



**DISCUSSION ITEM**

**Agenda Item #11**

**PUBLIC CORRESPONDENCE**

Meeting Date: August 24, 2021

Subject: License Agreement - Friends of the Library:

The following is public correspondence received by the City Clerk's Office after the posting of the original agenda. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email [PublicComment@losaltosca.gov](mailto:PublicComment@losaltosca.gov)

**From:** [REDACTED]  
**To:** [Public Comment](#)  
**Subject:** [External Sender]PUBLIC COMMENT AGENDA ITEM 11 - 24 August 2021  
**Date:** Thursday, August 19, 2021 5:52:44 PM

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## **Please execute the proposed license agreement**

My name is Pierre Bedard. I have been a Los Altos resident and Los Altos Library user since 1999. While I am a member of the Friends of the Library and I currently chair the Los Altos Library Commission, **these are my personal views and opinion as a Los Altos resident.**

I urge the Council to vote yes on this Item - execute the proposed license agreement.

The societal impact of our library ecosystem is understated. A library is not just a repository for books. Libraries serve all segments of society. The Friends of the Library are a key part of this ecosystem. They deserve the city's support as the city deserves their support.

Our two libraries, Woodland and Los Altos, serve almost 10,000 users per month. The Friends, like many of us, found a way to adapt and survive Covid. They continue (and will continue) to fund key activities, adding value to Los Altos and its libraries.

Beyond raising money, they fill other community needs. The Friends of the Library bring young and old together, working for a common purpose. The book donation program is extremely green, turning books that might be destined to the landfill into someone else's treasure. Again, all for society and the community at large.

This agreement, like all good agreements, cuts both ways. While you are being asked to grant a license to an organization allowing them space on the government center, the Friends commit to go through all the relevant city processes (Planning Commission) and pay for all agreed to improvements, like PG&E, which will need to be made. This is a very strong, rational quid pro quo which I believe serves the public good.

As a Los Altos resident, I strongly urge the Council to vote yes on this Item. I believe it is reasoned, measured, and demonstrates the city's commitment to the Friends of the Library, as well as the Friends' commitment to the City and community.

Thank you.

**From:** [REDACTED]  
**To:** [City Council](#); [Public Comment](#)  
**Subject:** Friends of the Library  
**Date:** Saturday, August 21, 2021 4:48:46 PM

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August 21, 2021

Dear City Council,

First, in order to not be accused of being anti-library and anti-Friends of the Library (FoL), let me note that I am 100% in support of both institutions. I so appreciate the fact that we have so many new releases (thanks to FoL) and that we have programs supported by FoL. I also know that libraries are a key factor in leveling the playing field in our country. Therefore they are at the top of my list of tax payer money well spent.

Here are my main points regarding the FoL request for a 10 year lease:

- It is crucial to approach this topic, and others like it, as a business decision. What would Council do if Council were running an actual business and had to consider the bottom line? Think in the manner is a fiscally responsible way to think. This is an asset that taxpayers pay for and have certain values when considering its use. In fact, the latest Godbe study put open space at the top of the values list.
- The tree the portable is parked by is going to die if the portable stays there. The heat that is generated from the building itself creates heat that will eventually burn the tree's understory. Trees are the main saviors we have left in this global warming disaster that is upon us. We cannot afford to lose one due to a portable filled with books (that came from the tree's ancestors).
- The portable and sheds are an eyesore on the Civic Center Campus. This is even more so now that the new Community Center is opening. It might help if the sheds by the police station were lined up and the portable were to be moved there. In fact, putting the portable there would eliminate the need to use air conditioning in the summer. Another win for the planet! Although, it is likely the portable would eventually kill the nearby trees there as well. However, because the heat form the portable would not be as great, perhaps not. Note: It is crucial to ask a reputable arborist about the impact on the trees.
- It might be helpful if the sheds and portable had attractive signs and screening that identified the sheds and portable as FoL buildings. At least visitors would understand why the sheds and the portable sit on our Civic Center land.
- It seems important to consider the cost of land versus the benefits of donation to the library. In other words, how much is it costing the city to have the portables on the land, versus how much benefit is received? Is the library able to provide the programs

and books without the FoL? Probably not. However, might the city make up for the lost donations? Or maybe FoL could raise donations without the book sales, or take even more of the book sales online?

- Is allowing FoL use of the land fair to other groups that may want to also use city land? We need a policy that is fair and allows for a system to determine who uses the land.
- Any group using our land (once vetted through a fair and transparent leasing process), is going to need to fit within the space they have. They cannot, and ought not, ask for more and more space. That is simply not a sustainable approach. As an example, no business is able to expand simply because they want to. They must fit, and stay within their space, or they must move. If the space available to FoL is too small, or does not meet their needs, then they will likely need to move to a location that is better for them.
- Do residents want to have the space used this way, or do they, as the latest Godbe report states, prefer more open space?

My requests: Instead of a 10 year lease provide a yearlong lease and during that time, tell FoL that they must find a permanent solution. This solution must be found using their time, not our staff time. They need to bring the solution back to Council within 6 months and be prepared to make their move (whatever it may be) by the start of the end of year contract. They might start by revisiting the numerous options provided when this last came to Council. At the very least, reduce the lease in order to ensure the City is not held hostage to a lease that limits the freedom needed to control the Civic Center as deemed important to the residents of our lovely City. The lease also needs to clearly state that the space they get (if they do indeed end up on public land) is the space they get for the entirety of the lease period. Last, the latest Staff report notes that the last FoL lease was to end when the Civic Center opened. I am wondering what happened to change that situation. It seems that the last Council decision made it clear that FoL had reached the end of its time on public land. City Council members are the stewards of our land and resources, I ask that you consider the fair and balanced way to move forward.

Thank you for considering my comments and requests.  
Teresa Morris

**From:** [REDACTED]  
**To:** [Public Comment](#)  
**Subject:** Los Altos city council meeting Agenda #11  
**Date:** Saturday, August 21, 2021 5:10:20 PM

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Our libraries in Santa Clara county are a jewel for all of our residents whether they are fee simple land owners, renters or merely staying for the moment. Education is so important for everyone, and the libraries provide almost free resources for so many!

We are fortunate to have a library centrally located in our town with a great collaboration between the county and our City.

The Friends of the Library help provide many programs to our libraries, and without their donations, some programs might disappear.

The issue is Los Altos does not have any official policy for donating, renting, leasing, selling or otherwise allowing any non-city entities of profit or non-profit entities use of our public lands. Any lengthy lease should not be extended to any entity, prior to the Council and staff formulating an official policy.

Because the FOL does help the people who frequent the library, The council should allow the FOL a bit longer to find alternative spot to continue to do their work, as they promised to relocate, once the Community Center was complete.

thank you

Fred Tuerk Family

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**From:** [REDACTED]  
**To:** [Public Comment](#)  
**Subject:** PUBLIC COMMENT AGENDA ITEM 11- MEETING DATE. August 24, 2021  
**Date:** Saturday, August 21, 2021 5:27:08 PM

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Dear Council Members:

I admire and support Friends of the Library for all the good work they do, but there are too many downsides to extend their stay at our civic center.

**Fundamental Issue:**

We don't have a policy for donating, renting, leasing, selling or otherwise allowing non-city entities use of our public lands. We encountered challenges in the past when Children's Corner wanted land near the new community center. We will face this issue in the future if the theatre group asks for a parking plaza or civic center land.

At the July 9, 2019 council discussion of Friends' space, Dr. Elizabeth Ward, Director of the History Museum, noted the meeting did not follow any normal procedure. The Museum was interested in a community garden or an antique vehicle garage, so she questioned whether the city had a procedure for requesting space at the civic center. We still do not.

**Background:**

At that July 9<sup>th</sup> meeting, Council approved a lease agreement for a short-term, temporary solution, allowing two sheds plus a trailer on approximately 1,120 sf of city land. Friends agreed and signed the lease, which states they would leave when the new community center is complete.

Now they're unwilling to abide by those terms.

They want to keep the existing disorganized "solution" and make it worse by increasing the size of the trailer.

**New lease is not the answer:**

The staff report claims there are no disadvantages, which ignores major negative impacts:

- The trailer and sheds are unsightly, particularly juxtaposed with our new Community Center. (The January 28, 2020 staff report noted "Aesthetic impact to the Government Center.")
- The civic center is meant for public access and public benefit. Book storage/sorting does not meet those criteria.
- Increasing the size of the trailer would likely kill the heritage oak next to it.
- A new Emergency Operations Center is being planned. At some future date we hope to have a new public safety building and possibly a new library. We must also consider that Los Altos has less parkland and open space than neighboring cities. Storage sheds are a waste of scarce and costly public land.

### **There are alternatives:**

In 2019, several options were proposed for permanent space at other city sites, at a church, and at a downtown location. All were rejected by Friends because they would have to transport books to and from offsite sorting/storage to the library and sales locations. (Currently, they move books around the civic center on wheeled carts.)

Margaret Brooks, 2020 president of the Friends executive board, said that if moved off-site – or charged rent or operational fees – Friends would have to change its business model to eliminate quarterly book sales, which contribute about 40% of annual revenue. “I believe we could make it work off-site, but it would not be nearly as enjoyable.”

So Friends could make it work – if they were willing.

### **Possible options:**

- Move to one of the locations explored in the past or to another new location for storing and sorting.

The Friends’ annual report says, “Total assets at year end (30 June) were \$948,000. ... We expect to continue to incur increased operating costs as we adapt to changing circumstances.”

In addition, the Los Altos Library Endowment had a net worth of \$4,412,747 as of March 31, 2021. Ample resources are available to enable the Friends to adapt. They could afford a truck, many of which have a platform at the rear that can be lowered to ground level to allow carts to be easily moved in and out of the truck.

- Find space within the main library

The Orchard Room will not be needed for non-library meetings now that we have a new community center. It’s a large space. Cupboards/shelving could be built along the inner walls for storage, possibly with seating on top. The library could still hold meetings there and the Friends could sort books when meetings are not in session. This would be convenient for placing for-sale books in the library and for quarterly sales.

Will the coffee cart still be in service when the café opens in the community center? Seems like it would be competition for the café owner. If it closes, that space could provide a lot of space for book storage.

- Make more books available through Amazon and in both libraries.

### **Recommendations:**

Extend the Friends’ current lease for six months. This would give them ample time to adapt their business model and find other space for storage and sorting.

Develop a land use policy to define how we evaluate applications for city property and determine (1) priorities, (2) entities that are appropriate to grant space, (3) financial compensation to the city, (4) legal requirements.

As always, thanks for listening.

Pat Marriott



LETTER TO COUNCIL RE FRIENDS OF THE LIBRARY ITEM#11 Council meeting Aug 24,2021

Dear Council

The Friends of the Library have contributed a lot to the library over many years as well as many other good nonprofit organizations. Their current Ground Lease dated October 15<sup>th</sup> 2019 says the lease for the portables and storage units is supposed to terminate upon the opening of the new Community Center anticipated to be December 31<sup>st</sup> 2020.

The City does not have a land use policy for nonprofit or for-profit organizations to use, lease or rent City Owned land. The cost of land in Los Altos is very expensive and a valuable asset to the city and its residents. It appears that the use of this land at the Civic Center for book storage is outrageously expensive for such a purpose.

Over the past few years, many have asked to use the Civic Center property. The Los Altos School District (LASD) asked to build a school on Civic Center property. The Children's Corner and MVLA also wanted space but were asked to find other locations. The Friends of the Library were notified well in advance that they needed to find an alternative location because the old Community Center was being demolished. The History Museum asked for more space. With out a policy there can be no fair process.

Due to Covid, I believe that the Friends of the Library should be allowed to stay at their current location for six months until they can find new location. The city should not be giving away our public land for free or on a \$1 dollar a year lease. I understand that the city will still own the land but has no policy for the use of the land. A six-month extension will allow time for the City Council to come up with a land use policy that is fair to all and utilizes land that the policy identifies as a top priority for the residents.

A recent Godbe survey paid for by the city through the Park and Rec Department, said the respondents valued open space above all other uses. The city needs to take into account the land value.

The space where the portable is currently located is next to a big Oak tree that will die if the size of the portable is enlarged. This is according to Manny Hernandez at a City Council meeting held on Jan.28, 2020. This land has always been used as open space next to the Soccer field where picnic tables and benches allowed a restful shaded spot for residents.

The portables and sheds are unsightly and ugly, detracting from the beauty of our town. People notice. Voters in Los Altos passed a bond so that a tenth school could be built, to get our students out of portables.

The idea of the Friends staying for 10 more years is based on a new Library being built. There are no plans for that, no bond measure, and no idea if it will ever happen. Then there is no guarantee or promise that if a new Library is built that the library will provide the over 2100 square feet currently being used by Friends for their operation.

The staff report proposes that the Friends use the Bus Barn Theater if they move. However, under that scenario, the city would need to give the Los Altos Stage Company (Bus Barn Theater) more free land downtown, where the land may be better used for existing parking or affordable housing.

Please ask the Friends of the Library to find a new location and take the next six months to develop a land use policy that clearly takes into consideration the cost of land, criteria for who gets preferential treatment, and is fiscally responsible to the tax payers in town.

Los Altos is lucky to have two beautiful libraries in town that we all love and appreciate.

Sincerely

Roberta Phillips



**From:** [REDACTED]  
**To:** [Public Comment](#)  
**Subject:** Friends of the Library Possible Lease  
**Date:** Sunday, August 22, 2021 8:58:14 PM

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Dear Council Members:

I am in complete agreement with the comments you recently received from long term residents Roberta Phillips and Pat Marriott regarding this issue. Please remember that about 3 years ago, Measure C was defeated by a margin of about 47% for and 53 % against. Measure C would have required a vote of the residents for the sale or lease of certain types of land owned by the city. This vote showed that a significant number of residents wanted to protect our public lands, and I believe this is still true today.

Friends of the Library do good work, but their recent annual report shows a cash balance of about \$948,000. I think that their request for a lease on land at the community center for \$1.00 per year is an insult and should be rejected. Although I would prefer this land they are requesting be preserved for the general use of our residents, if a lease is to be granted to them, it should at least be at market rates. I understand that the current rate for business properties in the nearby area is \$4.25 per square foot, and based on the general principle of cost recovery the city operates under, this should be the minimum Friends of the Library should pay.

If a lease is granted to the Friends of the Library at any cost, it will establish a precedent that this and future Councils will have to deal with. Please remember that public land in Los Altos is very scarce and valued by the residents, and how will this precedent limit the flexibility of future Councils to deal with similar requests?? My recommendation is that the request for a lease by Friends of the Library be denied until the Council can establish terms and conditions for considering this and any such lease in the future.

Sincerely,  
Jim Jolly

August 23, 2001

Dear City Council and Staff:

I admire and support Friends of the Library for all the good work they do, but there are too many downsides to extend their stay at our civic center.

- (1) We lack a policy for donating, renting, leasing, selling or otherwise non-city entities that want to use our public buildings or open space. In 2006 when a donation of less than \$100 was offered the city council created a donor policy before considering whether to accept this gift or not. We should do the same before granting use of public land to Friends of the Library.
- (2) Although Measure C failed it received over 48% of the votes because it required resident approval before leasing or renting public property. This means that many residents want to protect our public property but now have no say whatsoever.
- (3) In the past we have terminated leases with both the Children's Corner and a private French school because other city councils believed that public lands and property should be devoted to resident use.
- (4) Grant Neighbors were able to convince the city council that Bocce Ball does not belong at Grant Park primarily because it would take away shared open space and is too large a venue to fit into this tiny park. How is this any different?
- (5) Previous city councils promised to protect all of our parks but you have yet to do so for Hillview property. Why?
- (6) In Saratoga Friends of the Library is paying rent for space in the Library.
- (7) In Palo Alto Friends of the Library are basically paying rent for space in their community center.
- (8) How is it fair to give Friends of the Library free space but not offer the same to other groups?
- (9) Friends of the Library have essentially taken away picnic tables and benches under an oak tree with a storage shed.

What this situation indicates is that many special interests or private organizations will continue to try to obtain use of our scarce public lands in the future.

In the absence of a policy that protects resident interests we should not move forward to extend the lease that the Friends of the Library agreed would terminate when the civic center is ready for use.

I am open to a temporary short term extension that allows their storage shed to stay in place for a brief few months in view of the excuse of Covid-19 but that should be it.

Thanks for listening,

Frank Martin

**From:** [REDACTED]  
**To:** [Public Comment; City Council](#)  
**Subject:** Item: 11 Friends of the Library--8/24/2021 Council Agenda  
**Date:** Monday, August 23, 2021 11:35:56 AM

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Hello Los Altos City Council,

I am writing to you regarding the Friends of the Library's request for space. I worked with the Friends early-on to identify suitable space in Los Altos when they had to move a few years ago. Three spaces (one in our business district, at Woodlands Library, and at a city-structure behind the Fire Station) were found that would have very much suited the Friends' requirements—but none were "on campus"—a point they were inflexible on—and it looks like, still are.

By providing free or discounted space to Friends, the City sets a precedence for all other Los Altos non-profits (and there are many). The unintended consequence is that other non-profits will certainly follow Friends' lead and request office or storage space subsidized by our City. I will certainly alert the Los Altos non-profits I work with to request space.

Does the City really want to become "landlords" to many of the non-profits in our town? And does Council want to continue to use their meetings for similar protracted discussions with other non-profits?

Sincerely,

Nancy Ellickson