

## AGREEMENT

This Agreement made and entered into this 1st day of June, 1993, by and between the City of Great Falls, Montana, a municipal corporation of the State of Montana, hereinafter referred to as "City" and the Great Falls Library Board of Trustees, hereinafter referred to as "Library Board";

WHEREAS, an Agreement is deemed necessary to provide a basis for cooperation between the Library Board and the City for a more efficient management of library services; and,

WHEREAS, the powers and duties of the Library Board are established by statute under Title 22, Chapter 1, Part 3, MCA with implementation and policy decisions to be exercised by said board; and,

WHEREAS, pursuant to 22-1-309, (3) MCA, the Library Board is empowered to contract with City to provide library services;

NOW, THEREFORE, the parties mutually covenant and agree as follows:

1. All provisions of state statutes regarding the powers and duties of the Library Board are acknowledged by the parties hereto;
2. The Library Board shall have the exclusive power and authority to determine policy for the operation of the library; prepare budgets; authorize expenditures; determine the selection of materials; and negotiate contracts and agreements as set forth in 22-1-309, MCA;
3. The City shall have authority and responsibility for all personnel matters, including hiring, firing and disciplinary proceedings, for all library employees, including the Library Director, except that appointment of the Library Director must be made in consultation with and be confirmed by the Library Board;
4. The Library Director shall have the "de facto" administrative status of a City department head and the Library Director shall report directly to the City Manager;

5. The Library Director shall be responsible to the Library Board for the execution of the policies of the Library Board as authorized in #2 above;

6. The City Manager shall execute all contracts and agreements for the library;

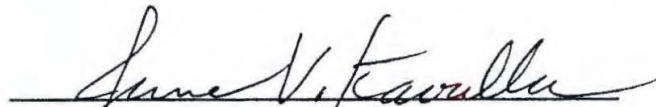
7. The City of Great Falls agrees to support the library budget in the amount of at least seven (7) mills. The funds so collected will be placed in a library fund and neither the principal nor the interest from such funds will be used for any purpose except to fund the library budget;

8. The term of this Agreement shall be for one year from and after July 1, 1993. The Agreement shall automatically renewed each year unless and until 90 days written notice of termination is given by either party prior to the anniversary date of the Agreement;


9. This Agreement shall be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties have caused this instrument to be executed by the persons duly authorized thereto the day and year first hereinabove written.

  
CITY MANAGER

  
Chairman of Library Board

  
CITY CLERK

  
Approved as to form: City Attorney

COPY

CITY OF GREAT FALLS, MONTANA

AGENDA # 9

AGENDA REPORT

OFFICIAL COPY  
DO NOT REMOVE

DATE June 1, 1993

ITEM Agreement - Library Board

INITIATED BY Jim Heckel, Library Director, John Lawton, City Manager

ACTION REQUESTED Approve Agreement between the City and the Library Board

PRESENTED BY John W. Lawton, City Manager

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**RECOMMENDATION:** It is recommended that the City Commission approve the agreement between the City of Great Falls and the Great Falls Library Board of Trustees.

**MOTION:** I move the City Commission approve the agreement between the City of Great Falls and the Great Falls Library Board of Trustees beginning July 1, 1993 and ending June 30, 1994.

**SYNOPSIS:** The proposed agreement documents the relationship that has evolved over the years between the City of Great Falls and the Library. It also clarifies lines of authority between the City, the Library Staff and the Library Board.

**BACKGROUND:** The powers and duties of the Library Board are established by statute under Title 22, Chapter 1, Part 3, MCA with implementation and policy decisions to be exercised by said Board. The above referenced statute also empowers the Library Board to contract with a city or town to provide library services.

Over the years, the City of Great Falls has assumed the responsibility for handling the central administrative functions for the Library. Those functions include: processing personnel matters, payroll and financial claims.

The proposed agreement clarifies the lines of authority and documents the relationship between the City of Great Falls and the Library. The agreement states that:

- The Library Board will have the exclusive power and authority to determine policy for the operation of the library; prepare budgets; authorize expenditures; determine the selection of materials; and negotiate contracts and agreements as set for in Montana code.

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- The City will have the authority and responsibility for all personnel matters, including hiring, firing and disciplinary proceedings, for all library employees, including the Library Director, except that the appointment of the Library Director must be made in consultation with and be confirmed by the Library Board.
- The Library Director shall be responsible to the Library Board for the execution of policies established by them.
- The City Manager shall execute all contracts and agreements for the Library.
- The City agrees to support the library budget in the amount of at least seven (7) mills.

It is important to note that this agreement primarily clarifies and documents the practices which have evolved over the years.