

MINUTES
914th Regular Meeting
Board of Library Trustees
Palos Verdes Library District
Peninsula Center Library
December 11, 2003
7:30 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:34 p.m.

2. ROLL CALL

Board Members Present: Trustees Jane Jones, Rob Katherman, James Moore, Ted Paulson
Board Member Absent: Trustee George Uraguchi
Staff Present: Interim Director Constance Davenport, Finance Director Julie Lovelace

3. SALUTE TO THE FLAG

Trustee Moore led the flag salute.

4. ADOPTION OF AGENDA

Trustee Jones requested that Items 14.C (Statistical Report) and 14.D (Financial Report) be removed for discussion.

MOTION by Trustee Jones to adopt the agenda, as modified.

MOTION passed 4 to 0.

5. PRESIDENT MOORE'S REMARKS AND BOARD MEMBER COMMENTS

Trustee Moore announced that the Request for Proposal for Structural Engineering Analysis was sent out and is due back early January, noting that this will start the building remediation.

Regarding his term as a Board Member, Trustee Moore thanked the community for encouraging his involvement and helping him through his term as a trustee and District staff for their support and confidence during his term in office. He noted several accomplishments, including: the appointment of a librarian as director (noting that many changes that occurred during Ms. Robert's employment occurred only because she was a librarian); the hiring of a public relations coordinator; the implementation of a five-year strategic plan; conclusion of litigation and proceeding with remediation. He also thanked everyone in the audience for attending his final meeting.

Trustee Katherman expressed that it was a privilege and pleasure to work with all of the Trustees over the past eight years, noting their passion, commitment and vision. He highlighted the hiring of a non-librarian director, which proved to be very effective in making it through tough financial times; closing the litigation in favor of the District; retaining Sunday library hours, increasing hours of operation at branches from half-time to full-time; hiring librarians rather than clerks to serve the branches. He concluded by thanking former and current library staff for their commitment to excellence, including former Director Diana Moreno, former Facilities Director Charlie Panipinto, former Director Barbara Roberts, Interim Director Constance Davenport, Finance Director Julie Lovelace and Executive Assistant Merna Marshall.

6. SWEARING IN OF NEW BOARD MEMBERS NANCY MAHR, WILLIAM LAMA AND ROBERT LEE

Board President Moore administered the Oath of Office to William Lama, Robert Lee and Nancy Mahr.

6. RECOGNITION OF RETIRING BOARD MEMBERS ROBERT KATHERMAN, JAMES MOORE AND GEORGE URAGUCHI

Trustee Paulson presented the book *"The Grand Old Party"* to retiring Trustee Katherman to be placed in the collection in honor of his dedicated service to the Palos Verdes Library District from 1995 to 2003.

Trustee Paulson presented the book: *"Jaguar: 50 Years of Speed and Style"* to retiring Trustee Moore to be placed in the collection in honor of his dedicated service to the Palos Verdes Library District from 1999 to 2003.

Trustee Uraguchi was not present.

7. **RECESS FOR FAREWELL TO RETIRING TRUSTEES AND WELCOMING RECEPTION FOR NEW TRUSTEES – 7:50 P.M.**

8. **RECONVENE: 8:10 P.M. – ALL BOARD MEMBERS WERE PRESENT**

9. ELECTION OF OFFICERS OF THE LIBRARY BOARD OF TRUSTEES, 2003

Trustee Paulson opened nominations for President of the Board of Trustees. Trustee Lee nominated Trustee Paulson for President. Nominations closed.

VOTE was taken and Trustee Paulson was elected President 5 to 0.

Trustee Paulson opened nominations for Vice President. Trustee Lama nominated Trustee Jones for Vice President. Nominations closed.

VOTE was taken and Trustee Jones was elected Vice President 5 to 0.

Trustee Paulson opened nominations for Secretary. Trustee Jones nominated Trustee Lama for Secretary. Nominations closed.

VOTE was taken and Trustee Lama was elected Secretary 5 to 0.

10. PRESIDENT'S REMARKS AND BOARD MEMBER COMMENTS

Trustee Lee expressed his appreciation for the opportunity to serve, noting that it is a privilege and honor to serve on the Board, which belongs to the community. He thanked Trustee Jones for her dedication to training the new trustees during several recent special Board meetings.

Trustee Mahr expressed her delight to be back affiliated with the Palos Verdes Library District, which already is the leading special district in the State and one of the leading library districts.

Trustee Lama said he is delighted to be part of the Board, thanking the community members who encouraged him to participate and noted his hopes to do a good job.

Board President Paulson commented on several challenges for the future, including:

- accomplishing Peninsula Center remediation with a minimum amount of disruption of service to the community.
- ensuring that the services needed in each of the Peninsula's communities are provided through the branch libraries;
- noting that the Board will hopefully make an announcement relative to the hiring of a new director in the next month;
- and maintaining the District's financial base, encouraging the community to support that local dollars not be taken from the property taxes.

11. ANNOUNCEMENT OF DATE CHANGE FOR JANUARY MEETING: JANUARY 15, 2004

Trustee Paulson announced that the January Board meeting has been changed to January 15.

12. REPORT FROM TRUSTEE JONES RE: PALOS VERDES LIBRARY DISTRICT'S 75TH JUBILEE YEAR

Trustee Jones reported on the 75th Jubilee activities, noting that a calendar included in the Board packet outlines activities for the entire 2004 year, with a program scheduled for each month. She said the kickoff event scheduled for January 24th will include recognition of staff members present and past who have served 20 or more years, as well as cartoonist Paul Conrad and artist Rita Schroeder, who will unveil a painting commissioned by the Peninsula Friends of the Library in honor of the District's 75th anniversary.

Trustee Jones announced the Adopt-a-Book program, noting that for \$30 a member of the public can choose from a list of over 400 children's books for placement in the collection. She thanked the Peninsula Library Foundation for their generous donation of \$10,000 towards this program, a wonderful start for a worthwhile program.

13. APPROVAL OF MINUTES

MOTION by Trustee Lama that the Board of Library Trustees hereby approves the minutes of the following Board meetings, as presented:

- A. REGULAR MEETING – November 13, 2003
- B. SPECIAL MEETING – November 12, 2003
- C. SPECIAL MEETING – November 18, 2003
- D. SPECIAL MEETING – November 19, 2003
- E. SPECIAL MEETING – November 20, 2003
- F. SPECIAL MEETING – November 23, 2003

MOTION passed 5 to 0.

14. CONSENT CALENDAR

Trustee Jones noted that she no longer wished to pull item 14.D (Financial Report) from the consent calendar.

MOTION by Trustee Mahr that the Board of Library Trustees hereby approves the items and recommended actions in the Consent Calendar listed below, with the exception of Item 14.C (Statistical Report).

A. CASH DISBURSEMENTS PRESENTED FOR APPROVAL:

Recommended Action: The Board of Library Trustees hereby approves the November 2003 cash disbursements presented for approval:

General Fund	\$357,081.27
Gift Fund	\$485.67
Building Fund	\$267,254.53
Asset Replacement Fund	\$5,659.31

B. PERSONNEL

1) SELECTIONS

Recommended Action: The Board of Library Trustees hereby approves the following selections:

<u>Name</u>	<u>Class.</u>	<u>Position Title</u>	<u>Status</u>	<u>Effective Date</u>
Erich Widmann	PMIV	Facilities Manager	F/T	12/08/03

C. STATISTICAL REPORT – CIRCULATION, PUBLIC USE, QUESTIONS ASKED, AND COLLECTION DATA (removed for discussion)

D. FINANCIAL REPORT - 2003/2004 APPROVED BUDGET PERFORMANCE REPORT FOR 11/2003 (removed for discussion)

MOTION passed 4 to 0.

15. COMMUNICATIONS AND COMMENTS FROM THE PUBLIC CONCERNING ITEMS NOT ON AGENDA

There were no comments.

16. DIRECTOR'S REPORT

Introduction of Erich Widmann, Facilities Manager

Interim Director Davenport introduced Mr. Erich Widmann, Facilities Manager, who expressed appreciation for the support he has received in the first four days on the job and noted that his first priority will be to focus on compliance issues, as well as putting together a functional, organized facilities team.

Finance Director's Report

Finance Director Lovelace reported:

- the District has submitted a proposal for the \$10K Library Technology grant entitled "Digitizing the Past for the Future" that, if approved, will provide funding for scanning and storing to a public database some 900 photos of the first homes built in the Palos Verdes community between 1924 and 1931, a project which is of high demand and interest in our community. She thanked Webmaster David Campbell and Local History Librarian Marjeanne Blinn for their work on this project.
- Staff is in the process of gathering and analyzing information for preparing the Mid-Year Budget and the Board is encouraged to submit any suggestions, inquiries or items they would like to include in the Mid-Year Budget no later than January 15th.

Interim Director's Report

Interim Director Davenport gave the following report:

Automation Services

During the weekend of November 22-24, there was a “*Network Backbone Firewall Upgrade*,” originally planned to be done simultaneously with the re-cabling of the district but moved up due to several recent incidences of outside entities hacking into the PVLN network. The work proved more difficult than planned because of an interface problem with the District's Integrated Library System (ILS), resulting in the computers being down during open hours on Sunday of that weekend. The ASD staff worked well into the night and the computers were up and running by Monday morning.

District Events

- Rita Schroeder opening reception Saturday, December 8, organized by Branch Manager Cindy Miller and Public Relations Coordinator Jannelle Grigsby;
- Holiday Music, last program next Monday, JJ's Sunset Syncopates, sponsored by the Peninsula Center Library Advisory Committee;
- “Baby's Day Out” Last of *Babies in the Library* series, book talk for parents, organized by Young Readers Librarian Michael Clark;
- the Good Life program at Malaga Cove December 20, 2 p.m., a review of gift book suggestions by retired librarian Lennie Blume;
- seasonal decorations in the display cases and bulletin boards throughout library, as well as the posters and flyers for all of the events and programs by staff member Andrea Dickerson; and
- the huge poinsettias that look so beautiful in the Libraries were provided by the Friends of the Library.

District News Notes:

- attendance by several staff members at the California Library Association (CLA) Conference in Ontario mid-November;
- research and evaluation of the competing Integrated Library Systems available (Innovate, Sirsi, Dynix) by Technical Services Manager Mary Kocman and Automation Services Manager Laszlo Latkoczy, which will be a major budget item in the future;
- Local History Librarian Marjeanne Blinn has the Local History Room docent program up and running, having trained 12 docents already so that the room can be open much of the time.
- the new District Website is very impressive with David Campbell's redesign; and
- continuation of regular programming, including over 20 storytimes during the month and the answers to 4800 questions by the Peninsula Center Reference Desk during the month—not counting the information obtained from our Website.

Updates on the Director's tasks:

- **Miraleste Library Trail Easement:** The title report has been received we are waiting for the City of Rancho Palos Verdes to make some decisions on the survey.
- **Litigation and Building records:** The shelving is now installed in the storage room and next week the boxes will be picked up at the lawyer's. This project has been turned over to Erich Widmann.

Special Projects

Resolution No. 2003-10 Installation of a drain at PC Library. Completed at less than \$5000. (\$15,000 under budget); any stonework necessary will be done in the future as there is much more work that will be necessary.

Resolution No. 2003-07 Pigeon control at Malaga Cove. Project completed for now at cost of under \$500. Pigeon spikes seem to be working.

Resolution No. 2002-05 Correcting Air Conditioning Deficiencies at PC. Work continues and should be completed before the March 31, 2004 deadline.

17. REPORT ON SPECIAL PROJECTS 2003-13 (MOLD TESTING) AND 2003-12 (STRUCTURAL ENGINEER)

Special Project 2003-13: Mold Testing

Finance Director Lovelace reported that follow-up mold testing will be performed on Wednesday December 17th by Dr. Harry Skalsky and his team of professionals.

Special Project 2003-12: Structural Engineer:

Finance Director Lovelace reported that, with the help from former Trustee Moore, a Request for Proposal (RFP) was drafted for the Structural Analysis and Report on the structural integrity of the Peninsula Center Library and mailed out to seven Structural Engineering firms in the Los Angeles and Orange County areas. She noted the deadline to receive responses from bidders is Monday, January 5th at 5:00 p.m. and stated that the Board President may wish to appoint a sub-committee to conduct a thorough review of these proposals prior to award of contract at the Board meeting of January 15th.

Trustee Paulson explained the very aggressive schedule for this RFP, noting that the plan is for the Board to award a contract on January 15. He expressed his intent, with Board concurrence, to appoint a two-member subcommittee of the Board to do an in-depth review of all of the proposals and make a recommendation to the Board for award.

In response to Trustee Lama's inquiry as to whether or not the owner's agent will be hired by that time, Trustee Paulson stated that while both the mold testing and structural engineering issue will be the responsibility of the owner's agent once on board, it is important that the Board move ahead so as to not lose time, while acting prudently and with responsibility.

Trustee Mahr concurred with the appointment of a two-person committee as long as the other members of the Board will also have an opportunity to review the proposals on their own, if they desire. Trustee Paulson noted that the entire Board will receive a copy of the proposals, noting that the Board will be responsible for ultimately making a decision.

Board President Paulson appointed Trustees Lama and Lee to serve as a committee to review the Proposals, working directly with the Interim Director.

18. CONSIDERATION OF RECOMMENDATION ON HIRING OWNER'S AGENT FOR PENINSULA CENTER LIBRARY DEFECTS RENNOVATION

Trustee Paulson reviewed the recommendation on how to proceed with hiring an owner's agent. He explained that the feeling of the past Board that 1) there be an owner's agent reporting directly to the Board; 2) that the owner's agent would have defined responsibilities to oversee the activities of the renovation program; and 3) that the Director would not be responsible for day-to-day activities required.

Interim Director Davenport pointed out that 1) this is a full-time contracted position for the duration of the remediation; and 2) the owner's agent would be hired by the Board and would be responsible to the Board. She reviewed the proposed job description and added that this would be considerably less expensive than relying on the consultants who worked with the litigation, as well as being a full-time contract.

Finance Director Lovelace agreed, noting that it is easier to budget for a salary rather than a consultant and that funding for the position will be paid out of the Building Fund.

The Board discussed the various sections of the proposed job description and Trustee Paulson asked the Board members for specific recommendations for changes to the posting.

Trustee Jones: suggested the wording "for the duration, *as determined by the Board of Library Trustees,*" noting that the remediation could go on beyond the need for the owner's agent.

The Board discussed how many hours per week the owner's agent will be needed, noting the importance of informing applicants that they may be required to work more than 40 hours per week in the beginning but perhaps less than 40 hours per week toward the end of the contract.

Interim Director Davenport noted that this is a full-time position that will require more than 40 hours per week in the beginning.

Trustee Lama suggested calling it a full-time job but not limiting it to 40 hours per week. He noted that it is a contract for the duration of the project, but they will know that the hours are not limited to Monday through Friday or to 40 hours per week.

Trustee Lee said he presumed that the owner's agent will be responsible to make up a schedule listing each item that needs to be done and estimated duration, reporting from that chart to the Board whether they are over budget or under budget and the reason why.

In response to Trustee Lee's inquiry regarding the owner's agent relationship to the facilities manager would be, Interim Director Davenport explained that the owner's agent will oversee remediation of the building and the facilities manager will make it possible for the remediation to take place while the facility remains open. The facilities manager will not deal with remediation but will provide input and coordination.

Trustee Jones said she does not believe the owner's agent can "represent the Board in all construction decisions", noting that they can not make decisions without Board feedback for major decisions. She suggested that the Board consider setting aside a specific day every month in case it is necessary to hold a second Board meeting.

Trustee Lama agreed with the idea of meeting with the owner's agent more frequently than monthly, perhaps through a subcommittee who would determine if the full Board needs to approve something.

Trustee Paulson returned the discussion to content in the job posting and job description, noting that unless what the Board is discussing changes the wording of the job posting, it should be discussed in the future, perhaps in a workshop setting.

Trustee Lama said it is possible there's confusion, noting that if we hire a contracting firm to do the general contracting, that project manager will have to develop the full project plan because he will know what resources are available and at what times. He said it's the responsibility of the project manager to develop the overall project plan and then the owner's agent would study the plan and agree to it, and that's what he would track.

Finance Director Lovelace suggested "40 hours per week minimum, days of week varies".

Interim Director Davenport stated that because this is a contract, the person would be aware that they would be asked to commit to fulfilling the contract in whatever manner required, realizing that it is not simply a 40-hour per week assignment.

Trustee Paulson summarized the position of the Board, and received concurrence from the Board that:

- A. it is the intent of the Board to hire via contract a full-time owner's agent (as opposed to a consultant);
- B. the Director will re-work the wording of the job posting and the executive committee of the Board (President, and Vice President) will sign off on it; and
- C. the position will be posted as soon as possible.

In response to Trustee Lama's inquiry, Interim Director Davenport stated that there are several resumes on file of qualified individuals who may be interested in applying for the position.

In response to Trustee Lee's suggestion that it may not be necessary to advertise for the position because of the number of resumes already on file, Trustees Mahr and Paulson stressed that it will be necessary to advertise, noting that this is a different position than was advertised for facilities manager.

Interim Director Davenport said the position will be advertised in the same manner as the facilities manager position was, in the Long Beach Telegram, Los Angeles Times, Daily Breeze, and on various websites.

19. CONSIDERATION OF SUPPORT OF THE LOCAL GOVERNMENT BALLOT INITIATIVE AND ADOPTION OF RESOLUTION NO. 2003-15: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE PALOS VERDES LIBRARY DISTRICT SUPPORTING A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS

Finance Director Lovelace explained the request from CSDA to assist in funding the formulation and drafting of the ballot measure. She pointed out that all contributions must be received by CSDA no later than December 24th due to the law that prohibits local governments from giving public funds to use for gathering signatures, campaign funding, advocating or promoting the ballot measure in any way. By donating funds by December 24, the funds will go to formulate and draft the ballot measure.

In response to Trustee Lee's inquiry regarding how Special Districts are affected by the initiative, Finance Director Lovelace explained that it will put the voters in charge of whether local tax dollars should be diverted from local agencies without voter approval. She explained what happened in 1993 when the State took over \$1 million in property tax away from the Library District.

Interim Director Davenport explained that the initiative would require a vote of the people before that could happen, noting that all special districts are vulnerable to tax dollars being taken away. Trustee Jones explained that the District is a member of **LOCAL**, which stands for *Leave Our Community Assets Local*, an effort to not let the State take money away from local agencies to keep the State budget balanced, without a vote of the people.

In response to Trustee Lama's inquiry as to whether this would provide more stability in funding for the District, Trustee Paulson explained that it would take the power of the State Legislature to arbitrarily reduce funding to local agencies.

Trustee Mahr noted that this initiative was originated by the League of California Cities and CSAC, noting that it has to do particularly with the VLF, noting that property taxes haven't been brought up

as of this time, although there have been some proposals to get money from special districts but not necessarily through property taxes. She explained that the proposition would have to adjust the language of Proposition 13. She said having not actually read the full language of what was filed, she is not comfortable supporting it at this point, noting that sometimes things don't say what you think they say or what they really say.

In response to Trustee Paulson's question whether the proposed ballot measure text is posted on a website and his concern regarding approving something that he has not yet read, Interim Director Davenport stated that the text is available and pointed out that this item could be added to the agenda of an upcoming special meeting, if the Board desired.

In response to Trustee Jones' reminder that public funds cannot be used to collect signatures or support the ballot measure after it is approved for the ballot, Interim Director Davenport suggested this would be an appropriate task for the library advisory committees and Friends of the Library, and Foundation, who are all unpaid volunteers.

Trustee Paulson directed that this discussion be continued to the open session portion of the December 15th meeting, at which time the Board could take action.

20. CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

Statistical Report

Trustee Jones questioned the volunteer activity at Malaga Cove, noting that only one volunteer was recorded for the month of November and asked that staff talk to the volunteers at Malaga Cove to express how important these numbers are, noting that they are used for the State Statistical Report as well as for obtaining grants. She also noted that Library Shop hours are not recorded and asked that these figures be corrected before the next meeting.

MOTION by Trustee Jones to accept item 14.D (Statistical Report) as corrected.

MOTION passed 5 to 0.

21. AGENDA ADDITIONS PURSUANT TO AGENDA ITEM 4, ADOPTION OF AGENDA

None.

22. AGENDA ITEMS FOR FUTURE AGENDAS

Trustee Jones suggested the Board set aside one day each month in case a second Board meeting is needed.

Trustee Paulson noted that this was the practice of the past Board, keeping clear the same day of the month each month in case a meeting is needed. He suggested these meetings be conducted in workshop format. After some discussion, the Board agreed to set aside the 3rd Monday night of each month.

Trustee Paulson suggested the January meeting be held in workshop format, with the primary agenda item relative to the remediation program and the contract for owner's agent.

Trustee Mahr noted that she is not available on the 3rd Monday of January and, after some discussion, the meeting was set for January 12th at 7:30 p.m.

23. RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957, PERSONNEL MATTER, PUBLIC EMPLOYEE EMPLOYMENT: LIBRARY DIRECTOR

The Board recessed to closed session at 9:20 p.m.

24. RETURN FROM CLOSED SESSION AND REPORT ON ACTIONS TAKEN, IF ANY

The Board returned from closed session at 10:20 p.m. There were no reportable actions.

MOTION by Trustee Jones that there being no further business to come before the Board, the meeting be adjourned.

MOTION passed 5 to 0.

The meeting was adjourned at 10:22 p.m.

Bill Lama, Secretary

Date