

The Case for Shared Libraries – Public and Academic

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PARTIES

1. UNIVERSITY OF CONNECTICUT, HARTFORD BRANCH (UConn)
2. CITY OF HARTFORD, a Connecticut municipal corporation (City)
3. HARTFORD PUBLIC LIBRARY, a non-stock Connecticut corporation (HPL)

LIBRARY BUILDING: Four story building, at 500 Main Street, with approximately 132,779 square feet owned by City and operated by HPL as the main branch of the City's nine-branch public library system.

BACKGROUND

1. 2016 – UConn relocates the West Hartford UConn Branch to restored 1920's Hartford Times Building – one block from Library Building.
2. UConn seeks to avoid expense of constructing new building in downtown Hartford to house its undergraduate and graduate library materials.
3. Repairs and upgrades are needed to Library Building which are beyond the means of the City and HPL to fund.
4. The Parties agree to relocate UConn's library materials in the Library Building for shared public-academic access.
5. UConn agrees to undertake certain renovations and improvements to the Library Building for public use, UConn use and shared public-UConn use.

BENEFITS TO UCONN

1. UConn avoids purchase of expensive downtown real estate and gains modern library facilities at a cost far less than a new library. Saves state taxpayer dollars.
2. UConn faculty and students have access to custom designed library facilities one block from classrooms.
3. For UConn students, part-time jobs and internships at downtown Hartford businesses are within walking distance.
4. The shared library fosters college-community integration and reduces 'Town-Gown' friction which may reduce local opposition to, for example, future collegiate expansion.

BENEFITS TO CITY AND HPL

1. Shared facility enables college students to tutor high school children.
2. The City, HPL and Hartford residents, including school children, have access to a modern centrally-located library with greatly expanded resources at less expense to Hartford taxpayers.
3. Sharing certain ongoing operating expenses redounds to the benefit of all parties.

DEAL STRUCTURE:

The three party arrangement was set forth in a Construction Agreement and a separate Operating Agreement.

CONSTRUCTION AGREEMENT

1. Required UConn to make certain repairs and improvements to Library Building.
2. Provided UConn with a structural and environmental due diligence inspection contingency.
3. Parties had agreed on a Concept Design before signing Agreement.
4. Agreement contained procedures for reaching agreement on Schematic Plans, Design Development Plans and Construction Drawings.

CONSTRUCTION AGREEMENT (cont.)

5. UConn entered into a guaranteed maximum price construction contract (“GMP Contract”) for the work, subject to UConn’s right to “value engineer”.
6. UConn had a specified maximum Project budget for expenses incurred by UConn in remediating environmental matters and building defects; relocating HPL and UConn library materials and operations and for costs of GMP Contract.
7. All contractors required to adhere to certain Non-Discrimination and Affirmative Action Provisions.

CONSTRUCTION AGREEMENT (cont.)

8. Sequenced construction to minimize interference with library operations and use.
9. Connecticut Education Network (CEN) point of presence brought to Library Building.
10. UConn installed security systems tied into main UConn systems.
11. Parties agreed to informal dispute resolution procedures.
12. Unique challenge – UConn’s sovereign immunity means Parties’ rights and remedies may not be reciprocal.

OPERATING AGREEMENT

1. Initial Term – 15 years; Five five-year renewal options.
2. UConn pays HPL an annual license fee.
3. UConn retained termination options.
4. UConn was granted an exclusive license to use approximately 11,700 square feet of space for UConn library materials and classrooms (“University Space”).

OPERATING AGREEMENT (cont.)

5. UConn was granted a non-exclusive license to share approximately 4,150 square feet of space (the “Shared Space”), for use as classrooms, study rooms and a computer lab.

6. A three-person Library Committee was established for overseeing scheduling of Shared Space and other matters.

7. Procedures were established for HPL cardholders to access UConn library materials and for access to HPL and UConn respective Reserve Collections and Special Collections.

OPERATING AGREEMENT (cont.)

8. HPL and UConn have non-exclusive use of circulation space and other space required to access and use the University Space and Shared Space, including, but not limited to, lobbies, lavatories, entrances, second floor, first floor and lower level corridors and telecom and server rooms (“Common Space”).
9. UConn has certain “after hours” use for evening classes and exam periods.
10. Academic and intellectual freedom for UConn and laws for protection of minors was addressed.

1. <https://today.uconn.edu/2016/04/uconn-hartford-joins-forces-with-hartford-public-library/>
2. <https://ctmirror.org/category/ct-viewpoints/the-case-for-public-and-academic-shared-libraries-in-connecticut-geoffrey-f-fay-esq/>

THERE ARE OBSTACLES

1. Higher salaries for college librarians.
2. Certification differs for public and college librarians.
3. Mission of a public library is broader than academics.
4. Academic materials may not be appropriate for minors.
5. Mechanisms for resolving disputes must be established and respected.

THERE ARE OBSTACLES (cont.)

6. Shared library must be both close to college classes and downtown.
7. Colleges have unique crime reporting obligations under the Clery Act, which includes hate crimes pursuant to 34 CFR 668.46(c)(3).
8. Operating hours must be extended to accommodate evening classes and exam periods.
9. Exam periods may reduce public accessibility.
10. Young children are noisy.

JOINT PUBLIC-ACADEMIC LIBRARIES ARE FOUND ELSEWHERE IN THE U.S.

San Jose - In 1999, San Jose State and the City of San Jose agreed to combine their main libraries to form a joint city-university library located on campus, the first known collaboration of this type in the United States. The combined library faced opposition, with critics stating the two libraries have very different objectives and that the project would be too expensive. Despite opposition, the \$177 million project proceeded, and the new Martin Luther King Jr. Library opened on time and on budget in 2003. The new library has won several national awards since its initial opening.

JOINT PUBLIC-ACADEMIC LIBRARIES ARE FOUND ELSEWHERE IN THE U.S. (cont.)

Lone Star College, Harris County, Texas. The partnership between Harris County Public Library and Lone Star College-CyFair enhances the community's learning opportunities by offering access to academic resources while providing the college's students, faculty and staff with popular materials not normally found in academic libraries.

JOINT PUBLIC-ACADEMIC LIBRARIES ARE FOUND ELSEWHERE IN THE U.S. (cont.)

Tidewater Community College and the City of Virginia Beach partnered to create a unique joint library, delivering more services to the TCC campus and to the entire Beach community than either organization could deliver separately. Located on TCC's Virginia Beach campus, on the corner of Rosemont Road and Faculty Blvd., the library is 125,000 square feet - more than two football fields. Costs for the \$43 million project were split, with 80% from TCC, 20% from the City.

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