Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

**SUBJECT:** Community Services – Approve Memorandum of Agreement Between the City of Torrance and the Friends of the Torrance Library. Expenditure: None.

**RECOMMENDATION**
Recommendation of the Community Services Director that City Council approve a Memorandum of Agreement between the City of Torrance and the Friends of the Torrance Library.

**Funding**
Not Applicable.

**BACKGROUND/ANALYSIS**
The Friends of the Torrance Library work in a close relationship with City staff, and share use of City facilities, in order to achieve their objectives of supporting the Torrance Public Library. This relationship has existed since 1967, and the Friends currently donate over $100,000 per year to support Library programs and activities.

The Friends raise a majority of their funds through selling used books and library discarded materials, both in person and online. A majority of the activity takes place out of the Katy Geissert Civic Center Library, and is conducted by volunteers. The Library asks the Board of the Friends of the Torrance Library for grants to support library programming, launching of new collections, adding services, and other appropriate activities in accordance with the bylaws of the Friends of the Torrance Library.

This Memorandum of Agreement (MOA) covers sharing of facilities, technology, and services that are already in place. Both the Friends of the Torrance Library Board and the Torrance Public Library staff agree that the current relationship works well, and this MOA will serve to formalize the rights and responsibilities of both parties.

A formal MOA will allow both parties a point of negotiation, should needs or resources change, and improve continuity of the relationship, as the Board of Directors of the Friends of the Torrance Library, or City of Torrance staff change. It will also serve as the major document for referral in any dispute over any aspect covered in the MOA. Having a formal MOA is good managerial practice for both organizations.
As the world of libraries changes, the Friends of the Torrance Library have continued to support evolving activities, services and programs with donated funds raised by a volunteer workforce. This MOA formalizes a process already in place that is working well and allowing increased library service as a result.

Respectfully submitted,

JOHN JONES
COMMUNITY SERVICES DIRECTOR

By
Hillary Thayer
City Librarian

CONCUR:

John Jones
Community Services Director

LeRoy J. Jackson
City Manager

Attachment A) Memorandum of Agreement
MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TORRANCE
AND FRIENDS OF THE TORRANCE LIBRARY

This agreement is made and entered into as of January 26, 2016, by and between the City of Torrance, a municipal corporation ("CITY") and the Friends of the Torrance Library, a California non-profit corporation, California Corporate Number CO539318, a supporting organization (charity) described in IRS Section 509(a)(3) of the Internal Revenue Code, and exempt from income tax ("FRIENDS").

RECITALS

WHEREAS, the Torrance Public Library is owned and operated by the CITY for the benefit and enrichment of its citizens; and

WHEREAS, it is the policy of the CITY to encourage and assist various civic, charitable, service, and special interest organizations that contribute to the quality of educational, literary, and leisure time activities in the City of Torrance; and

WHEREAS, cooperation between the CITY and the aforementioned types of organizations to produce or support activities for the community will achieve greater enhancements to programs and services, above and beyond what the CITY alone can offer; and

WHEREAS, the FRIENDS is a nonprofit organization whose purpose is to stimulate public awareness of the needs of the Torrance Public Library and its importance to the community; to promote the goodwill and support of citizens; to pursue methods of fund-raising; to facilitate and contribute funds to the development of library programs; and for extension and improvement of Torrance Public Library services; and

WHEREAS, the parties understand and agree that the FRIENDS is not an entity of the City of Torrance, but regularly interacts with, cooperates with, and supports the activities of the Torrance Public Library, including using CITY facilities and technology to further these purposes; and

WHEREAS, in furtherance of mutual goals, the parties desire to enter into this MOA to set forth and memorialize the rights and obligations of both parties when cooperating to fulfill the purpose of the FRIENDS.

NOW THEREFORE the parties agree as follows:

1. CITY’S OVERALL RIGHTS AND RESPONSIBILITIES

   A. Facility ownership The CITY owns six facilities for public library use. The CITY is sole owner and operator of the facilities. These facilities include the Katy Geissert Civic Center Library, located at 3301 Torrance Blvd, Torrance, California. All
spaces subsequently referenced in this MOA are located within the Katy Geissert Civic Center Library.

B. **Facility maintenance** The CITY will provide reasonable support and maintenance for the spaces occupied by the FRIENDS or used for their purposes, provided that the actions do not interfere unreasonably with Library operations, or become an additional expense to the CITY.

C. **Formal request for grants, presented to Friends Board of Directors** The City Librarian, or the Librarian’s designee, will present the FRIENDS’ Board of Directors with formal requests for grant funds. The requests will be in accordance with the mission and funding limitations of the FRIENDS, as expressed in their bylaws. The City Librarian, or designee, has final say on any grant funds requested for the Torrance Public Library from the FRIENDS.

D. **Handling grants** The City Librarian, or designee, will appropriately deposit and manage all grants from the FRIENDS, in accordance with City policies and financial practices. The City Librarian, or designee, will further make formal reports to the FRIENDS’ Board of Directors of expenditures and use of grant funds, no less frequently than once per year, at the end of the fiscal year of the FRIENDS.

2. FRIENDS’ OVERALL RIGHTS AND RESPONSIBILITIES

A. The FRIENDS will follow Library policies and procedures in terms of use of the public spaces of the library, access and use of equipment, access and use of library materials, and behavior policies for the general public. A copy of the Libraries Policies and Procedures is attached as Exhibit A to this MOA. The City Librarian or designee will provide the FRIENDS with any amended policies or procedures.

B. The FRIENDS will adhere to all applicable demands or requests from the CITY in terms of building codes, fire codes, electrical codes, or other concerns regarding use and storage of materials on CITY property. All areas used by the FRIENDS will be subject to CITY inspections, and any requirements of those inspections must be met.

3. USE OF CITY FACILITIES

For the efficient and effective furtherance of the goals of the FRIENDS, the CITY will make available free of charge the following spaces in the Katy Geissert Civic Center Library:

A. **Basement space** – A section of the lower level, off limits to the public, and including City installed and operated shelving units. This is for the purpose of sorting,
pricing, and preparing material donations and library discards for sale, on an ongoing basis.

B. **Book sale lobby shelves** – An area in the main level, in the public area, for purposes of displaying items for sale, on an ongoing basis.

C. **Donation Drop Boxes** – Space in the front lobby, or other prominent interior location, for members of the public to drop material donations to the FRIENDS. In addition, space outside near the Library’s materials returns for members of the public to drop donations to the FRIENDS. The FRIENDS will be responsible for emptying and maintaining the drop boxes in attractive condition and good working order.

D. **Library meeting room** – Use of the large Library Meeting Room for purposes of setting up, holding, and breaking down four book sales per year. In addition, use of the Library Meeting Room for one annual meeting per year, held in conjunction with a public program, and conducted in accordance with the bylaws of the FRIENDS. Scheduling use of the space shall be done at a mutually agreeable time, and in communication with the General Services Department.

E. **Board Meeting space** – Use of a small library staff meeting room for purposes of holding meetings of the FRIENDS’ Board of Directors Meetings and Board working sessions/discussions. This shall be as needed, with no less frequency than Board of Directors’ Meetings require.

F. **Break areas and restrooms** – Use of staff break areas and restrooms for volunteers working with the FRIENDS.

G. **Communication** – The CITY will provide an internal mailbox for use of FRIENDS for mail sent to the Library, and communications from Library staff.

H. **Signage and postings** – Use of space in the front lobby or adjacent area to post signs advertising FRIENDS’ events, book sales, or membership.

4. **ACCESS TO CITY FACILITIES AND SERVICES**

A. **Access to trash and recycling** – The FRIENDS are granted access to City trash, techno trash, and recycling units and service in direct use with the services they provide in furtherance of the goals of this MOA.

B. **Access to Building** – Four Board Members of the FRIENDS are given access to the Katy Geissert Civic Center Library building before public hours. They are required to sign for their access keys with the General Services Department and to follow all key holding policies. A copy of CITY’s key holding policy is attached as Exhibit B to this MOA. The FRIENDS’ Board is in turn responsible for providing access to other volunteers as needed, before open hours, and to spaces off limits to the public and in
accordance with City security and access policies for the Katy Geissert Civic Center Library building.

5. USE OF TECHNOLOGY

A. **Router and internet** – The CITY maintains wireless network routers in the building, one of which is dedicated to the use of the FRIENDS for use in pricing and selling items for fundraising. The FRIENDS may also use staff or public computers, provided that that use is in accordance with the Library’s Acceptable Use Policy, and does not interfere with Library operations or required access. A copy of the Library’s Acceptable Use Policy is attached as Exhibit C to this MOA.

B. **Computers** – Individual volunteers of the FRIENDS may use personal laptop computers or other devices with the Library’s router and wireless networks, in accordance with the Library’s Acceptable Use Policy. The Library disclaims responsibility for any damage or inoperability of FRIENDS’ computer equipment, in accordance with the Acceptable Use Policy. CITY staff will not use and have no responsibility to maintain or repair the personal laptop computers or other devices of the FRIENDS.
6. TERMINATION AND AMENDMENT

This agreement may be terminated by either party with 60 days advance notice to the other party in writing. This agreement may be amended in writing, if signed by both parties.

CITY OF TORRANCE, 
a municipal corporation

FRIENDS OF THE TORRANCE LIBRARY, 
a California non-profit corporation

By: _____________________________

Patrick J. Furey, Mayor

By: _____________________________

Burton E. Dobratz, President

ATTEST:

______________________________

Rebecca Poirier, MMC
City Clerk
APPROVED AS TO FORM:
John L. Fellows III
City Attorney

By: _____________________________

Attachments

Exhibit A: Library Policies and Procedures
Exhibit B: General Services' Key Holding Policy
Exhibit C: Acceptable Use Policy
The Torrance Public Library welcomes everyone to use Library facilities and resources. To better serve members of the public, the Torrance Public Library has established Standards of Behavior so Library patrons and staff have a clean, pleasant and safe environment. We need your cooperation to reach this goal. Behavior becomes unacceptable when it impinges on the rights of others, when it could result in injury to oneself or others, when it disrupts library service, or when it could result in damage to the building or equipment.

The following behaviors are prohibited in the Library:

- Noise which is disruptive to others in the Library, including loud talking, loud cell phone conversations, or audible music. Cell phone ringers must be turned off or set to vibrate.
- Harassing or abusing patrons or staff physically or verbally including the use of profanity.
- Intoxication resulting from alcohol, drugs, or other substances.
- Eating or bringing food into the Library, including uncovered beverage containers.
- Interfering with other patrons’ or staff use of the Library facilities.
- Sitting on the floor or in the aisles or staircases.
- Sitting on tables or counters or placing feet on furniture.
- Destroying, defacing, or illegally removing Library materials or personal property of patrons or staff.
- Selling, gambling, panhandling, sleeping, or soliciting in the Library building.
- Adults, who are not related to or supervising children, loitering in areas identified as Youth.
- Bringing weapons into the Library.
- Bringing pets, except service animals, into the Library or leaving them unattended on Library grounds.
- Leaving personal possessions unattended on Library property.
- Exhibitionism/Flashing/Voyeurism/Peeping

IN ADDITION:

- All backpacks, bicycles, skateboards, musical instruments, etc. must be placed on or under tables/chairs. If items are too big to fit under tables/chairs, they must be left outside.
- Please do not leave personal possessions unattended. The Library is not responsible for lost, damaged, or stolen personal possessions. Unattended belongings may be picked up and stored by Library staff.
- Posted closing times are strictly enforced. Public computer service is terminated at ten minutes before posted closing time.
- All Library visitors are required to be fully clothed, including shirt and shoes, at all times. Bare feet are not permitted. Shoes or sandals are required.

The Library reserves the right to require Library users to leave the Library premises if the Standards of Behavior are violated. If you refuse to leave, or otherwise continue prohibited behavior, Torrance Police will be contacted. Repeated violations of the Standards of Behavior may result in the limitation or revocation of Library privileges. In addition, criminal acts may result in arrest and prosecution to the full extent of the law. No person shall refuse to obey the reasonable requests of an employee of the Torrance Public Library.

Revised 8/20/12 Reviewed by the Torrance Library Commission 9/10/12
## Contents

**Policy**

- Purpose and Scope .................................................. 2  
- Locking System Defined ........................................... 2  
- Administration of the Locking System ......................... 2  
- Control of Locking Devices ........................................ 2  
- Key Authorization .................................................... 3  

**Procedure**

- Obtaining a Key ....................................................... 4  
- Return of Keys ......................................................... 4  
- Duplication of Keys .................................................. 4  
- Lost Keys .............................................................. 5  
- Inventory ............................................................... 5  
- Historical Record .................................................... 6  

Revision Date: 11/2012
City of Torrance Guide to Policies, Procedures, and Protocols

Chapter 42 - Policy - Key Control

**Chapter 42**

**Purpose and Scope**
The City of Torrance shall maintain a locking system for the protection of facilities, property and employees. This policy establishes a framework by which City keys will be issued, monitored and maintained.

**Article 42.10**

**Locking System Defined**
The City of Torrance locking system shall include all locking devices, including exterior gate and door locks, interior area locks and keys, combination devices and all other locking devices, including padlocks and electronic card access devices. All of the above locking system components are property of the City of Torrance.

**Article 42.20**

**Administration of the Locking System**
The General Services Director is authorized to establish and administer regulations and procedures in order to provide physical security of City facilities and its occupants, and to provide for administration and control of City keys. The administration of key control shall be delegated in the following cases.

- Police Department – Police Chief
- Fire Department – Fire Chief
- City Park Facilities – Community Services Director
- Vehicle keys – Fleet Services Manager

**Article 42.30**

**Control of Locking Devices**
The General Services Department shall be responsible for the maintenance of key control, including the issuing of keys, key control record keeping and lock change authorizations.

No individual may use personal locking devices, nor may locks be changed or re-keyed without approval of the General Services Director.
Unauthorized locking devices will be removed. Any damage or repair necessitated by the removal of unauthorized locks will be the responsibility of the department found in violation of this policy.

Keys to City owned cabinets, desks, drawers, etc. are not covered under this policy. Keys shall be furnished upon request when available; but the issuance, control and recovery shall be the responsibility of the applicable department head.

42.40 Key Authorization

Department Heads, or their specific designees, shall be the only personnel authorized to request keys or lock changes within their respective departments. Departmental designees shall have their authority delegated in writing with the department head's original signature. Department heads are requested to carefully consider all requests for keys so that the protection and security of City facilities and property are maintained. In no case shall the issuance of keys be authorized by the same person to whom the keys are to be issued.

Building entrance keys may be issued to City employees only if the employee's job responsibility requires such assignment as approved by the General Services Director.

Master keys may be issued to employees having a continuing need for the key(s) only upon the appropriate justification and the approval of the General Services Director. Individuals accepting custody of a master key will sign a statement acknowledging their responsibility for their care, use, and return upon retirement, change of title, resignation or separation from the City.
Key Control Procedure
The following rules and procedures shall regulate City keys.

Obtaining a Key
Department Head, or designee, will fill out and sign a Key Request Form available from the General Services Department or on the TEN.

The General Services Department will verify the requestor’s authority over the area.

All keys shall be picked up and signed for by the individual named on the Key Request Form at the General Services Department offices. A City of Torrance identification card must be presented when receiving the key.

No person shall be issued multiple keys for the same area.

Recipients of City keys will be responsible for their safekeeping and should not leave them unattended at any time. Keys shall not be loaned to others.

Return of Keys
All keys, including access cards for electronic locks and elevators, shall be surrendered to the General Services Department upon termination of employment, transfer to another department, or upon the request of the Department Head or City Manager. A charge will be made to the respective department for keys not returned within 14 days.

Keys shall not be exchanged between individuals.

Failure to return keys will be referred to the employee’s department head for disciplinary action as appropriate.

Duplication of Keys
The duplication of keys by anyone other than the General Services locksmith is prohibited unless authorized by the General Services Director. Unauthorized duplication of keys is covered by the California Penal Code as noted below.
California Penal Code, Section 469. Any person who knowingly makes, duplicates, causes to be duplicated, or uses, or attempts to make, duplicate, cause to be duplicated, or use, or has in his possession any key to a building or other area owned, operated, or controlled by the State of California, any state agency, board, or commission, a county, city, or any public school or community college district without authorization from the person in charge of such building or area or his designated representative and with knowledge of the lack of such authorization is guilty of a misdemeanor.

142.40 Lost Keys

The loss or suspected loss of any keys is to be reported to the employee’s Department Head and the General Services Director immediately. The cost of a replacement key shall be $10.00 per key. The cost for each lock that is re-keyed in order to restore security shall be $25.00 if performed by the City locksmith or the actual contract cost when performed using a contract locksmith. An individual key may unlock more than one door. Maximum fee charged for lost keys for departments is $10,000.00.

The General Services Department shall review each incident of lost keys and may authorize lock changes needed to restore security.

Charges for replacement keys, new locks and hardware may be appealed to the General Services Director who will consider the circumstances of each incident. Refunds for waivers granted will be issued after the review process has been completed.

142.50 Inventory

An annual inventory of active keys will be conducted. Once a year, each department will be provided a list of individuals and their assigned keys. Each department will be required to certify the accuracy of the list. Any discrepancy shall be explained for inventory adjustment. A random inventory will be conducted by the General Services Department to cross check the validity of the department inventory.
Historical Record

Original Publication
4/2006

Revision
11/2012
TORRANCE PUBLIC LIBRARY ACCEPTABLE USE POLICY

Reviewed by the Torrance Public Library Commission on 11/10/03; revised 4/9/07, revised 7/14/14

The Torrance Public Library provides outstanding services, exceptional resources, and accessible spaces to support an independent, literate, and informed public. Provision of electronic resources, and access to the Internet, with as few restrictions as possible, is a key element of fulfilling the Library’s Mission.

Introduction to Electronic Resources

The Torrance Public Library computer system integrates the Library catalog, proprietary electronic databases, selected Internet resources, and access to the open Internet into the framework for providing service to the public. This is crucial as rapid changes in technology, a proliferation of individual devices, and the movement of vital information resources online have fundamentally shifted the information landscape in the last 20 years.

Access may be provided via the City’s Local Area Network, using public computers at Torrance Library facilities. Access may also be provided via wireless Internet services at Torrance Library facilities, with users being responsible for their own personal electronic devices. Access may also be provided with mobile hot spots at selected places and events, and access to online resources via the Library’s mobile app, social media presences, or web pages.

Network access may be unavailable or unreliable due to heavy use or downtime. The information network offered to library users is not secure, and browsing history or personal information may be compromised. Staff will provide assistance to Internet users to the extent time and patron demands allow.

Information Access and Content

The Library does not monitor and has no control over the information accessed through the Internet and cannot be held responsible for its content. The Torrance Public Library upholds and affirms the right of each individual to have access to constitutionally protected materials, from a variety of perspectives, as described in the American Library Association’s "Library Bill of Rights" and "Access to Digital Information, Services, and Networks." The Internet and its available resources may contain material of a controversial nature.

The Library affirms the right and responsibility of parents to determine and monitor their children’s use of any library materials and resources. Parents and children are encouraged to discuss online rules and safety with their children.

Users need to be good information consumers, questioning the validity of the information accessed. Library staff cannot control the availability or content of web pages, which often change rapidly and unpredictably. Not all sources on the Internet provide accurate, complete, or current information. Therefore, the Torrance Public Library specifically disclaims any warranty as to the information’s accuracy, authoritativeness, timeliness, usefulness, or fitness for a particular purpose. The Torrance Public Library shall have no
liability for any direct, indirect, or consequential damages related to the use of information obtained from the Internet or any other electronic resource.

Torrance Public Library upholds the right of confidentiality and privacy for all library users. In order to protect the privacy of the user and the interests of other library patrons, the Library may manage access to the Internet by the use of privacy screens on Internet stations. Users are urged to respect the sensibilities of others when accessing information that may reasonably be offensive to someone else. However, absolute privacy for patrons using electronic resources in the Library cannot be guaranteed. There exists a possibility of inadvertent viewing by other patrons.

Materials obtained or copied on the Internet or the Library’s computer network may be subject to copyright laws. Materials protected by copyright may not be reproduced or distributed without the permission of the copyright owner, with certain limited “fair use” exceptions. Violation of the copyright law may subject network users to a legal action for damages and/or an injunction. Responsibility for compliance with copyright laws and all consequences of copyright infringement lie with the user. The Library disclaims any liability or responsibility related to copyrights resulting from patron use of Internet and/or electronic resources.

Guidelines for Use

During Library open hours, public access terminals are available to users to access the Internet and Library electronic resources. License agreements may limit the availability of certain Library electronic resources.

Time limits on public access terminals are imposed to allow equitable access for all users.

To access Internet computers, library patrons must have a valid Torrance Public Library card. Library patrons must log on using their own Torrance Public Library card number and their PIN number, or a valid guest pass issued by Library staff. Using a card other than their own will result in termination of the patron’s session.

The Torrance Public Library and the City of Torrance does not guarantee the confidentiality of any personal information used during an Internet search or transaction. This is the responsibility of the user. When providing personal information to access any personal information such as passwords, patrons are strongly advised to log out of personal resources such as email or social media, and to clear such personal information before leaving the library terminal.

Under no circumstances may patrons use their personal software on the library's workstations or network. Illegal activities or any other activities intended to interfere with or disrupt network users, services, or equipment are prohibited and may result in loss of Internet privileges. Failure to observe the Acceptable Use Policy or the Library Standards of Behavior may result in loss of library privileges.

When using the wireless Internet access and Library app, use and configuration of personal devices is the responsibility of the user. The City is not responsible for any viruses or damage to personal electronic devices.

All users agree to follow this Acceptable Use Policy, and the Library Standards of Behavior when on Library premises.

The Library reserves the right to change, modify, and add to this use policy as necessary.