

**MINUTES**  
**LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT**  
**BOARD OF TRUSTEES MEETING**  
**LAS VEGAS, NEVADA**  
**June 10, 2004**  
**(Approved July 22, 2004)**

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Sahara West Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, June 10, 2004.

**Present:** Board: E. Sanchez, Vice Chair L. Overstreet  
K. Carter, Secretary V. Davis-Hoggard  
A. Arthurholtz, Treasurer A. Aguirre  
T. Wong (by teleconference) F. Spomer (by teleconference)  
M. Pohl K. Benavidez

Counsel: G. Welt

Staff: Daniel L. Walters, Executive Director  
Numerous Staff

Guests:

E. Sanchez, Vice Chair, called the meeting to order at 6:10 p.m.

**Roll Call** All members listed above represent a quorum.

**Agenda** Trustee Pohl moved to approve the Agenda as proposed. There was no opposition and the motion carried.

**Approval of Proposed Minutes Regular Session, May 20, 2004.** Trustee Davis-Hoggard moved to approve the Minutes of the Board of Trustees Meeting held May 20, 2004. Trustees Pohl and Arthurholtz abstained from voting. There was no opposition and the motion carried.

**Chair's Report (Item IV.)** Acting Chair Sanchez introduced Kelly Benavidez as the newest member of the Board of Trustees. Ms. Benavidez is an employee of the City of Las Vegas and was nominated by Councilman Lawrence Weekly to fill the vacancy opened by the resignation of Board Chair Ricki Barlow.

**Executive Director's Report (Item V.A.)** In addition to his written report, Executive Director Walters asked Development Director Suzanne Hackett-Morgan to address the Board regarding responses from the first direct mailing of the Library Foundation. Hackett-Morgan stated that as of June 10, there had been 165 gifts with a total of \$6,359 being raised. This was a .66% response rate with the average gift totaling \$38.54. Trustee Aguirre asked if there had been any negative feedback resulting from the mailing, and Ms. Hackett-Morgan answered that all responses have been positive.

Executive Director Walters noted that he had attended a three-hour Public Capital Workshop earlier in the day that had been sponsored by the Harwood Institute whose corporate headquarters are in

Bethesda, Maryland. Other attendees included Executive Directors from the Agassi Foundation, the Reynolds Foundation and other private fund-raising leaders in the community.

Human Resources Director Bud Pierce introduced Summerlin Library's new Branch Manager, Gregory Carr. Mr. Carr came to the position from the Chicago Public Library in response to the District's efforts at national recruitment.

Walters acknowledged receipt of two letters from the State Librarian, Sara Jones. One letter expressed appreciation to staff and the District's leadership role in providing a reference institute for the entire state which was held at the Flamingo Library. The second letter expressed appreciation to Development Director Suzanne Hackett-Morgan who gave a workshop for the State on private fundraising.

Executive Director Walters encouraged all Trustees to attend Staff Day being held on Friday, June 18.

In reference to diversity statistics, Trustee Aguirre asked if the Human Resources Report could be presented in a "chart form" that would include the last twelve months' activity. Executive Director Walters noted that currently this type of activity is presented in the diversity committee's annual report to the Board but that a monthly update could certainly be considered.

Trustee Sponer moved to accept Reports V.A. 1-7. There was no opposition and the reports were accepted.

**Public Services and  
Security Report (Item  
V.A.1.)**

Accepted.

**Business Office  
Report (Item V.A.2.)**

Accepted.

**Human Resources  
Report (Item  
V.A.3.)**

Accepted.

**Technology Report  
(Item V.A.4.)**

Accepted.

**General Services  
Report (Item V.A.5.)**

Accepted.

**Marketing Report  
(Item V.A.6.)**

Accepted.

**Development Report  
(Item V.A.7.)**

Accepted.

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**Unfinished Business  
(Item VI.)** None

**Discussion and possible Board action regarding the election of Board officers for Fiscal Year 2004-05 and accompanying Resolution 2004-03. (Item VII.A.)**

Based on discussions and recommendations over several weeks from Board members, Nominating Committee Chair Overstreet presented the selected slate of officers to be considered by the Board. The slate recommended was Louie Overstreet, Chair; Verlia Davis-Hoggard, Vice Chair; Ken Carter, Secretary and Andi Arthurholtz, Treasurer. Vice Chair Sanchez called for additional nominations from the floor. Trustee Arthurholtz nominated Elaine Sanchez for Chair.

Trustees Overstreet and Sanchez each spoke briefly about their respective qualifications to serve as Chair. Trustee Overstreet cited his attendance record and participation in the By-laws and Budget and Audit committees as well as his ability to commit time to the duties of Chair. Trustee Sanchez cited her two years of service as Vice Chair, her ability to guide the Board through "tough meetings" and her desire to serve. After candidate response and discussion among Trustees, a show of hands by those present and a voice vote by Trustees Wong and Sponer via conference call culminated in a 7-3 vote in favor of Elaine Sanchez.

Vice Chair Sanchez called for additional nominations for Vice Chair. Trustee Sponer nominated Trustee Overstreet as Vice Chair which he declined. Trustee Davis-Hoggard was unanimously elected to the position of Vice Chair.

Vice Chair Sanchez called for additional nominations for Secretary. Hearing none, Trustee Carter was unanimously elected to the position of Secretary.

Vice Chair Sanchez called for additional nominations for Treasurer. Hearing none, Trustee Arthurholtz was unanimously elected to the position of Treasurer.

Trustee Pohl moved to pass Resolution 2004-03 authorizing Fred James, CFO and newly elected Treasurer Andi Arthurholtz to execute checks on behalf of the Library District. There was no opposition and the motion carried.

**Discussion and possible Board action to approve contract terms for Library Automation Services provided to North Las Vegas Library District, Boulder City Library, Henderson District Public Libraries and Nellis AFB Library. (Item**

I.T. Director Al Prendergast presented this item. The Library District has provided library automation and courier services for neighboring library districts for over ten years. This arrangement has benefited the residents of Clark County by providing access to collections from any of the participating libraries. Library patrons may reserve and check out or return items at any library and those items will be returned in a timely manner to the owning library. As libraries have grown and purchased their own automation systems, the District has fully cooperated in developing procedures to ensure that materials may be easily borrowed or returned to any library.

Boulder City Public Library (BCPL) and Nellis AFB Library continue to

**VII.B.)**

contract for full participation in the District's automation system. Their items are represented on the District's catalog and their patrons are included in the patron database. In addition, Nellis AFB Library contracts for courier services provided by the District. Fees are based upon circulation, number of access points, locations, courier services and cataloging support.

Henderson District Public Libraries (HDPL) and the North Las Vegas Public Library (NLV) both contract for limited access to the District's catalog. Their patrons may request items for pick up at their locations if they have an active library card in the District's system. Items belonging to the District may be checked in on the District's system at these locations. Fees are based upon the number of locations and access points. The interlocal agreement with HDPL allows for an exchange of courier services for automation services. Usage of these two services is monitored and evaluated each year to ensure that the exchange of services is equitable.

Responding to a question from Trustee Davis-Hoggard, Executive Director Walters indicated that the proposed contracts were essentially "renewals" of current contracts. Trustee Carter moved to authorize the Executive Director to execute new contracts for library automation services with North Las Vegas Library District, Boulder City Library, Nellis AFB Library and Henderson District Public Libraries subject to review by Counsel. There was no opposition and the motion carried.

**Discussion and possible Board action authorizing the Executive Director to negotiate and execute a contract amendment for additional consulting services with Joseph Ford & Associates not to exceed \$40,000. (Item VII.C.)**

I.T. Director Al Prendergast presented this item. In August 2002 the Board of Trustees authorized the Executive Director to negotiate a contract with Joseph Ford & Associates for consulting services to assist the District in the procurement of a Resource Management System (RMS) and an Integrated Library System (ILS). The contract was negotiated not to exceed \$80,000.

Consulting services for the first project, the purchase of the RMS, were completed earlier this year. The project took longer than expected due to the complexities of implementing the e-Commerce functions. LVCCLD is one of the first libraries to implement on-line functionality that allows patrons to add funds to their accounts using credit cards. This is an important hurdle for the next step of integrating e-Commerce functions with the new ILS. Testing the interface between the RMS system and the District's bank required several additional meetings and consulting hours with the Business Office and IT Department staff.

While working on the RMS project, Mr. Ford simultaneously worked with staff to draft an RFP for the procurement of an ILS. However, initial meetings with vendors revealed a lack of product development in the marketplace that would provide a significant improvement in customer service. Based on Mr. Ford's research, the District

postponed releasing an RFP until the marketplace offered the functionality that would warrant such a significant investment. There are now indications that vendors are prepared to develop the functionality LVCCLD has been anticipating, and the District intends to proceed with the purchase of an ILS with the intent of negotiating a development agreement with the successful vendor to provide the additional "new" functionality desired by LVCCLD. The capital budget includes \$2.3 million for the procurement of a new ILS system that will serve the District for 5-7 years.

Additional hours of consulting services are needed to develop specifications for the new development features, to evaluate vendors and negotiate the delivery of new functionality. The resulting RFP will ensure the District acquires an ILS that meets immediate needs as well as provides significant customer service improvements to meet future needs and avoid investing in less capable software and related equipment.

Trustee Davis-Hoggard asked how much money had been paid on this contract up to this point. Executive Director Walters answered that approximately \$60,000 has been paid thus far, and that the scope of work was changed midstream so there is not a cost override but a change in the consultant's use of time. Trustee Davis-Hoggard asked if the delay was attributed to the District rather than the contractor. Walters confirmed that the change in the scope of work was at the request of the District.

Trustee Sponer added that based on prior experience using Mr. Ford's expertise, she felt that the additional funding would be money well spent.

Trustee Pohl asked for clarification as to the bottom-line expenditure. He asked if the amount would be \$120,000 at the completion of Mr. Ford's services. Executive Director Walters confirmed the total amount, adding that the \$40,000 increase in the consulting services is a "not to exceed" amount.

Trustee Wong asked if he was correct in assuming that the project is a "developmental project." Executive Director Walters answered that it has a development component, but what is needed from Mr. Ford is a realistic assessment as to whether or not the vendors can accomplish what they say they can. The core functionality is centered around increasing staff efficiency.

Executive Director Walters disclosed that he has been acquainted with Joseph Ford for many years and that the personal friendship does not include a business relationship. The recommendation to hire Mr. Ford is based on his resume and service with public libraries including the LVCCLD, state libraries and academic clients.

Trustee Pohl moved to authorize the Executive Director to negotiate a contract extension with a provision for additional hours of Library Automation System consulting services with Joseph Ford & Associates

**Discussion and possible Board direction regarding policies governing meeting room and performing arts center use and fees. (Item VII.D.)**

for an increase in fees not to exceed \$40,000. There was no opposition and the motion passed.

Public Services Director Robb Morss and Deputy Director, CFO Fred James presented this item. They provided an overview of how the meeting rooms and performing arts centers are utilized and explained the current fees included in existing policies.

Mr. Morss stated that staff recommends that the Board continue to enable broad community access to meeting rooms and theaters by continuing to fund the use of library facilities by non-profit groups and for-profit groups at the existing rates. The alternative is to increase rates to cover the incremental costs associated with after-hour and private use or develop a plan to increase fees to a fair market value rate.

Trustee Pohl asked how the bulk of the cost is expended for facility usage, i.e., how much of the cost is subsidized for what percentage of the community by the District? CFO James answered that there is no tracking system currently available to track all expenses because the rooms are used by "in-house" groups (such as a Trustees' meeting) during regular library hours with technical staff who are "on the clock" in addition to non-profit groups and for-profit groups who could need additional services and equipment.

Executive Director Walters stated that it has been the Board's policy to provide meeting rooms as access points for such use free of charge.

Trustee Aguirre suggested that the District provide technical support to groups on a graduated scale based on their ability to pay. Public Services Director Morss noted that groups are currently charged for technical services, but that everyone is assessed the same amounts for services rendered.

Trustee Benavidez asked who determines whether or not fees are waived. Counsel Welt answered that all groups are treated equally. The District can regulate use of its meeting rooms by time, place and manner, but all non-profits are treated alike. Executive Director Walters added that when the District forms a partnership with a non-profit organization or another agency, there is no fee for the resultant program.

Chair Sanchez asked if a fee scale could be implemented without breaking any rules. Executive Director Walters answered that if there were to be a charge, it must be equal for everyone. Public forums cannot be regulated by content and use, only when, where and how can be regulated.

After an in-depth discussion, it was determined to ask staff to review the current fees associated with meeting room and performing arts center use, as well as the demographics of the users, and then to revisit the issue in the near future.

**Discussion and possible Board action to declare fines and fees totaling \$704,73 that are five years old, dating from 1999, as uncollectible and purge from District records. (Item VII.E.)**

This item was for direction to staff and not to be voted upon.

Public Services Director Robb Morss and Deputy Director, CFO Fred James presented this item.

In September 2000 the Board authorized staff to contract with Unique Management INC (Unique) to pursue the collection of delinquent fines and fees owed to the District. At that time, the Board approved a motion to expunge fines and fees owed prior to January 1999. The rationale for forgiving this debt was that the fines and fees preceding the implementation of DRA were considered uncollectible. Since contracting with Unique, the District has recovered over \$1.9 million in items and \$538,610 in fines.

There are 24,866 outstanding accounts from the year 1999. The majority of these accounts occurred prior to the District's contract with Unique. Before contracting with Unique, the practice was to manually review all delinquent accounts and refer those accounts owing fees for lost cataloged materials totaling over \$25.00 to a collection agency. The collection agency used at that time did not provide skip tracing or referral to a credit reporting agency which is standard practice with Unique.

Unique advises that debts older than five years are not likely to be recoverable. Given the age of the debt, it is unlikely that the District will collect a significant portion of the debt. The cost of referring the accounts to Unique is estimated to be greater than what they anticipate recovering.

Staff recommends that the Board declare fines and fees that are older than five years as "uncollectible." Currently there are approximately \$700,000 in outstanding fines and fees that were accrued in 1999. By clearing these fines and fees the District will be able to purge these inactive patrons and delete these items from the database. Further, staff recommends that each year delinquent fines and fees that are older than five years be reported to the Board for the purpose of being declared uncollectible.

Trustee Davis-Hoggard asked how patrons are made aware of their responsibilities. Morss explained that written information is given to patrons when they receive a library card. Parents are responsible for their children who are 14 and under. Fines are not levied on juvenile materials that are returned late.

Trustee Sponer asked what effect writing off this money as "uncollectible" would have on the balance sheet. CFO James answered that it is not part of the balance sheet.

Trustee Benavidez asked how a person gets their library card reinstated once its use has been suspended. Public Services Director Morss answered that these 1999 fees over \$50 must be paid

before getting privileges back.

Trustee Wong asked if the 1999 accounts that are being written off included everyone or if the people who owed \$50 or more would still be liable. Executive Director Walters answered that for those people who owe \$50 or more, their names would manually be re-entered into the records.

Trustee Sponer moved to declare all fines and fees accrued in 1999, totaling \$704,763, as uncollectible and authorize staff to purge from District records. There was no opposition, and the motion carried.

**Announcements**  
**(Item VIII.)**

Friday, June 18, is Staff Day and everyone is invited to attend, Tuesday, June 22, is the performance review for the Executive Director and the next Board Meeting will be held Thursday, July 22, 2004 in the Las Vegas Library at 6:00 p.m.

**Public Comment**  
**(Item IX.)**

None

**Adjournment (Item X.)**

Chair Sanchez moved to adjourn the meeting at 7:30 p.m. There was no opposition and the motion carried.

Respectfully submitted,

Ken Carter, Secretary