



**Contra
Costa
County**

To: Board of Supervisors
From: Alison McKee, County Librarian
Date: September 13, 2022

Subject: APPROVE and AUTHORIZE the County Librarian, or designee, to execute contracts with Nicole Gemmer and the West Contra Costa Public Education Fund

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Librarian, or designee, to execute simultaneous contracts with Nicole Gemmer and the West Contra Costa Public Education Fund for the purpose of disbursing Measure X funding in the amount of \$50,000 to support establishment of a County Library Foundation, for the period September 13, 2022 through June 30, 2023.

FISCAL IMPACT:

No additional fiscal impact. The seed funding to support establishment of the Library Foundation of Contra Costa was previously allocated by the Board of Supervisors from Measure X local sales tax funds.

BACKGROUND:

The Library Foundation of Contra Costa (LFCC) is being formed to assist the Contra Costa County Library in its mission to provide library services to county residents that “spark imagination, fuel potential, and connect people with ideas and each other.”

On February 22, 2022, the Board of Supervisors allocated \$50,000 of Measure X funds as

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/13/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy

Contact: Alison McKee,
925-608-7701

cc:

‘seed money’ to help establish the LFCC. This one-time allocation will enable the foundation organizing committee to:

- Enlist professional legal and financial expertise to assist with creating the Foundation’s fiscal and organizational structure and registration as a CA 501(c)(3) nonprofit organization
- Create a website presence and fund online hosting costs associated with a website

The Foundation will be a non-profit 501(c)(3) organization registered with the IRS and the State of California. It will be operated and governed by an independent board of directors, and donations will be tax deductible to the full extent of the law. During its organizational phase, the Foundation will operate under fiscal sponsorship.

On April 25, 2022, Nicole Gemmer, chair of the foundation organizing committee, executed a contract and addendum with West Contra Costa Public Education Fund (Ed Fund West) to act as fiscal agent on behalf of the foundation organizing committee. Ed Fund West will serve as fiscal agent in exchange for 10% of all donated and earned revenue received, except for the \$50,000 Measure X funds granted to the group by

BACKGROUND: (CONT'D)

the Board of Supervisors. Under the terms of the contract, Ed Fund West will receive and disburse funds on behalf of the foundation organizing committee in support of the establishment of the Library Foundation of Contra Costa.

To enable members of the organizing committee of the LFCC to access the Measure X funds granted by the Board of Supervisors, the County will enter into a financial agreement with their fiscal sponsor, Ed Fund West. The funds will be held and disbursed pro bono by Ed Fund West to the organizing committee in accordance with directions received in writing from the County Librarian. The County will also enter into a simultaneous agreement with Nicole Gemmer, chair of the foundation organization committee. This agreement sets forth the authorized expenses to be incurred by the Committee and the process the Committee must follow to use the Measure X funds contributed by the County.

CONSEQUENCE OF NEGATIVE ACTION:

The county will not enter into simultaneous agreements with Ed Fund West and Nicole Gemmer and the foundation organizing committee will not have access to the Measure X funds allocated to them by the Board of Supervisors.