

## AGENDA



### JOINT WORK SESSION MAYOR and COMMON COUNCIL and the LIBRARY ADVISORY COMMISSION

473 S. Main Street, Room 106  
Camp Verde, AZ

WEDNESDAY, MARCH 12, 2008  
6:30 P.M.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Discussion, consideration, and possible direction to staff concerning the questions and concerns put forth by the Library Advisory Commission regarding the formation of a non-profit organization that is being formed to design and construct a new public library facility. Questions and concerns include, but are not limited to, Town involvement, procurement, coordinating efforts, sequential steps, funding, and project management.**
5. **Adjournment**

Posted by: *O Jones*

Date/Time: 3-7-08 8:15 a.m.

*Note: Pursuant to A.R.S. §38-431.03.A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.*

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

**TOWN OF CAMP VERDE  
Council Agenda Action Form**

**Meeting Type: Regular**

**Meeting Date:** ~~2/20/2007~~ 3-12-2008

**Consent:**  **Executive Session/Confidential:**  Type(s) of Presentation: Verbal Only

**AGENDA TITLE:** (Be Exact): Presentation of, discussion, and possible action relative to The Library Advisory Commission's recommendations about the formation of an independent non-profit corporation to build a new library building

**PURPOSE AND BACKGROUND INFORMATION:** The Library Advisory Commission has been looking into the possibility of having an independent non-profit corporation design and build a new public library for the town. This investigation has yealded a series of questions and concerns that need to be addressed and discussed before the town commits to this method of building a ned library.

**STAFF RECOMMENDATION(S):** None

**Proposed Motion:** \_\_\_\_\_

**LIST ALL ATTACHMENTS:**

**Type of Document Needing Approval (Check all that apply):**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval      | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause            |
| <input type="checkbox"/> Final Plat               | <input type="checkbox"/> Grant Submission   | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input type="checkbox"/> Ordinance          | <input type="checkbox"/> Preliminary Plat            |
| <input type="checkbox"/> Public Hearing           | <input type="checkbox"/> Resolution         | <input type="checkbox"/> Special Consideration       |
| <input type="checkbox"/> Special/Temp Use Permit  | <input type="checkbox"/> Other:             | <input type="checkbox"/> Presentation/Report Only    |

**Finance Director Review**

Budgeted/Amount N/A \$NA

Comments: N/A

Fund:

Line Item/:

**Submitting Department: Library  
Mina, Chair Lib Advisory Commission**

**Contact Person: Gerard Laurito Lib. and Lisa**

**Town Manager/Designee:** \_\_\_\_\_

**Please Note:** You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

# Memo

**To:** Common Council Town of Camp Verde  
**From:** Camp Verde Library Advisory Commission  
**Date:** 2/13/2008  
**Re:** Concerns and recommendations about the building of the new library by a 501(c) (3)

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At their last meeting, the Library Commission was concerned about some questions of legality surrounding the building of the new library by a 501(c) (3). The questions are as follows and the commission feels the need for written and definitive responses to them.

1. How much involvement can the town have in the process of building the new library by an independent nonprofit corporation?
2. There are a few questions about Town associated people (staff, council persons, commissioners) participating in the running and functioning of an independent nonprofit corporation?
  - a) How many of these people can participate before independence is lost?
  - b) What role can these people play before independence is lost?
3. How do all parties avoid the appearance of trying to circumvent the state laws that would regulate or control this process if the town was building its own library?
4. At the Council work session of Jan. 10th, the citizens involved in the formation of the nonprofit corporation were asking for commitments of participation from members of council and the library commission and town staff. How does this affect this effect the nonprofit corporation?

In addition to the legal questions and concerns, the Library Commission has other concerns about this process. Those concerns are as follows. What happens if the non-profit can't complete the project? Will public funds be spent wisely? Will this "nonprofit" way get us the best savings or could municipal procurement be a more economical way to go. The Commission is also concerned that any fundraising efforts up to this point are not coordinated and could confuse or turn off potential donors. If the town is not in control of the project, how can it be assured that the final product will be a quality product and one that will function as a library to our satisfaction? Finally, the commission is concerned that the process is moving to fast and that important details and questions are not being dealt with and answered.

On a motion by Lisa Mina, seconded by Maureen Pastine, the Commission voted unanimously to recommend to Council, the following: (1) that every interested entity concerned with construction of the new Library follow a sequential set of tasks, to be determined in a Library Work Session and presented to Council; (2) that no funds from the Mary Lyons Fund be released to any entity until a final decision is made by the Town Council regarding the construction of the new Library and what other funds can be made available; (3) that the process not move forward until a full written legal opinion has been prepared on the legality of the involvement of a 501(c)(3) entity; (4) that the Town require reasonable

written assurance that whoever takes on the Library construction project is capable of completing it; and (5) that the Town follow the most cost-effective means of completing the Library project.

The Library Commission is dedicated to the building of a new library as soon as possible. They are ready to consider any and all ideas to make this happen. If the idea of a non-profit corporation is the way we want to go, questions need to be addressed and details need to be worked out before a commitment is made to insure success.