



Escondido Public Library Board of Trustees  
**AGENDA**  
**Library Board of Trustees Special Meeting**  
**Thursday, June 12, 2014**  
**1:00 p.m.**  
**Library Board Room**

**1. CALL TO ORDER**

- 2. ORAL COMMUNICATIONS:** In addition to speaking during particular agenda items, the public may address the Library Board of Trustees on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the Library Board of Trustees. State law prohibits the Library Board from discussing or taking action on such items, but the matter may be referred to the Director of Library and Community Services/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) Speakers are limited to only one opportunity to address the Board under Oral Communications.

- 3. APPROVAL OF MINUTES:** May 8, 2014 Library Board of Trustees Meeting.

- 4. BOARD ADMINISTRATIVE BUSINESS/NEWS:** Discussion of Board Meeting Date and Time.

**5. PROJECT UPDATES**

**6. REPORTS FROM AUXILIARY SUPPORT GROUPS:**

The Friends of the Library Board of Directors has welcomed a new Board member and Shop Coordinator. The Friends recently held a half-price sale that was successful. The Friends of Literacy Services are supporting the Annual Learner Recognition Reception on June 12, 2014.

**7. SIGNIFICANT UPCOMING EVENTS**

Date & Time	Location	Event
June 12 10:30 AM	Library – Turrentine Room	<i>Library Board of Trustees Special Meeting: Support Group Workshop #2</i>
June 12 6:00 PM	Escondido Lexus	<i>Annual Literacy Learner Awards &amp; Recognition Reception</i>
June 14 10:30 AM- 1:30 PM	Library – Turrentine Room	<i>How to Create a Successful Micro Business</i>
June 18 All Day	Library – All Locations	<i>Closed in for Library Computer System Upgrade</i>
June 23 – August 2	Library – All Locations	<i>Baby, Children, Teen &amp; Adult Summer Reading Clubs Begin</i>
July 4 All Day	Library – All Locations	<i>Closed for Independence Day Holiday</i>



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**8. CURRENT BUSINESS**

- a. Review Library Support Group Workshops
- b. Library Coffee Cart RFP
- c. Library Statistics

**9. CITY STAFF COMMUNICATIONS**

- a. Director of Library & Community Services
- b. Deputy City Librarian

**10. CUSTOMER SERVICE COMMENTS:** To be distributed at the meeting.

**11. ADJOURN UNTIL** July 10, 2014

**12. UPCOMING MEETING SCHEDULE.** The Library Board of Trustees Meetings are scheduled the second Thursday of the month at 2:00 PM in the Library Board Room.

<i>Day</i>	<i>Date</i>	<i>Time</i>	<i>Location</i>
Thursday	July 10, 2014	2:00 p.m.	Library Board Room
Thursday	August 14, 2014	2:00 p.m.	Library Board Room
Thursday	September 11, 2014	2:00 p.m.	Library Board Room

**TO ADDRESS THE BOARD:** The public may address the Library Board of Trustees on any agenda item. Please complete a Speaker's form and give it to the Library Division Coordinator. Submission of Speaker forms prior to the discussion of an item is highly encouraged. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above. Note: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

Handouts for the Library Board of Trustees should be given to the Library Division Coordinator.

**To address the Board, please STATE YOUR NAME FOR THE RECORD.**



Escondido Public Library Board of Trustees  
**AGENDA**  
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**AGENDA, STAFF REPORTS, AND BACK-UP MATERIALS ARE AVAILABLE:**

- Online at <https://www.escondido.org/LBT-agendas.aspx>
- Additional online posting at [library.escondido.org/library-board-of-trustees.aspx](http://library.escondido.org/library-board-of-trustees.aspx)
- In the City Clerk's Office at City Hall.
- In Escondido Public Library (239 South Kalmia Street) during regular business hours.
- At the Library Board of Trustees Meeting. (Please see the Library Division Coordinator.)

**AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING:** Any supplemental writings or documents provided to the Library Board of Trustees regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 North Broadway during normal business hours, or in the Library Board Room while the meeting is in session.

**ESCONDIDO PUBLIC LIBRARY HOURS:**

Monday & Tuesday	10:00 AM – 8:00 PM
Wednesday, Thursday & Friday	10:00 AM – 6:00 PM
Saturday	10:00 AM – 5:00 PM

**Please Turn Off All Cell Phones While The Meeting Is In Session.**

**Escondido Public Library Board of Trustees**  
**MINUTES**  
**Thursday, May 8, 2014, 2:00 p.m.**  
**Library Board Room**

CALL TO ORDER: Trustee Knight called the meeting to order at 2:05 pm.

Members Present: Elmer Cameron, Gary Knight, Mirek Gorny, James Lund

Members Absent: Virginia Loh-Hagan

Staff Present: Loretta McKinney, Director of Library & Community Services, Cynthia Smith, Deputy City Librarian, Janet Rulien, Board Secretary

**WRITTEN/ORAL COMMUNICATIONS:** None.

**APPROVAL OF MINUTES FROM:** MSC Lund/Cameron to approve the minutes of April 10, 2014 with the following change:

Under Library Support Group Workshops, change "The Board developed its top ten priorities for the future of the expanded Library" to "The Board developed its top ten priorities for the *next Library Support Workshop*." Also, include after "Diane Halverson, City Clerk, administered the Oath for the new and returning Board members James Lund and Mirek Gorny." *Loretta McKinney then reviewed the contents of the Advisory Board Handbook with the Trustees. Vote 4/0.*

**BOARD ADMINISTRATIVE ANNOUNCEMENTS/NEWS:** None.

**PROJECT UPDATES:** All updates will be covered in the Current Business section of this Agenda.

**REPORTS FROM AUXILIARY SUPPORT GROUPS:** Trustee Cameron said The Friends of the Library are doing great. They have a new Book Shop coordinator and the transition is going smoothly.

**SIGNIFICANT UPCOMING EVENTS:**

- McKinney noted the Second Saturday concerts will be ending for the season in May. The concert series will start again in November 2014.
- The Escondido Street Faire is Sunday, May 18<sup>th</sup>. Library staff will be stationed at the bookmobile, located on Orange Street and Grand Avenue. A second group of Library staff and Foundation members will be stationed at a booth at Kalmia Street and Grand Avenue.
- The City Manager approved closing the Library for one day while we convert to the new integrated library system (ILS) system on June 18, 2014. The goal is to make sure the transition goes seamlessly on the conversion day. Staff will be at work in the Library training and conducting final testing the new system. The closure will be announced via a news release and there will be signage throughout the Library campus and facilities. Notification will also be made using social media, the Library website and eNewsletter. The Library will re-open on June 19, 2014 with normal hours.



## **CURRENT BUSINESS:**

Library Support Groups Workshop Update: Discussion ensued about rescheduling the second Workshop to the proposed date of Thursday, June 5, 2014, from 10:30 AM to 12:30 PM. The goal of this final workshop is to develop a unified Action Plan based on ideas and input from the various support groups. After reviewing schedules, the Board decided to hold the Workshop on Thursday, June 12, 2014. It was decided to hold both the Workshop and the Board Meeting on the same day. The regular Board of Trustees' meeting will be held at 1:00 p.m.

Library Coffee Cart Request for Proposal Status: Smith gave a brief background of this item for James Lund, the new Board member. This RFP has been vetted by both the City Attorney and the City's Real Property Manager. **MSC Cameron/Gorny to bring the approval of this proposal for the coffee cart to the June 2014 meeting, Vote 4/0.**

Integrated Library System (ILS) Software Conversion Project: Smith went over the background on this item. She complimented the Library's Project Management Team (PMT) for their commitment and dedication to the software implementation project, developing a training plan, and for keeping on schedule. She explained that the PMT is preparing to train all employees on the new system over the next few weeks. Smith said that patrons will notice a difference in the ease of searching, and they will enjoy new features, such as the ability to receive notifications by text, email and/or by phone. Trustee Cameron asked how the new system will impact the public and if it is user friendly and intuitive. Smith reassured the Board that staff researched the system and selected this system because it has been successful at other public libraries and has new technology. The ILS PMT paid special attention to selecting a system that is powerful, yet provides a positive UX (user experience). The new ILS is being customized to ensure patrons will be able to identify with features they are accustomed to seeing. The new ILS was funded as a Capital Improvement Project (CIP) and remaining funds will cover annual subscription fees that include maintenance, warranties and hosting for the next four years.

Library Statistics: McKinney noted that our circulation figures went down a small amount. She pointed out that our security gates have not been working well and we need to have better control over our circulation. She believes that having a better system will bring up our circulation figures with more accurate counts. The goal is to install a Radio Frequency Identification (RFID) system in the 2015/16 fiscal year. The merits of an RFID system were briefly discussed.

## **CITY STAFF COMMUNICATIONS:**

Director of Library and Community Services: City Council is reviewing the proposed general fund budget. On May 7, they began reviewing Capital Improvement Program Budget requests. Council will vote on the final City General Fund budget on June 11, 2014 and the Capital Improvement Program budget on June 18, 2014.

The Library submitted a capital budget request to cover the first phase of design development for the Library expansion project. The Library's request is for an additional \$257,000, which when added to the remaining Conceptual Design monies, would bring the total up to \$300,000. Trustee Cameron briefly went over his meeting with the Mayor on the Library Expansion Project and said it went very well. The Mayor wants the public and the Council to see the plan of action for a new library and funding sources. The discussion turned to possible funding options. Senate Bill 1455, a public library bond for building construction and renovation, is winding its way through the California legislature. The proposed bill has passed the Senate Governance and Finance Committee and now goes to the Senate Appropriations Committee, where it is

expected to have a much tougher review. This bill would be similar to other Library Bond Acts that provide competitive funds.

Deputy City Librarian: In addition to providing information on SB1455, Smith provided information on two other library-related bills currently going through the California legislature. State Senator Wolk is sponsoring a constitutional amendment, SCA-7, which would lower the threshold for approval for municipal bond measures related to library operations and facilities from a required 2/3 voter approval to passage with 55% voter approval. The third bill is to provide funding for high-speed Internet (CENIC) throughout California.

We are building up our e-Book collections and staff has been providing one-on-one training for patrons on how to download e-Books with all types of readers. The summer reading clubs and programs will be starting in June. All publicity will be out in a couple of weeks. Summer Reading will run until the beginning of August. Paul Crouthamel is Escondido Library's representative on the KPBS One Book One City community reading program. The selected book will be announced at the San Diego Council on Literacy fund raiser on May 14, 2014. Once the title is announced, program plans will be made.

Adjourned: 3:25 p.m.

Respectfully submitted,

Gary Knight, Board President and Acting Secretary  
/jr

**SPECIAL LIBRARY BOARD OF TRUSTEES MEETING**

**Agenda Item No. 8a**

**Library Support Groups Workshop Update**

**Recommendation:**

Review and discuss the second Special Library Support Group Workshop and next steps toward achieving initial workshop goals.

**Background:**

The second Library Support Group workshop was rescheduled as a Special Meeting of the Board on June 12, 2014 from 10:30 AM to 12:30 PM. Since the Board of Trustees meeting follows the workshop, and presents an opportunity to debrief the session and determine next steps, if any, to continue the process.

**Library Coffee Cart Request for Proposal (RFP)**

**Recommendation:**

Review and discuss the Library Coffee Cart RFP and determine next step.

**Background:**

The Library Coffee Cart RFP, which includes an *Occupancy License Agreement*, has been reviewed and approved by the City's Procurement Officer, City Attorney's Office and the City's Real Property Manager. The RFP and *Occupancy License Agreement* are attached for the Board of Trustees' review and ensuing discussion to determine next steps.





**ESCONDIDO PUBLIC LIBRARY**

**[library.escondido.org](http://library.escondido.org)**

**ESCONDIDO PUBLIC LIBRARY**

**REQUEST FOR PROPOSAL**

**COFFEE CART**

**AT**

**239 SOUTH KALMIA STREET, CA**

**JUNE, 2014**

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## **ESCONDIDO PUBLIC LIBRARY**

### **Coffee Cart Services**

### **Request for Proposal**

The City of Escondido (the City) is requesting proposals for a self-contained Coffee Cart Business (the Coffee Cart) to be operated outside the front entrance of the Escondido Public Library, located at 239 South Kalmia Street, Escondido, CA, 92025. The Coffee Cart may be secured on site during hours of non-operation. Prospective vendors are encouraged to visit the site prior to submitting the proposal.

#### **Introduction**

Escondido Public Library (the Library) encompasses some 47,000 square feet, primarily in a large, centralized, two-story structure, with two smaller, adjacent buildings—the Pioneer Room (a local history archive) and the Literacy Annex (providing extended literacy services for Library members). The Library operates with a monthly door count average that ranges from 34,000—50,000 and circulates approximately 675,000 items per year. In addition to a wide variety of both print and non-print materials, the Library provides public computer access for children, teens, and adults; free Wi-Fi; ongoing cultural, educational, and recreational programs for all ages; a Bookstore operated by the Friends of the Library; a concert/assembly-scale venue called the Turrentine Room; and an outdoor patio area that can accommodate approximately 20 patrons.

Current Library Policy regulates the consumption of food and beverages inside and outside the Library premises. Within the Library, only beverages in approved, covered containers are permitted. The exception to this policy is in the Turrentine Room and in non-public staff work areas where the consumption of food and beverages is allowed. Food and beverages are also allowed in the exterior patio area and around the Coffee Cart itself.

#### **Section A. Requested Services**

1. The services to be provided consist of the self-contained Coffee Cart, which will serve a varied menu of espresso drinks, coffee, tea, bottled water and sodas, plus snacks, baked goods, and/or pre-prepared, light lunch offerings. Onsite preparation of food will not be allowed.

The Coffee Cart will be located outside the Library's main building, just to the left of the entrance. The Library is open 10:00 a.m. to 8:00 p.m. Mondays and Tuesdays; 10:00 a.m. to 6:00 p.m. Wednesdays through Fridays; 10:00 a.m. to 5:00 p.m. Saturdays;

closed Sundays and on City-observed holidays. The Coffee Cart may open 30 minutes prior to the Library opening and may close 30 minutes before the Library closes. These times are operational limits and should not be implied to be recommended hours. The intended market is the Library's patrons and the City's residents. Though the Coffee Cart may not open on City-observed holidays, it may be open outside of Library hours for Library-approved special events. The Library is receptive to ideas about additional special events/catering opportunities that the selected Coffee Cart Vendor (the Vendor) may suggest.

2. The Coffee Cart must be mobile and may be stored in place. It may be stored inside an onsite, gated and locked storage area when closed. *Exhibit A*, attached to the *City of Escondido's Occupancy Licensing Agreement (Attachment A)*, illustrates the Coffee Cart footprint when closed is 84.70 square feet. This would be the onsite, secured storage space available to the Vendor. All equipment and materials for operating the Coffee Cart must be stored away from public access when it is closed. The Vendor should propose how this would be done. Additional Library storage space will not be provided. If further security is required, the Vendor is responsible for any additional security necessary for the type of coffee cart proposed.

Water is available to fill fresh water tanks from a potable water source inside the Library Staff Room. Wastewater disposal is also available in the Library Staff Room. The City has installed adequate electrical outlets at the proposed coffee cart site and the City is responsible for monthly water and electrical utilities.

3. The Vendor will be responsible for keeping the Coffee Cart neat, clean, and in good repair. The Vendor will also be responsible for regularly bussing the surrounding entrance and patio area and immediately cleaning up spills or messes within the Coffee Cart and in the surrounding entrance and patio area. The Vendor must provide a non-permeable mat to control spillage. The Vendor must also provide trash and recycling receptacles that he/she will be responsible for emptying into appropriate onsite Library bins.

4. The Vendor will maintain a personal and staff standard of grooming and behavior expected in a professional business environment at all times. Service should be professional, timely, attentive, courteous, and friendly. The Vendor and his/her employees should be: clean, neat, and well-groomed; free from offensive body odor; and not wear excessive amounts of jewelry, perfume, or cologne. Public restrooms are available for use by the Coffee Cart Employees. The Vendor and his/her employees should wear name tags identifying them as employees of the Coffee Cart.

5. At no time will the Vendor and/or his/her staff represent themselves as City or Library employees or representatives. The Vendor and/or his/her staff will not provide answers to City or Library operational or policy and procedure questions. The Vendor and/or his/her staff may refer such inquiries to Library staff or administration for a response.

### **Term of Contract**

The Library Board of Trustees (LBOT) and Library Administration will select and approve the Vendor and monitor Vendor performance. The selected Vendor agrees to operate the Coffee Cart for a minimum of one year commencing on the first date of the Coffee Cart operation at the Library per the signed Agreement. Upon selection, the Vendor will sign a binding *City of Escondido Occupancy License Agreement*. Thereafter, the LBOT and Library Administration must review and approve continued service annually. Upon annual approval, the City's Real Property Manager will offer the Vendor the option to renew the *City of Escondido Occupancy License Agreement*. Rents will be payable to the LBOT.

### **Termination**

The contract may be terminated by mutual consent of both parties, or by the Library at its discretion, with 30 days' written notice.

### **Disputes**

Should any doubt or difference of opinion arise between the Library, the LBOT, or the City and the Vendor as to the items to be furnished hereunder or the interpretation of the provisions of the Request for Proposal (RFP), the decision of the Library will be final and binding upon all parties.

### **Clarification of Proposals**

The Library reserves the right to obtain clarification of any point in the Vendor's proposal or to obtain additional information necessary to properly evaluate a particular proposal. Failure of a Vendor to respond to such a request for additional information or clarification within 5 business days could result in rejection of the Vendor's proposal.

## **Section B. Selection Process**

Vendor selection is anticipated to occur through the process outlined below and is based on the information, evaluation criteria, and requirements described in **Sections C—G** below.

The Library is seeking proposals, including qualifications, from vendors with the experience to operate and maintain a successful coffee cart business. The Library will favor proposals which maximize the Library's property asset and provide the best service for Library and City patrons.

The food and beverages offered need to be of high quality, with good variety and good value (i.e., unrefined, minimally processed foods such as fruits, vegetables, healthy proteins, healthy fats, and whole grain products). The services need to be customer-oriented and complementary to the Mission of the Library. In addition, the selected Vendor will be one whose proposal for operation of the Coffee Cart demonstrates a thoughtful and realistic projection of the associated revenue and expenses and addresses other areas of importance to the Library.

## **Section C. Submittal Information Requirements**

Submitted proposals should contain the following information in the order listed.

1. Title Page:  
The Vendor should identify the RFP subject, legal name or company name, name and title of the contact person, address, telephone number, fax number, email address, state of incorporation, or organization, website if any, and date of submission. Contact person should be an official authorized to bind the Vendor to any contract or licensing agreement.
2. Business Plan:
  - a. Resume or Company Background-- A business resume and summary of your qualifications and experience to show competence and success in providing coffee cart services.
  - b. Financial Plan—A business plan showing expected revenues and expenses. The Library will consider all financial information in its fiscal analysis. Lack of sufficient financial information to evaluate the proposal will render the application incomplete.
  - c. Operations Plan—Must include proposed days and hours of operation and number of employees.
  - d. Marketing Plan—Include Logo (if applicable), sample signage, and marketing materials.
3. A photograph, sketch or drawing of the type of cart to be provided, including all dimensions.

Coffee Cart Services  
Request for Proposal

4. A list of all equipment, fixtures, and supplies that will be used for the operation of the coffee cart, including those necessary for sales; and provision for safe, healthy storage of all food items.
5. The Menu—food and beverage selections and pricing.
6. Storage plans for coffee cart equipment, goods, and materials. All storage must be contained within the coffee cart storage area itself (84.70 square feet when closed) and/or maintained off-site. **No Library storage space is available.**
7. Plans to maintain a high standard of cleanliness/organization in the Coffee Cart area. This includes ensuring that trash receptacles do not become overfilled during open hours. It also includes not allowing boxes, cartons, barrels, or other similar items to remain in view in public areas.
8. The *City of Escondido Occupancy Licensing Agreement* is attached for your reference (*Attachment A*). Note any issues or concerns you may find in entering this Agreement with the City, and include these written notes in your proposal.
9. At least three business references. These references should be able to provide feedback based on their experience with your business acumen. References should include full name, current address, phone number, email, professional affiliation, and a brief statement about each reference's experience with your services/business. These references will be contacted by the Library as part of the evaluation process.
10. A signed letter of consent to cooperate in a financial or credit and criminal background check. An official authorized to bind the Vendor shall sign the letter of consent.
11. Declaration of potential conflicts of interest.
12. Answers to the following questions:
  - a. What standards do you have for ensuring a quality-run operation? Please indicate such things as quality and freshness standards for coffee, pastries, and other food products.
  - b. What ideas (promotions, advertising, publicity, and special events) do you have for this Library coffee cart that would draw attention to the service, inform users of the service, attract new customers or otherwise promote visibility without impeding entry/exit or impinging on Library space?
  - c. What is your management philosophy and how does it ensure that the Library coffee cart will be staffed with qualified employees? Please include descriptions of any customer service training programs, recruiting techniques, or employee handbooks you have used in developing this philosophy.

**Section D. Response to Request for Proposal Procedure/Schedule**

1. **Proposal Due Date/Time:** The Vendor must submit a signed original and two copies of the Response to Request for Proposal to the Library no later

than 5:00 PM on **WHEN?** Addressed to: Attention: Cynthia Smith,  
Administrative Offices, 239 South Kalmia Street, Escondido, CA, 92025.  
**Late proposals will not be accepted.**

2. Following timely receipt, proposals will be reviewed by the LBOT and Library Administration.
3. Desirable and qualified prospective vendors will be invited for an interview and oral presentation of their proposals.
4. Following review and analysis of the proposals, Library Administration and the LBOT will recommend the selection of a prospective vendor to the City and, upon approval, the Vendor will enter a licensing agreement with the City.

Proposals not selected will be kept on file for a period of one year. Alternates will be chosen from the list should the initial or subsequent licensing agreement(s) not meet City performance expectations or the Vendor's expectations.

#### **Section E. Required Insurance to Contract with the City of Escondido**

The City *requires* contracted service Vendors to maintain minimum insurance coverage. The City's insurance requirements are:

Vendors shall obtain, and during the term of an AGREEMENT, maintain policies of general liability, automobile liability, and property damage insurance from an insurance company authorized to be in business in the State of California. The amount of general liability insurance shall not be less than one million dollars (\$1,000,000) for each occurrence. The insurance policies shall provide that the policies remain in full force during the life of said AGREEMENT and shall not be canceled, terminated, or allowed to expire without thirty (30) days prior written notice to the CITY from the insurance company. The CITY shall be named as an additional insured on a separate endorsement on these policies.

Before the Vendor shall employ any person or persons in the performance of the AGREEMENT, the Vendor shall procure a policy of Worker's Compensation Insurance as required by the Labor Code of the State of California.

#### **Section F. Additional Administrative Requirements**

Your licensing agreement with the City of Escondido will be contingent upon receiving the following permits or permissions:

- 1) City of Escondido Business License.
- 2) Public Health Permit, through the County of San Diego. The phone number is (858) 505-6660 and the following website address has the County Health Dept.



contact information, and the Construction and Operational guide for mobile food facilities: <http://www.sdcounty.ca.gov/deh/food/foodplancheck.html>

**Section G. Request for Proposal (RFP) Submittal Deadline and Location:**

All RFP submittal materials must be received no later than 5:00 p.m. on **WHEN?** Proposals should be clearly marked on the outside "*Escondido Public Library Coffee Cart Services RFP.*" Incomplete or late submittals will not be considered. Deliver one (1) original and two (2) copies of your submittal to:

**Escondido Public Library**  
**Attention: Cynthia Smith**  
**239 South Kalmia Street**  
**Escondido, CA 92025**  
**RE: Escondido Public Library Coffee Cart Services RFP**

**Additional Information Contact:** Please address any questions regarding the Escondido Public Library Coffee Cart opportunity to: Escondido Public Library at the address above, phone (760) 839-4329, or email [csmith@escondido.org](mailto:csmith@escondido.org). Any questions must be received no later than **When?**

**Conditions for Proposal Acceptance**

This Request for Proposal does not commit the City to award a contract or to pay any costs incurred for proposal preparation. The City, at its sole discretion, reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified Vendor, or to cancel this Request for Proposal in part or in its entirety. All proposals will become the property of the City of Escondido and will not be returned. If any proprietary information is contained in the proposal, it should be clearly identified.

There will be no public bid opening.

**Conciseness**

The proposal shall be concise and to the point. Costly bindings, color plates, glossy brochures, etc., are not recommended.

**Oral Interviews**

After written proposals have been reviewed, interviews with selected Vendors may be scheduled.

## **Signatures**

An official authorized to bind the Vendor shall sign the proposal. The Vendor shall also provide the following information: (a) Name, (b) Title, (c) Address, (d) Telephone Number, and (e) the e-mail address of each individual with authority to negotiate and contractually bind the company and who may be contacted during the proposal evaluation period.

## **Attachments**

Escondido City Licensing Agreement.

## ATTACHMENT A

### CITY OF ESCONDIDO Occupancy License for Coffee Cart at Escondido Public Library, 239 South Kalmia, Escondido, CA 92025

This License Agreement ("License") is made and entered into this day of, 2013, by and between the CITY OF ESCONDIDO ("City") and Coffee Cart Vendor ("Licensee"), for the purpose of awarding an Occupancy License for the operation of a coffee cart at the Escondido Public Library, 239 S. Kalmia St., Escondido, CA 92025.

*Part One of this Agreement is a License for the operation of a coffee cart at the Escondido Public Library ("Occupancy License").*

*Part Two of this Agreement sets forth general terms applying to the Occupancy License.*

#### ***I. OCCUPANCY LICENSE***

*This Occupancy License is awarded subject to the following terms, conditions and limitations:*

1. Location. The area to be governed by this **Occupancy License** is a portion of the Library that includes 107.52 square feet of space located in front of the main Library entrance, located at 239 South Kalmia Street, Escondido, CA 92025 (see attached Exhibit "A") for details.

2. Use of License Premises.

(a) The Licensee shall use the License Premises for the purpose of storing and operating a mobile, coffee vending cart, and the area immediately outside the License Premises for the sale of coffee and related beverages and coffee cart related pre-packaged snacks, except for hot food items and gum, which shall be expressly prohibited. Said use shall be in accordance with all requirements and provisions of the San Diego County Health Department and any applicable permitting requirements required by the City of Escondido Planning Department. The License

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Request for Proposal

Premises is designed to be utilized for purposes compatible with, and supportive of, the Mission of a public library and public library services. The License Premises shall not be used by Licensee for any other purpose.

(b) The Licensee may use the water, sink, and electrical outlets inside the Library Staff Lounge during hours of operation.

(c) The Licensee shall store inventory and equipment within the confines of the License Premises or at an offsite location at the Licensee's sole expense. Escondido Public Library does not provide storage space for equipment or inventory inside the Library.

(d) The Licensee's hours of operation shall be no more than thirty (30) minutes outside the hours of operation of the Escondido Public Library, except as designated for authorized special events.

(e) The Licensee shall provide a non-permeable mat to control spillage at the coffee cart.

(f) The Licensee shall provide a trash receptacle, to be emptied by Licensee in the on-site, City-provided bin.

(g) The Licensee shall provide a recycling receptacle, to be emptied by Licensee in the on-site, City-provided recycling bin.

(h) The Licensee shall comply with Coffee Cart Appearance Standards for display of products and signage established by the Escondido Public Library, as set forth in "Exhibit B."

3. License Premises Improvements. No alterations shall be made to the License Premises.

4. Term of License. This Occupancy License is awarded for a period of twelve (12) months effective on the commencement date of this License. The License may be renewed upon City's written permission for one (1) additional twelve-month term, by Licensee giving a written request of such renewal to the City at least ninety (90) calendar days prior to the end of the License's ending date.

5. Rent. The Licensee shall pay the City an annual rent of \$3,600.00, payable monthly at the rate of **\$300.00**. Rental Payments are due on the first (1<sup>st</sup>) day of each month, payable to Escondido Public Library. Rent payments received after the 5<sup>th</sup> day of any month will be charged an additional 20% late payment fee.

6. Utilities. The City/Library will be responsible for water and electric utility fees, including connection and disconnection fees.

7. Maintenance of the License Premises. Licensee hereby agrees that it accepts the License Premises as is/where is. Licensee shall maintain the License Premises and shall keep it in clean, safe, orderly, and sanitary condition at all times throughout the License Term.

8. Access. The City shall have a right to access the License Premises at any time, and may do so from time to time without providing notification to Licensee and without causing disruption to Licensee's rights under this License Agreement.

9. Surrender of Premises. Upon termination of this Occupancy License, Licensee shall vacate and deliver the License Premises to the City in the same condition it was found, except for ordinary wear and tear. Licensee shall contact the City to arrange for a walk through of the property and return of all keys and access cards on or before License termination.

10. Termination and Revocation of Occupancy License.

(a) This Occupancy License may be terminated by either party by providing written notice to the other party at least ten (10) days in advance of the desired termination date.

(b) This Occupancy License may be revoked by the City at any time after a written notice to Licensee that City has determined that Licensee has done any of the following, and if Licensee has not cured the noticed breach within five (5) business days after the notice:

- Failed to confine use of the License Premises as stated in Section 2 above.

- Failed to work cooperatively with City staff.
- Taking actions to the detriment of the Licensee or the City.

(c) Upon termination or revocation of this Occupancy License, Licensee agrees to vacate the License Premises within five (5) working days, and to surrender this Occupancy License.

## ***II. GENERAL LICENSE TERMS***

1. Indemnification. Licensee (which in this paragraph includes its employees, agents, or subcontractors) shall indemnify, defend and hold harmless the City of Escondido, its officers, agents and employees from any and all loss, damage, liability, cost or expenses, including attorneys' fees, for any of the following: 1) Any personal injuries, property damage or death that Licensee may sustain while using CITY-controlled property or equipment, while participating in any activity sponsored by the CITY, or from any dangerous condition of property; or 2) Any injury or death which Licensee suffers or which is increased by any action taken to medically treat Licensee; or 3) Any claim of liability arising out of Licensee's negligence or acts or omissions.

2. Insurance. Licensee shall have insurance in the following amounts at all times during this License term:

a. General liability insurance with at least \$1 Million combined single-limit coverage per occurrence for bodily injury and property damage; and

b. Automobile liability insurance of \$1 Million combined single-limit per accident for bodily injury and property damage; and

c. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.

d. Each insurance policy required above must be acceptable to the City Attorney:

Coffee Cart Services  
Request for Proposal

- i. Each policy must name the CITY specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation policy.
  - ii. Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A-rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.
  - iii. All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.
- e. Certificates of Insurance for each policy must be received and deemed acceptable by the City prior to commencement of the License term.
3. Anti-Assignment Clause. Licensee shall not assign, delegate, transfer or sublicense any duty or right under this Occupancy License, or any portion of the Licensee's use of License Premises.
4. Licensee not a Lessee. No legal title or leasehold interest in the License Premises or appurtenances thereto shall be deemed or construed to have been created or vested in the Licensee by anything contained in this Occupancy License.
5. Provisions Cumulative. The foregoing provisions are cumulative and in addition to and not in limitation of any other rights or remedies available to the City.
6. Merger Clause. This Occupancy License and its Attachments are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter. In the event of any conflict between the provisions of this Occupancy License and its Attachments, the provisions of this Occupancy License shall prevail.



Coffee Cart Services  
Request for Proposal

7. Anti-Waiver Clause. None of the provisions contained herein shall be waived because of previous failure to insist upon strict performance, nor shall any provision be waived because any other provision has been waived, in whole or in part.

8. Severability. The invalidity in whole or in part of any provision of this agreement shall not void or affect the validity of any other provisions of this Occupancy License.

9. Notices to Parties. Any statements, communications or notices to be provided pursuant to this Occupancy License shall be sent to the attention of the persons indicated below, until such time as notice of any changes of person to be notified or change of address is forwarded to all parties:

Licensee:

City:

City of Escondido

201 N. Broadway

Escondido, CA 92025

Attn: Debra Lundy

Real Property Mgr.

(760) 839-4034

10. Choice of Law. This Occupancy License shall be governed by the laws of the State of California. Venue for any action arising from this Occupancy License, including but not limited to matters concerning validity, construction, performance or enforcement shall be exclusively in the state or federal courts located in San Diego County, California.

IN WITNESS WHEREOF, this Occupancy License has been executed on behalf of the City by its Officer thereunto authorized and by Licensee, the date and year first above written.

(SIGNATURES APPEAR ON FOLLOWING PAGE)

Coffee Cart Services  
Request for Proposal

CITY OF ESCONDIDO, a Municipal Corporation LICENSEE

\_\_\_\_\_ By: \_\_\_\_\_

Debra Lundy, Real Property Manager Its: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Loretta McKinney  
Director of Library and Community Services

Date: \_\_\_\_\_

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

JEFFREY R. EPP, City Attorney

By: \_\_\_\_\_

Coffee Cart Services  
Request for Proposal

**EXHIBIT A**  
**"PREMISES"**

12'2"



Coffee Cart Foot Print when CLOSED  
84.79 sq ft

Coffee Cart Foot Print when OPENED  
107.52 sq ft



Electrical outlet

Entrance/Exit door

Entrance/Exit door

**EXHIBIT B**  
**COFFEE CART APPEARANCE STANDARDS**

1. Signage should be clear, professional, and minimal. It should not overwhelm the coffee cart area or spill over onto the adjoining Library or other adjacent structures and walls.
2. The ground area around the coffee cart should be kept clean and clear of any debris or spilled drinks.
3. The coffee cart counters, displays, interior surfaces, storage elements (fridges, cabinets, etc.) should be kept in a clean and orderly manner in keeping with a professional establishment.
4. The mobile coffee cart and any decorative or display elements should be kept within the designated Premises and not expand outward to impede ingress/egress to the Library.
5. Customer seating is limited to the City installed benches, tables, and chairs in the adjacent patio and portico area.

Library Statistics

**Recommendation:**

Receive the monthly Library Statistics Report for May 2014.

**Background:**

The attached report shows monthly and cumulative statistical information for key Library areas, services and functions.

## Library Board of Trustees

## Escondido Public Library Statistics

## Agenda Item 8c

Current Month/Year is:

May 2014

January February March April May YTD 2014 YTD 2013 Entire Year 2013

STAFF ASSISTED CIRCULATION:  
SELF-CHECK CIRCULATION:

	18,771	18,376	20,869	21,018	19,753	98,787	202,144	345,667
	32,923	29,134	34,576	34,259	31,460	162,352	73,365	328,336
<b>Total Checkout</b>	<b>51,694</b>	<b>47,510</b>	<b>55,445</b>	<b>55,277</b>	<b>51,213</b>	<b>261,139</b>	<b>275,509</b>	<b>674,023</b>

## NEW LIBRARY CARDS:

	650	601	650	1,268	1,298	4,467	3,417	8,313
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DOOR COUNT:  
VIRTUAL DOOR COUNT:

	40,021	37,822	42,402	41,114	38,137	199,496	207,926	506,752
	21,840	15,829	17,050	16,382	16,413	87,514	113,724	275,255
<b>Total Door Count:</b>	<b>61,861</b>	<b>53,651</b>	<b>59,452</b>	<b>57,496</b>	<b>54,550</b>	<b>287,010</b>	<b>321,650</b>	<b>782,007</b>

## REFERENCE INTERACTIONS:

Adult:	5,746	4,780	5,219	5,011	4,668	25,424	20,041	46,050
Media/Teen:	0	0	0	0	0	0	6,693	13,610
Children:	2,136	1,929	2,378	2,515	2,093	11,051	12,718	26,716
Customer Service:	210	194	221	222	217	1,064	0	1,288
<b>Total Reference Interactions:</b>	<b>8,092</b>	<b>6,903</b>	<b>7,818</b>	<b>7,748</b>	<b>6,978</b>	<b>37,539</b>	<b>39,452</b>	<b>87,664</b>

## INTER-LIBRARY LOANS:

Borrowed:	12	11	18	21	18	80	104	228
Loaned:	5	6	6	2	0	19	29	55

## COMPUTER USE:

Adult:	5,522	5,045	5,251	4,970	4,665	25,453	25,824	62,713
Teen:	364	366	346	368	443	1,887	2,371	5,452
Computer Center/Lab	14	6	20	13	0	53	93	203
Pioneer Room:	8	11	3	6	18	46	75	131
Escondido Technology Center:	709	705	692	740	704	3,550	1,497	6,159
Chromebooks:	166	199	251	162	188	966	932	2,222
Teen Laptops:	0	8	3	0	17	28	250	381
<b>Total Computer Use:</b>	<b>6,783</b>	<b>6,340</b>	<b>6,566</b>	<b>6,259</b>	<b>6,035</b>	<b>31,983</b>	<b>31,042</b>	<b>77,261</b>

## LIBRARY TOURS:

Adult:	0	0	0	0	0	0	0	0
Teen:	0	0	0	0	0	0	0	0
Children's	0	0	0	0	0	0	15	16
Literacy	0	0	0	0	0	0	375	415
Attendance:	2	2	2	0	7	13	36	48
# of tours:	52	63	63	0	189	367	1,415	1,879
Attendance:						0		
Total Tours:	2	2	2	0	7	13	51	64
Total Attendance:	52	63	63	0	189	367	1,790	2,294

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## Library Board of Trustees

## Escondido Public Library Statistics

## Agenda Item 8c

Current Month/Year is:

May 2014

January February March April May YTD 2014 YTD 2013 Entire Year 2013

## PROGRAMS:

Adult	# of programs:	2	2	3	1	1	9	7	19
	Attendance:	270	90	330	95	91	876	472	875
Teen	# of programs:	1	2	2	2	2	9	29	53
	Attendance:	7	9	11	9	6	42	257	685
Children's	# of programs:	17	15	21	20	17	90	79	182
	Attendance:	560	457	695	860	608	3,180	3,034	8,453
Computer Center/Lab	# of programs:	3	3	5	4	3	18	18	45
Literacy	Attendance:	14	6	20	13	10	63	93	203
	# of classes/programs:	59	50	102	73	73	357	457	747
	Attendance:	871	405	1,241	1,212	1,007	4,736	5,687	8,426
	Total Classes/Programs:	82	72	133	100	96	483	590	1,046
	Total Attendance:	1,722	967	2,297	2,189	1,722	8,897	9,543	18,642

## OUT OF BUILDING VISITS:

Adult	# of visits:	3	3	0	3	3	12	16	37
	Attendance:	78	51	0	56	52	237	282	612
Teen	# of visits:	0	0	0	1	0	1	0	1
	Attendance:	0	0	0	25	0	25	0	60
Children's	# of visits:	4	5	1	2	9	21	36	87
	Attendance:	60	180	25	30	800	1,095	540	1,496
	Total Visits:	7	8	1	6	12	34	52	125
	Total Attendance:	138	231	25	111	852	1,357	802	2,168

## COMMUNITY ROOM USE:

Board Room	# of uses:	24	25	30	32	36	147	131	222
	Attendance:	297	311	348	364	331	1,651	1,447	2,461
Turrentine Room	# of uses:	24	26	20	25	29	124	111	239
	Attendance:	358	762	514	870	1,255	3,759	4,657	9,580
	Total Uses:	48	51	50	57	65	271	242	461
	Total Attendance:	655	1,073	862	1,234	1,586	5,410	6,104	12,041

## VOLUNTEERS:

	Total # of volunteers:	223	227	263	231	236	1,180	1,200	2,839
	Total volunteer hours:	2,876	3,212	3,378	2,883	3,009	15,358	16,934	38,565

## LITERACY:

	Total # of Learner/Tutor Pairs:	32	38	36	36	32	174	168	394
	Total # of New Learners:	6	9	0	3	0	18	9	13
	Total # of Tutors:	54	60	60	59	54	287	0	37