the term of the lease

 Library Director

F. All purchases exceeding $50,000.

 Majority vote of the Library Commission

G. Blanket orders for large projects within the scope of the current fiscal year budget for multiple contracts, such as building refreshes. Staff may execute contracts within the scope of the Blanket purchase order and will provide monthly updates to the Library Commission of purchase orders executed and the status of the project.

 Majority vote of the Library Commission

H. Building leases and other leases with a term of greater than 36 months, regardless of the dollar sum of the total lease payments.

 Majority vote of the Library Commission