SW/vv
06/02/16
Item #15

AN ORDINANCE 2016-06-02-0397

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS UPON AWARD IN AN AMOUNT UP TO $80,000.00 FOR REIMBURSEMENT OF COSTS FOR INTERLIBRARY LOAN SERVICES FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE PERIOD OF SEPTEMBER 1, 2015 – AUGUST 31, 2016.

* * * * *

WHEREAS, the San Antonio Public Library (SAPL), in a partnership with the Texas State Library and Archives Commission, has provided resource sharing with multi-type libraries in the Interlibrary Loan Program since 1972; and

WHEREAS, by participating in the statewide Interlibrary Loan Program, the San Antonio Public Library will retain its accreditation status which allows the Library to apply for specific grants such as e-rate; and

WHEREAS, the Interlibrary Loan Program allows SAPL customers to borrow items tailored to specific interests from a network of library systems and other library customers in that network to borrow items from the SAPL; and

WHEREAS, in FY2015, San Antonio Public Library customers borrowed over 10,000 items from partner libraries across the county and SAPL loaned over 12,000 items to partner library customers; and

WHEREAS, it is anticipated that the Texas State Library and Archives Commission will reimburse at a rate of $5.79 per item loaned by SAPL; and

WHEREAS, this reimbursement will allow allowable program costs to be recovered; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee, or the Director of the San Antonio Public Library or his designee is hereby authorized to submit a grant application and accept funds upon award in an amount up to $80,000.00 for reimbursement of costs for Interlibrary Loan services from the Texas State Library and Archives Commission for the period of September 1, 2015 – August 31, 2016. A copy of said application is attached hereto and incorporated herein for all purposes as **Attachment I.**

SECTION 2. The City Manager or her designee, or the Director of the San Antonio Public Library or his designee is further authorized to execute any and all necessary documents to effectuate said application and acceptance.

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SECTION 3. Should funding be awarded, upon acceptance of this award, new funds and internal order numbers will be created, upon which the award amount not to exceed $80,000.00 will be appropriated in said funds. A final budget will include Internal Orders and GL Accounts will be submitted by the San Antonio Public Library upon award.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 2nd day of June, 2016.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

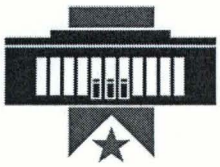
Hollis Young for

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**15 (in consent vote: 4, 5, 6, 7, 8, 15, 16, 18, 19, 20, 21, 22, 25, 27)**
Date:	06/02/2016
Time:	09:14:43 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the submission of a grant application and the acceptance of funds upon award in an amount up to $80,000.00 for reimbursement of costs for Interlibrary Loan services from the Texas State Library and Archives Commission for the period of September 1, 2015 to August 31, 2016. [María Villagómez, Assistant City Manager; Ramiro Salazar, Library Director]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

Attachment I



TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

INSTITUTE of Museum and Library SERVICES

SFY2016 ILL LENDING REIMBURSEMENT PROGRAM GRANT AGREEMENT

Program Description

The Texas State Library and Archives Commission (TSLAC) supports a statewide interlibrary loan program in order to assure Texans will have access to shared library resources to meet learning and informational needs.

The Interlibrary Loan Lending Reimbursement Program helps support Texas libraries with partial reimbursements for direct, out-of-pocket costs associated with participating in statewide resource sharing such as postage and shipping material costs.

The reimbursements pertain to lends made during TSLAC's SFY2016, September 1, 2015 - August 31, 2016. While dispersed after the end of SFY2016, the reimbursements do need to be applied to costs associated with resource sharing costs expended *during* SFY2016. **Please discuss this program with your legal entity's accounting office so they are aware this is federal money and, if approved, to expect the payment after the end of the state fiscal year (August 31, 2016).**

Additional information is available online at https://www.tsl.texas.gov/ld/ill2016.

Award Information

The reimbursements are sub awards (or pass through awards) of the Grants to States program from the Texas State Library and Archives Commission's federal funder, Institute of Museum and Library Services (IMLS).

Federal Award Identification Number (FAIN): LS-00-15-0044-15
Catalog of Federal Domestic Assistance (CFDA) Number: 45.310

Eligible participants will receive a reimbursement based on the number of lends they provide to other Texas libraries through the Navigator system. While we anticipate being able to reimburse libraries approximately $5.79 per lend, this amount may vary based on the number of participants and available funding.

Eligibility Information

Public libraries, through their governing authority (city, county, board, or district), are eligible to apply for a reimbursement payment through this program.

Texas academic libraries that have agreed to lend materials to Texas public libraries are also eligible for reimbursement payments based on the number of lends made to Texas Navigator libraries in SFY2016.

Libraries must lend a minimum of 24 items to Texas public libraries during SFY2016 (September 1, 2015-August 31, 2016) using OCLC's Navigator system in order to be eligible for a reimbursement. OCLC will provide Navigator lending statistics to TSLAC.

Before receiving payment, the library's legal entity (city, county, library board, school) must have a DUNS® Number and current, active System for Award Management (SAM) registration. If the entity's SAM registration is not active and current at the time of the award, payment cannot be dispersed.

Libraries' legal entities must also have an Active Direct Deposit Account and Texas Identification Number.

State agencies will be asked for additional information by TSLAC's grants accountant.

There is no requirement for cost sharing, matching funds, or cost participation with this program.

Application and Submission Information

TSLAC recommends potential participants discuss this program with the accounting office of their legal entity due to the payments of federal funds arriving after the close of the state fiscal year ending August 31, 2016.

Application Components:

1. Opt in to program through the Grant Management System portal
2. Complete and submit Grant Agreement form in GMS by June 30, 2016
   *Signed by Legal Entity (City, County, Library Board)
3. Complete and submit Performance Certification in GMS by September 30, 2016 after receiving award amount from TSLAC.
   *Signed by Library Director

Required forms are available through the GMS portal at grants.tsl.texas.gov.

To request print copies of these forms, please contact Sara Hayes at shayes@tsl.texas.gov or 512-463-5406.

Forms submitted after stated deadlines may not be considered for reimbursement.

Applicants will receive email notification when their documentation has been received by TSLAC.

Submit forms:

Through GMS portal at grants.tsl.texas.gov.

Program Timeline

April 2016	Libraries able to opt in to program through GMS portal
June 30, 2016	Signed Grant Agreements due in GMS
September 19, 2016	Participants receive amount of reimbursement from TSLAC
September 30, 2016	Participation Certification forms due by midnight CST
October-November 2016	Payments dispersed

QUESTIONS?

Contact Sara Hayes, ILL Program Coordinator, at shayes@tsl.texas.gov or 512-463-5406

Texas State Library and Archives Commission
Library Services and Technology Act (LSTA) – Terms and Conditions

I.GENERAL TERMS AND CONDITIONS

A. The Subrecipient will comply with the following parts of the Texas Comptroller of Public Accounts UGMS revised June 2004, located at: http://www.window.state.tx.us/procurement/catrad/ugms.pdf

B. The Subrecipient will comply with Grant Reform 2 CFR Parts §200 and §3187.

C. *Subrecipient will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, religion or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of disability and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.*

D. The Subrecipient, *if a private entity*, will comply with Federal law pertaining to trafficking in persons. Subrecipient and its employees may not

1. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
2. Procure a commercial sex act during the period of time that the award is in effect; or
3. Use forced labor in the performance of the award or subawards under the award.

E. The Subrecipient certifies by this contract that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid for such purpose, the Subrecipient shall complete and submit OMB form SF-LLL, Disclosure of Lobbying Activities, in accordance with its instructions. The Subrecipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly, as specified in Title 31 U.S. Code, Sec. 1352.

F. *Subrecipient's authorized representative certifies to the best of his or her knowledge and belief that neither subrecipient nor any of its principals (a) are presently excluded or disqualified; (b) have been convicted within the preceding three years of any of the offenses listed in 2 CFR Part*

§180.800(a) or had a civil judgment rendered against it or them for one of those offenses within that time period; (c) are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in 2 CFR §180.800 (a); or (d) have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default. .Where the Subrecipient is unable to certify to any of the statements in this certification, the Subrecipient shall attach an explanation to these Terms and Conditions.

G. Subrecipient understands that acceptance of funds under this contract acts as acceptance of the authority of the Texas State Auditor's Office, or any successor agency, to conduct an audit or investigation in connection with those funds. Subrecipient further agrees to cooperate fully with the State Auditor's Office or its successor in the conduct of the audit or investigation, including providing all records requested. Subrecipient will ensure that this clause concerning the authority to audit funds received indirectly by Sub-Contractors through Subrecipient, and the requirement to cooperate, is included in any sub-grant awarded.

H. The Subrecipient agrees to main all financial and programmatic records, supporting documents, statistical records, and other records relating to this grant award for three year after the last State Program Report for the Texas LSTA 5-Year Plan 2013-2017, is submitted on December 31, 2018. The Contractor will maintain their records through December 31, 2021.

I. The Subrecipient agrees to develop or revise, as necessary, any specific written documentation of its current procedures for (1) collecting and reporting performance measures; (2) conducting a fixed asset inventory; and or, (3) any other issues identified in Subrecipient's internal audit report or grant activities. Drafts of this procedural documentation will be submitted to TSLAC by dates established mutually between TSLAC and Subrecipient. TSLAC will provide review and guidance to enable final versions to be approved on or before established deadlines.

J. Subrecipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. Subrecipient understands that the federal awarding agency, IMLS, reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish or otherwise use; and to authorize others to use, for Federal purposes (2 CFR §200.315).

II. ENFORCEMENT

A. Remedies for noncompliance. If Subrecipient materially fails to comply with any term of the contract, whether stated in a state or federal statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, TSLAC may take one or more of the following actions, or impose other sanctions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the Subrecipient, or more severe enforcement action by TSLAC;
2. Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;
3. Wholly or partly suspend or terminate the current contract for the Subrecipient's program;
4. Withhold further awards for the program; or
5. Take other remedies that may be legally available.

B. Hearings, appeals. In taking an enforcement action, TSLAC will provide the Subrecipient an opportunity for such hearing, appeal, or other administrative proceeding to which the Subrecipient is entitled under any statute or regulation applicable to the action involved.

C. Effects of suspension and termination. Costs of Subrecipient resulting from obligations incurred by the Subrecipient during a suspension or after termination of an award are not allowable unless TSLAC expressly authorized in the notice of suspension or termination, or subsequently. Other Subrecipient costs during suspension or after termination that are necessary, and not reasonably avoidable, are allowable if:

1. The costs resulting from obligations that were properly incurred by the Subrecipient before the effective date of suspension or termination are not in anticipation of it and, in the case of a termination, are non-cancelable; and,
2. The costs would be allowable if the award were not suspended, or expired normally at the end of the funding period in which the termination takes effect.

D. Relationship to Debarment and Suspension. The enforcement remedies identified in this section, including suspension and termination, do not preclude Subrecipient from being subject to "Debarment and Suspension" under Executive Order 12549 (see UGMS Part III, Subpart C, Sec 35) and state law.