

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
BUENA PARK LIBRARY DISTRICT
May 3, 2011

CALL TO ORDER: President Niccum called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE: President Niccum led the flag salute.

ROLL CALL

Board Members Present: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi and Trustee Salts

Staff Present: Patti Hanley, Library Director; Patricia Rivera, Public Services Manager; Mary McCasland, Support Services Manager; Marcia Miyoshi, Librarian; and Kathleen Bermosk, Administrative Assistant.

I. ACTION ON MINUTES

a) Regular Meeting of April, 2011

MOTION by Trustee Ganer seconded by Trustee Miller to approve the Minutes of the Regular Meeting of March 1, 2011. Motion was approved unanimously.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

At this point of the meeting, President Niccum requested that an item be added to tonight's agenda regarding the Bylaws of the Orange County Special District Selection Committee. It requires a vote by the Board before they meet again in June. He made this request pursuant to Government Code Section 54956.5, part of the Brown Act, which states that upon a determination by a two-thirds vote of the members of a legislative body present at the meeting there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a). This provides an exception for items that have not been agendized.

MOTION by Trustee Salts, seconded by Trustee Ganer to approve this item to be placed on the agenda this evening.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

President Niccum stated that these bylaws relate to the Special District Selection Committee which is the mechanism for appointing special district representatives to LAFCO. While it does come up infrequently, it has come up twice in the last 2 years. He sent copies of the bylaws to the other Trustees. The bylaws are generally unexceptionable, however, there is an ongoing point of contention between him and LAFCO which conducts the elections. LAFCO repeatedly requests Board action to approve the representative to vote in these

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elections. That is at odds with what the Government Code provides. The Government Code provides that the president of any special district automatically is empowered to vote. It does not require any Board authorization, unless the Board wants to authorize somebody else. He has raised this point over the last two years, and each time LAFCO very grudgingly said he is right. Now they are sending out these bylaws and they are doing it again. They are asking the Board to approve, or not, these bylaws. He recommends and asks the Board to reject these bylaws on the basis of his experience and that it be communicated to them as the reason for the rejection.

MOTION by Trustee Ganer to reject the revised bylaws, seconded by Trustee Miller.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

II. CORRESPONDENCE

- a) Patrons' Suggestions from individuals requesting purchase of materials or proposing changes to Library operations.

No comments or questions.

- b) Management Team Minutes, Director's Report and Youth Services Activities

In addition to the written report of the three Management Team meetings and several budget meetings, Director Hanley reported that the first Buena Park Reads Together program was a success with multiple programs from the kickoff on April 2 through April 30 and tied together with Dia de las Ninos. In addition to the written Director's report, CalPERS has notified us that they are beginning a massive computer change to take place in September. Their time lines with cutoff dates may interfere with the Board-approved change to 2% at 60. She wanted the Board to be aware that this change may be delayed for a month or two, but staff has completed the first of several steps by requesting a valuation which costs \$300. We have to wait for CalPERS to complete the valuation and then they will send us additional paperwork. With regards to the computer change in September, CalPERS will hold teleconferences to understand the change which will be attended by the Director and Kathleen.

The building maintenance continues with the fire sprinklers annual inspection was completed, along with the fire extinguishers. The fire alarm company tested last week and the elevator was repaired twice. Things are being done.

Sixty-two people showed up for the incredibly popular program, the practice SAT test. Extra tests had to be copied to accommodate all who came.

Trustee Ganer asked if there had been a response from the public about the increased fees that had been in effect for about one month. Mary McCasland said that she had asked staff to let her know if there were any comments, but there were none.

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III. FINANCIAL AND MONTHLY REPORTS FROM THE OFFICE OF THE DIRECTOR

- a) Revenue - \$1,490,437 and Expenditure \$1,512,890 - Budget vs. Actual Report July through April 2011

President Niccum noted that as of this report April property taxes had not been received. Director Hanley said we did receive secured 6 and supplemental 9 and received that notification this afternoon.

- b) Balance Sheet as of April 28, 2011
No comments or questions.

- c) Check Register as of April 28, 2011

Speaking about the check to the temp agency, Allan Nisle asked if a cost comparison had been done to see whether it would be more cost effective to hire a business officer rather than to continue paying the temporary staffing fee. Director Hanley said yes she had, and that as of last month the staffing agency no longer required payment of a finder's fee (penalty), so she was planning to discuss this with the Board during Closed Session tonight.

- d) Monthly Statistical Report for April 2011

President Niccum questioned the reduction in checkouts as reported on the Statistical Report. Director Hanley stated that she had spoken with Mary McCasland about it and felt it was a computer error because the Circulation Department has not felt or noticed a change in the work load. Mary stated that they have run the report in different ways and the number remains the same. She will continue to investigate this since the attendance is higher. Director Hanley stated that Saturday attendance has been up since January.

Trustee Salts recommended inspecting the check-out computers. Perhaps one of them has a loose connection and is not reporting correctly. Mary said she would investigate further.

IV. UNFINISHED BUSINESS

- a) Action on limiting the BPLD Contribution to current full-time employees and retirees for health and welfare benefits to the cost of the Kaiser-South plan for the employee or retiree only, with no dependent coverage, plus the cost of the current dental plan indexed at 2% per year. Employees and retirees can put this money toward any of the current plans they choose with any cost above the BPLD contribution to be paid by the employee or retiree. The District will no longer pay for the life or vision insurance for employees.

President Niccum stated that this item was placed on tonight's agenda at his request. To answer questions about indexing the dental plan by 2% per year, he explained that in

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fiscal year 2010-2011, our current budget year, dental was budgeted for \$14,328. For next year's budget, 2% of \$14,328 would be added to \$14,328 next year and that would accumulatively go on each year, year after year.

He stated that after reviewing the requested suggestions from employees and retirees, he is moved to restore the vision program as it is an important benefit for a number of people. He was given several examples of the cost savings employees received by participating in the vision program, with comparisons of how those costs would go up for individuals compared to what the District pays for the program which currently costs a little over \$3,200 per year. Therefore he is amending his motion to leave intact the vision plan which will increase costs by about \$3,300 per year, but he thinks it is something worth doing in light of the other things staff has had to suffer over the last couple of years.

Before Board discussion, President Niccum opened the floor for oral discussion from the public. Allan Nisle thanked the Board for restoring the vision plan. President Niccum explained that he had only amended his motion but that it would require three votes from the Board to make it so. Allan questioned if the dental plan would include the employee and dependents or just the employee. President Niccum responded that the coverage in the proposal is for employees only. Allan pointed out that the proposed budget reflects the full cost of coverage and looks like dependent coverage is included. President Niccum explained that the proposed budget is a draft budget. Whatever action is taken tonight, staff will then make the appropriate changes. Allan asked that the dental coverage be restored or kept. He did not feel that employee benefits should be taken away when services like e-books is being added at a cost of \$10,000 and programs increased by \$3,200. He confirmed with President Niccum that the retirees would receive the same dollar amount, \$477, towards health coverage as employees. He asked if the Board knew the savings they would see if that was the case. President Niccum said the savings was \$53,298 which reflected lowering the cost of each individual along with the number of individuals covered. Allan said he came up with a savings of \$76,000, but he did not have it prepared to submit to the Board.

Allan wanted to discuss life insurance and long term disability. Most staff would give up some life insurance and accidental insurance but everybody would like long term disability insurance so he requests that long term disability be kept because since the cost is about \$2,500.

Retiree Paula Riley asked that the \$250 towards dependent coverage be kept because she and her husband are on a fixed income and are not old enough for Medicare coverage. She has switched to Kaiser although one report listed her as having Blue Shield coverage. She said that when she worked here, even though she received better job offers, she stayed because of the lifetime health benefits which she planned on having for retirement. She thinks that other people may feel the same.

Director Hanley agreed with Paula on behalf of some employees who are working and cannot be here tonight. At least one employee, and everyone is feeling the same way, that with a premium of \$500, the \$250 only takes them half way to the premium and they

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are already taking \$250 out of their own pocket each month. With some quick calculations, and it is a lot of money, but if we pay for dependent coverage, that would cost about \$2,000 each month, or \$24,000 a year, for the premiums. Given some other savings we may be talking about and making tonight and we are lucky only five employees and three retirees take advantage of it but she knows it would mean a lot to them to keep dependent coverage.

Librarian Marcia Miyoshi said that after speaking with other employees, they feel that since we have no short-term disability here, they would like to retain long-term disability coverage.

Retiree Paula Riley stated that based on the information provided earlier in the meeting, if the library charged 50 cents for the rental of DVDs, \$51,000 could be raised. That is a small amount to charge and other libraries charge for checking out DVDs.

Because no one else wanted to address the Board, President Niccum closed the oral communication to the public on this item and opened the discussion to Board members.

Trustee Miller said she thought that she and President Niccum were a good balance on the subcommittee since he is a money person and she is not. She wanted to try to simplify a complicated situation by saying that this was like balancing a checkbook, how much money do you need, how much money do you have, and how are you going to put those things together. She'll make some general comments about where the money needs to be and then just some things for the Board to consider.

From her point of view, the Board will not be able to decide this tonight because there is still a lot of information she wants. While if others decide to vote tonight and she is just one person, but speaking for herself there is more info that she needs. Her understanding is that we need \$48,000 in one-time money this year to make up the unpaid bill to the unfunded liability that was not paid over the last couple of years. So we need first to look at how to get that \$48,000 and a couple of ways she is open to is by cutting our hours a little bit so that we save that way and taking some cuts out of the materials budget. The first issue is we need \$48,000. First, there are big donors who want to give it, go find them and have them give us money. Secondly, is the long term. For our yearly costs, we need \$142,000 and again from some of the numbers we have put together, we could get about \$50,000 if we cut library hours, \$28,000 if we cut the materials budget or look for some other cost cutting items and this \$142,000 presumes the Kaiser benchmarking.

Director Hanley asked how much would be cut from materials. Trustee Miller responded that \$28,000 would be taken from materials or other things.

Trustee Miller stated that President Niccum and she had a subcommittee meeting prior to the meeting tonight to try to make sure they are on the same page as far as numbers. She asked President Niccum to correct her if she is not articulating anything correctly. She said it is her preference for them to go above the Kaiser benchmarking. How do we get there? This is the information that she will keep her from deciding tonight. One of the

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first issues she wanted to talk about was that it was her understanding that we saved from positions that were not filled. We need to look at each and every position and decide which one we can not fill and how much money will it save us. That is the first thing to look at. Secondly, we need to look at line item cuts, line by line by line. President Niccum gave her a wonderful example at the subcommittee meeting that we are paying \$1,000 for a magazine for *The Building News*. This is why she wants to do line item by line item. She has not done the numbers on the suggestions from the employees, but they are on the budget, like eliminating staff development days. She wants to know how much money that saves us. If we can get \$30,000 and divide that by the number of retirees and employees to give them \$100 more a month then she thinks we will have made a lot of progress. She stated that we have not done that yet and thinks it is something we want to do.

She continued by agreeing with charging 50 cents for DVDs. They are still cheaper than Redbox at \$1.00. Another idea that was tossed about is when and if the economy turns around, perhaps we could put together a proposal for employee bonuses. If we find out at the end of any particular year that we have extra money, we could make a decision to apply that money to employees benefits in the next year or legally give employees a bonus. Again that might be based on money that we cannot count on every year, but it's going to help our employees and retirees if they get a check.

Her last point, and employee comments really firmed this up, was to give everyone as many choices as legally possible. If we can allow an employee to decide between \$250 in dependant costs versus disability care, I would prefer that the decision is in the employees' hands rather than ours. So her goal was to add every single nickel we can and go through and cut this budget to the point where we feel comfortable. She disagreed with a comment from the public about e-books. She knows it is a new service but that's where libraries are going. If the Board has to cut \$1,000 for *The Building News* or the ebooks, she is not going to say to our customers and our citizens that we are not going to make this a library anymore. There are things we can cut and we can hold our breath and do that, but she feels it is important for employees to have the choice so that the benefits impact employees' lives in the ways that work best for them.

She thanked President Niccum for meeting with her before the meeting because he answered her many questions clearly and thoroughly and it helped her to frame her positions. She stated that she was interested in the reactions of other Board members.

Trustee Salts stated that he thought we should start charging 50c for DVDs and do line item erasures. He agreed with Trustee Miller that this is a library and we have to have services for our citizens who are also feeling the pain of the economy. He would not like to see the hours cut. He feels that we have the hours settled in and it works. He is concerned that we do not know what our revenues will be. The price of housing is still going down and that is where we get our money so we cannot do give-backs at this point. Our calculations are based on what we have right now. We have to keep our eye on the ball.

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Trustee Ganer said that she wanted to pick up on something Trustee Miller said about having some specific aspects of information she would need to make the decision, and some of the ones she herself needs really tie in as she is in philosophical agreement with Trustee Miller regarding employee choice. If we talk about employee benefits and say OK with the Kaiser benchmark for everyone, she would like to go above it to allow a choice for employees. She picked a round number for her example saying Kaiser benchmark to pay for health insurance plus \$200 and you can use that \$200 for whatever, if you want to go to another program, use it for dependent coverage, for vision for long-term disability, etc. That means she needs more information. For example, some companies will only offer a program if all employees are participating. Is that the case with any of our programs? What would the costs be in each of these particular areas so we can get a sense of what the possibilities would be. Then obviously how much we have is another matter. The Board would love to be able to say we will provide everything for everybody and their dependents. That's clearly not going to be the case. She would like to give as much choice to the employees as to how they want to spend that money as we can in a feasible way.

Trustee Salehi said that he liked Trustee Miller's assessment. He thinks there is a good analysis to be done of what we are spending. He liked the suggestion to charge 50 cents for DVDs which leads him to a question for the Director. At the last meeting he said he wanted to see a bare bones analysis of how other comparable library districts are working. He wants to see everything at an extreme for our own advantage. He wants to see what the highest amount being paid for fines is. He wants to know who they are, how rare it is and if we can do that as an emergency thing for ourselves, taking some the burden from the employees and placing some of it on the citizens. We are one big family and the burden should be shared equally. It shouldn't be one-sided. There is some homework to be done. He felt everyone else is looking in the same direction. He is happy to be with such good minds here and he feels they will come up with something everyone will like.

President Niccum said we have a structural deficit of \$142,000 a year. That is the starting point. Until we fill that hole there is no money available for new employees, salary increases, cost of living increases, step advances, additional materials and additional services. That is assuming we get all the money next year and the year after that we have received from property taxes and redevelopment money from the city. He asked Director Hanley if we received as much from the redevelopment money this year. She said no, we were down about \$12,000. He explained that the deficiency, if it continues, elaborates the problem. Assuming the best case that we get the same amount in property taxes and redevelopment money, we still have that 12,000 hole. If we make the changes in benefits that he is proposing on a full-year basis, it would be a \$64,000 savings in current fiscal year costs. The savings would be larger as we go forward because those costs would be increasing. His proposal is to add back the vision plan so instead of \$64,000 toward the hole, we would have only \$60,000 towards the hole which will have to be made up from something else.

He continued to say he is suggesting changing our hours to be open a single shift five days a week. That would affect 3 days of the week since we are open a single shift on

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Fridays and Saturdays. We would be open on Tuesday, Wednesday and Thursday the same hours as Friday and Saturday. That would save us approximately \$50,000 a year in staffing costs. So adding that to the \$60,000 saved by changing benefits, we still have a structural hole, and that means ongoing, every year, of \$32,000. We can take that out of materials and that is essentially half of our book budget.

He continued that looking at the book budget line item is \$82,400 in the current year, we are looking at cutting that by about 40-45%. You can tweak that by saying we will cut books less and electronic subscriptions more, or media more, or whatever. You see the magnitude of the problem. This is not something that will be solved by tweaking line items. That is not going to solve the problem. We need big changes and the biggest changes have to occur in the coming year because we only get half the benefit of the benefit changes the first year. Benefits change in January and that is when the new benefits program takes place, but our budget starts in July. So we will have half the year without any savings on benefits which is why we need to save even more the first year. It is his contention that we need to change the hours and we need to do that beginning at the fiscal year for the savings. The Board needs to make a decision. He addressed the Board members saying this is not a new issue. It was brought to the Board and we started discussing this last October. We have had this issue before us for seven months. Back in October, the majority of the Board rejected changing the benefits, but didn't do anything to fix it. The problem has remained and grown and we sit here in May confronting this problem with requests to push it off into the future. He said this is irresponsible. He said this Board needs to give the employees some definition about what they are going to do. The Board needs to take a stand that we are going to keep this library district solvent.

Trustee Salts said he did not want to cut the hours. Would the library open later and be open later? We live in a working class neighborhood. People have to be able to come to the library after work.

President Niccum said his desire is not to cut library hours but it is the source of \$50,000. His bottom line is \$142,000, however we can get to \$142,000. If it is by wiping out the materials budget, if that is what the Board wants to do or by wiping out electronic subscriptions. If you do not reduce the hours, you have a \$50,000 larger hole. He wants to know where the \$50,000 could be made up.

Trustee Salts said a suggestion was made tonight to charge for DVD rentals which would be about that amount. Changing the hours will change the character of the library if you are not open in the evening. Being open in the daytime is great for retired people. President Niccum stated that he did not say anything about not being open in the evening. He said the library should be open a single shift. We could be open from 1 p.m. into the evening. He is not proposing any specific array of hours.

Trustee Miller stated that she is completely on board with him in terms of addressing unfunded liability and remaining solvent; however, she is not going to make a decision that has the potential impact to dramatically harm employees without having all the information, so she is proposing that the subcommittee meet again and that they start by

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directing the Director to go line item by line item, eliminating all those things similar to what was discussed. Then the subcommittee will meet and review those and that would tell her more of what the number actually is.

With regard to President Niccum's comments about discussing this since last October, Trustee Miller feels the Board has been responsible and she is not pointing fingers, but she is not going to vote for something that can harm employees without having the information and knowing how to make the decision. So she moved to table this item, direct the Director to do a line by line and give numbers on all these things. The subcommittee will meet with her and come back with more recommendations so the Board can make that decision in June. The information is necessary to make the decision.

Trustee Salehi asked if the information can be obtained in time to make the decision.

President Niccum interrupted saying that the motion needed a second. Trustee Miller said that the Board should be able to be moderately informal. President Niccum said that a second was needed before discussion. Second by Trustee Salehi

In response to Director Hanley's question if there would be discussion of the motion, Trustee Miller said this was a tabling motion and according to Parliamentary procedure, which she confirmed with Trustee Ganer, there is no discussion as this is not a debatable motion. Trustee Miller further noted that this item was being tabled until June.

Ayes: Trustee Miller, Trustee Salehi
Noes: Trustee Salts, Trustee Niccum
Abstains: Trustee Ganer

The motion failed.

President Niccum said now the Board is back to discussion in general and that he was disappointed because he pointed out before the meeting that the information Trustee Miller is asking for is there in the Board packet. Trustee Miller stated she needs more information and does not think she has enough to make a decision. President Niccum reiterated that the information of how much is spent on items like staff development days is there. Trustee Miller said she felt attacked by President Niccum's statement that he was disappointed with her. President Niccum said he was not criticizing but trying to respond to her and Trustee Salehi's request for more information. He continued that the line items are there on the page. The Board is in a position to change any of those before it becomes the final budget. The draft budget, as it is every year, is presented so the Board can make recommendations and comments before it is a final budget. He added that he is open to the subcommittee meeting again, but the subcommittee will be comprised of Trustee Miller and whoever wants to participate. His work is done as he has spent hundreds of hours on this. The Board knows the number, \$142,000, and however the subcommittee comes to that amount is fine by him.

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Director Hanley stated that she would like to advise the Board of \$143,000 that could be used for OPEB's. We did not spend \$43,000 for an election this year, so we have that amount right there. And we did save a lot of money by not filling positions this year, and she does not anticipate filling those.

For this year it looks like we will not spend between \$150,000 and 197,000 of unexpended salary money. It is not money we will have to replace next year because at a fruitful manager's meeting today, we came up with an additional \$100,000 in savings from the budget in the packet. She proposed \$1,120,000 for salaries next year, and Mary McCasland and Patricia Rivera asked what will change next year. If we are spending about \$1,000,000 in salaries this year, then all we need next year is about \$1 million. With this information, the Director is proposing changing the salaries and wages to \$1 million, or \$1,020,000 would be her comfort level, and that saves \$100,000 already.

She further stated that she is fiscally conservative; she feels that the managers are on board; and this is a bare-bones budget. It is doable within the revenue we are going to get next year. We have already saved the money that you want to save for next year through salaries and the election money. She feels the Board can deal with the employee benefits tonight and then the budget may need some tweaking but minor, not major surgery. There is almost no fluff. She said "almost" because CLA is in Pasadena this year and that gives us an opportunity to send staff for continuing education. ALA is in Anaheim next year. Again, this is an opportunity because we do not have to get hotel rooms or food. As professionals, staff needs to have some training with all the new technology and we are not going overboard on any lines.

She asked the Board to consider the benefits tonight as a separate item and the budget tonight if they want to but encouraged them to ask questions.

Trustee Miller understands Director Hanley wants the Board to vote to benchmark Kaiser tonight, but she wanted to clarify what the Director said about finding \$100,000. One of the reasons she had made the motion to table this item was so they could look at the unfilled positions and say, as the Board, we are going to make the decision to not fill these three positions and that will save us X amount of dollars. She would prefer it be a subcommittee recommendation, along with charging 50 cents for DVDs. She would still like to do this.

Director Hanley explained that the \$100,000 came from the proposed budget where \$1,120,000 was budgeted for salaries and wages, but since about \$1 million will be spent this year and there will be no staffing changes, the proposed figure was changed to \$1,020,000, that leaves a difference of \$100,000.

Trustee Miller said that if we are not filling positions then we have to calculate how much of that money could go back to employees and she would then not pass this motion since it says the minimum. Now she is hearing that they can go above the minimum, but we do not know how much above the minimum they can go until the subcommittee

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meets and puts that data together which was why she made the initial motion to table this item.

Director Hanley said there are no other positions that need to be filled except the Business Officer right now, and maybe a handyman.

President Niccum recognized Trustee Ganer who asked a question if the Board asked to see the proposed budget for 2011-2012 revised to reflect some of these issues being talked about. She assumes that, rounding off the figures, item 100 would come in at \$1 million rather than \$1,120,000. The next item is 203, the retirement trust, which is now at \$43,000 and is the election costs. This equals the amount, \$143,000, President Niccum referred to.

President Niccum interjected that that money is not available and he will address that. The problem with saying it can be contributable for next fiscal year ignores the fact that we are \$283,000 in the hole before we start the fiscal year in terms of our unfunded liability. He mentioned the structural problem but that is based on the actuarial report done two years ago and in the past two fiscal years, we have put away zero. We have two years of \$142,000 that we have to backfill before we can start. Trustee Ganer said that we don't need \$142,000, but tripling that number. President Niccum said we need \$142,000 on an on-going basis and \$283,000 actually. Trustee Ganer said that once we know what we are looking at that is when we can make decisions. She wants to know how much we have for medical and other benefits but it all has to be in keeping with balancing the overall budget.

Director Hanley said she had sent out an email earlier in the day that had the information about separating out life insurance at \$3,116 per year, accidental death and dismemberment at \$300 a year, long term disability at \$2600 a year. We can get all or 1 or 2. Trustee Ganer wanted to know what the cost per month, per employee was. Director Hanley calculated that it was about \$22.00 per month for life insurance. Trustee Ganer said that is what she wanted to know because if we go above the benchmark, the costs will determine what kind of choices the employees would have. If an employee does not have a dependent then the money would be available for some other benefit. She wanted a dollar figure for options above and beyond the benchmark. Director Hanley said a rule of thumb is that benefits add about one-third again of an employee's salary so to a certain extent it depends on salary. Trustee Ganer wanted to make sure that programs were not an "all or nothing" benefit. Director Hanley said that an opt-in/opt-out option would be available for full-time employees once a year.

Trustee Salehi wanted to know how we know how many people come in to the library. Director Hanley said that the gates at the entry of the library register when people enter and leave. He wanted to know if we could measure the busiest hours in the library. Director Hanley said that staff has been keeping track of questions being asked at the public services desk for the last 2 weeks. From experience, staff knows there is a certain arc of the day when it gets very busy. She said that an old school way is to take a head count of how many people are in the library on the hour and that could give a snapshot of activity.

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Trustee Salts asked if a count could be taken at 11:00 a.m. and 6:00 p.m. each day, then we would know what is happening if we do change the hours. Trustee Salehi asked if the number could be checked hourly this month so we would know when the greatest number of citizens are in the library in case we make a drastic shift of hours. Trustee Salts said the count would not need to be done hourly, but the Director could decide when. The Director said different parts of our community come to the library at different times of the day. For example, many older adults enjoy the mornings here and come as soon as the doors open, while the children come in after school.

Director Hanley made the point for consideration that if hours are changed and staff is reduced, we do not pay into unemployment insurance so it would have to be paid directly from our budget. If we are planning to let people go, money should be placed back into the budget. President Niccum said that that would not be a recurrent cost, but essentially a one-time cost, whereas changing hours would be a recurrent savings. Director Hanley said she would like to second Trustee Salts feelings about reducing the library hours. She would hate to cut the hours as it would make it stressful to the remaining staff as the public will be coming in wanting the same services. She thinks the \$50,000 is optimistic and could be a false savings. Reducing hours would be bad for the community and for staff.

President Niccum said he did not want to debate individual items and would look at this when it comes before the Board. He would look forward to hearing from whoever comes up with the \$142,000. He added if the Director felt \$50,000 was a false savings it would have been appropriate for her to tell him so when she gave him that figure, or to say \$50,000 with unemployment costs. He has been predicating his proposal on the information she gave him.

The Director apologized and said she did not speak about the psychological and morale issues of staff if we reduced hours and let employees go. Trustee Salehi said that it is critical that any information given to the Board be accurate. Director Hanley said it was all as accurate as possible at this time without know exactly what our revenue will be or how much of a carryover we would have. She asked President Niccum if the savings from the unfilled positions and the unspent election money were enough to make him comfortable for this year. He said he could not say. That was why he was withdrawing this item and wants it placed on next meeting's agenda. He can't say because we have been dealing with some hard and fast numbers that have become pretty squishing in the last hour. What was presented to us days ago as numbers for the coming year have, within the last half hour, gone into a swamp. He could not tell if \$1million is a strong number when the number last week was \$1,120,000. He is not in a position to give an answer.

Trustee Salehi asked what the current fees were for overdue books. Mary McCasland answered 25 cents per day. Trustee Salehi said he was looking online and found that LMU's fine per day per book was \$2.50. At A&M University in Texas, it's \$2.00. He knows we are not a university, but these are fines that people pay for doing something irresponsible. If they do not want to pay it, they can bring their items back on time. He would like to make a motion or put it on the next agenda to push it to some extreme like

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this and put a notice on the wall saying this is due to an extreme economy, and this is what we are going to have to do until further notice, and please bring your books back on time. That could be something to look at. We could measure the amount of complaints we get from this and if it is horrible we could go back and change it.

Trustee Salts began to say that we have to be careful, but President Niccum interrupted that he had noted this as a future agenda item and because this item was not posted as required by the Brown Act, it would be considered next time.

Trustee Salts said he is concerned about the structural shortage that President Niccum has been talking about. He said we have been talking and beating our heads on this for a year and we need to make a decision. It doesn't have to be tonight, but we have to make it soon. He feels President Niccum is right on this. We have to figure how to keep this library open and not cut the hours and not cut the services and have a quality working condition for our employees. How exactly we are going to do it has not yet been determined but we have to determine our next move, and move on it next month. It has got to happen.

Director Hanley apologized for the numbers, but she was projecting the figures before emailing them to the Board that she that she saw the this money was not going to be spent. She had been basing that number on last year's salary and wage number; but things changed this year.

President Niccum stated that this item was withdrawn and it will be talked about again under Future Agenda Items.

Trustee Miller asked to clarify procedure and if the President has the authority to withdraw a motion without the approval of the group? President Niccum said it was not a motion but a proposal he had made and put on the agenda. She asked if a motion had been made because that is why she had made a motion to table it. She thought the motion was on the table. President Niccum said that it had not been moved and seconded. She asked then why did the Board vote on her motion to table it, since you can only move to table a motion when a motion is on the floor. Trustee Ganer also stated that you can only move to table a motion when a motion is on the floor. President Niccum stated that we have a parliamentarian here to direct us. Trustee Miller said the parliamentarian did not tell them there had not been a motion and a second on the floor. Trustee Ganer said evidently and it was her guess that there was not a motion and a second on the floor, but the Board just started talking about it. She said that now, from a parliamentary stand point, the Board should just stop talking about it.

b) F.A.I.R.: Freedom of Academic e-Information Resolution

Trustee Salehi said he had just a couple of points to make on this item and then he will move to table it until next time because of the importance of the other items on the agenda and the Closed Session. First, he is still looking forward to questions from the other Board members. Second, this could be a way to bring in additional income. When he initially introduced it, he considered charging a nominal fee, but they could charge

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nominal fees for students and substantial fees for non-students to be able to use something at this library that is not available at any other non-UC library. Trustee Ganer stated that her concern is the feasibility of this proposal and what the cost would be. She finds it hard to believe that the UC system would make its database available to another library for no cost at all. Trustee Salehi said he is only asking for Board permission to ask the UC system for access. The worst case scenario is that they say no. He cannot give any more information until he has a dialogue with the UC Regents. Trustee Ganer said that if she is hearing him right, he wants a resolution that says that BPLD authorizes Al Salehi to talk to the UC Board of Regents. Trustee Miller commented that it would be inappropriate to authorize Trustee Salehi to speak to them. So what she is hearing is that he wants a consensus of the Board to direct the Library Director to go forward. She would recommend that trustees come back with questions. Trustee Salehi may not be able to answer all the questions and so the decision will be whether to instruct the Library Director to pursue this and gather the information. Trustee Salehi agreed.

Trustee Miller asked President Niccum for clarification about Item a) Unfinished Business. She needed to know what is going to happen between the May and the June meeting. If he is going to withdraw from the subcommittee, she wants to know how to proceed in naming another person to the committee. He said it would be addressed under Board Member Reports under Oral Communication and also under Future Agenda Items.

c) Update of the Support Group Policy

President Niccum asked if anyone was here from the Volunteer Guild. Director Hanley said yes.

MOTION: Trustee Ganer made a Motion to adopt the updated Support Group Policy. Second by Trustee Salts.

During discussion, the Board changed the wording in the fourth paragraph to read: The support group also agrees to coordinate advocacy efforts on behalf of the Library under the guidance of the Library Director and the BPLD Board of Trustees.

To the last paragraph of the document, the words "towards that project or service" was added after "...with all remaining funds" to make it more explicit.

MOTION: Trustee Miller made a motion to adopt the updated Support Group Policy with the amendments. Second by Trustee Salehi.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

d) Update of Volunteer Guild Bookstore Agreement

During discussion, the wording of the third paragraph was changed to say, "All donated items placed in the upstairs storage area will be priced and placed out for sale within 60 days unless an exception has been approved by the Library Director.

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The wording of the sixth paragraph was amended to read, "If the bookstore storage area becomes overcrowded, unsafe and unorganized, as determined by the Library Director, the Library Director will provide a written notice to the bookstore manager of the conditions with a copy to the President of the Volunteer Guild.

Later in that same paragraph, "If the condition persists, the Library will cease accepting donations on behalf of the Guild and the failure to correct will be considered a cause for termination of the Agreement by the BPLD Board of Trustees."

The paragraph dealing with the internal operations of the bookstore was stricken from the document.

The second sentence of the next to the last paragraph will read, "The Volunteer Guild shall at all times designate an assistant bookstore manager who will..."

MOTION: Trustee Ganer motioned the approval of the policy with the changes that have been indicated in the discussion. Second by Trustee Salehi.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

V. NEW BUSINESS

a) Analysis of Draft Budget and Projected Income

Replacement pages for the analysis were made available to the Board with headings on each page. Director Hanley asked that Salaries and Wages be changed to \$1,020,000 and any other changes that were suggested today. President Niccum stated that since this is only an analysis of the draft budget, he suggested the Director make the changes and then send it forward to the Trustees.

Trustee Ganer said that looking carefully at every item is important. She sees Materials as an area of potential savings, but an area most of us hate to see cut because that is what the library is about. She trusts staff as professionals to make the judgment on which items to cut because they know what is most accessed by the public. Some hard choices will have to be made but the Board trusts they will make the correct recommendations.

Patricia Rivera clarified that *The Building News* which was reported earlier as costing \$1,000 is actually not a magazine but a reference book of the building code for the City of Buena Park. President Niccum stated if this book could be accessed by the public at the city then the money used for the purchase of this book could purchase several magazines instead.

Director Hanley said the money for Tuition Reimbursement is a wash because it is given to us by CLA. Prior year Wish List is money that the Guild gives us as well as most of the Summer Reading Program (SRP) expenses.

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b) Review of Unpaid Holidays for Fiscal Year 2011-12

Director Hanley presented the list of four unpaid holidays for Board approval. During discussion, the Board agreed to close the Library on Saturday, July 2 in observance of the July 4, Independence Day, holiday and keep it as an unpaid holiday for full-time staff.

MOTION by Trustee Ganer to shift the unpaid holiday from July 4 to July 2, 2011.
Second by Trustee Salts.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

c) Review of Vacation Accrual Policy

Director Hanley stated it was brought to her attention that there are a couple of different policy manuals, and it appears that the Board did make a change in 10-08 and removed the awkward language that is in the administrative data base. She will withdraw this item from the agenda, but asked if the Board wants to cap vacation accrual at 200 hours. Librarian Marcia Miyoshi had Mary McCasland deliver information on this issue to the Trustees. After review, Trustee Salts recommends keeping it as it is.

MOTION: Trustee Salts made a motion to keep the vacation accrual cap at 200 hours as it currently stands. Second by Trustee Miller.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

Trustee Ganer says that alternative methods of calculating vacation accrual may not be a better choice, but she has not had enough time to give it thought. She voted yes on this item with the understanding that we might come back to this and look at it another way in the future.

VI. ORAL COMMUNICATION

a) From Public concerning non-agenda items

None.

b) Board Members' Reports on conferences attended or meetings scheduled

President Niccum stated that the subcommittee was mentioned earlier and he thinks this is a good opportunity as the Board and Staff has an sense of what his analysis is and what targets he is looking for, so no further analysis is needed from him. This is a good occasion to get fresh insights into the process. He asked for a volunteer to join Trustee Miller as the subcommittee. Trustee Salehi volunteered.

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c) Volunteer Guild Report

Luann O'Hara, Volunteer Guild President and Bookstore Manager, was not present so Marilyn Lowry gave a report in her absence. The 50-cent VHS Sale was very successful. They made about \$143. The next sale is a BOGO cookbook sale which will run from Saturday, May 7 to Saturday, May 14. She had no financial report to offer. To recruit new volunteers, they will be posting flyers at some senior apartment complexes, the Senior Center and in the bookstore itself. Many customers do not know the bookstore is run by volunteers. Weekly sales events are being developed with restocking sales, specials of the week and authors of the week in an effort to boost sales.

Director Hanley said that Marilyn was doing a wonderful job.

Trustee Miller apologized and said she should have mentioned this during the subcommittee discussion. She asked Director Hanley to put together all the potential cuts based on the discussion tonight. She would like to meet week after next and perhaps another meeting prior to the June Board meeting so they could come back to the Board with a specific detailed recommendation. Director Hanley agreed. Trustee Salehi asked for information about the fees other library districts charge and how much it would make us or save us. Director Hanley said she did not feel this budget was padded at all and that any additional cuts would be cutting into the bone.

VII. FUTURE AGENDA ITEMS

- a) Gann Appropriation Limit
 - b) Annual Investment Policy
 - c) Return of the benefits item leaving the money for the vision plan as part of the benefit package
 - d) Trustee Salehi's recommendation for a dramatic increase of fines
 - e) F.A.I.R.: Freedom of Academic e-Information Resolution
- President Niccum asked Trustee Salehi to send out electronically the proposed language before the meeting.

Trustee Salehi asked the Director why his request for discussion about closing the Library between Christmas and New Years was not on tonight's agenda. President Niccum interjected that the heading, Future Agenda Items, is on the docket of the agenda every month. That is the occasion for Board members to suggest future agenda items for consideration. If something special requires attention before the next meeting, then the appropriate approach is for the Board member involved to contact the Board President to see if it can be added. It is not appropriate for individual Board members to be making requests of the Director. The Director is to respond to requests from the Board as a whole.

Trustee Salehi said he was not aware of this, but he wanted to discuss this because staff would probably enjoy spending time with their family and if it in effect saves money, it may

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be something we would be so moved to do. President Niccum asked how to characterize this discussion item. Trustee Salehi said examination and discussion of potential vacation or holidays for library staff members. Trustee Ganer asked if this was paid or unpaid leave. Trustee Salehi stated this was an unpaid furlough between Christmas and New Years Day.

- f) Examination and discussion of potential vacation or holidays for library staff between Christmas and New Years.

VIII. CONSENT CALENDAR

- a) Unpaid Bills Detail April 2011.

MOTION by Trustee Ganer. Second by Trustee Salts to approve the Consent Calendar. Motion was approved unanimously.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

IX. CLOSED SESSION

- a) Personnel Matters (Pursuant to Gov. Code Section 54957)

The Board recessed into Closed Session at 8:18p.m.

The Board reconvened into Open Session at 8:27 p.m.

President Niccum stated that two trustees left, but Trustee Ganer, Trustee Salehi and he remain. No reportable action took place during Closed Session.

ADJOURNMENT

MOTION by Trustee Ganer. Second by Trustee Salehi to adjourn the meeting.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

The meeting stood adjourned at 8:28 p.m.

Submitted by,

Patricia M. Ganer
Board Secretary