

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES MEETING
LAS VEGAS, NEVADA
July 22, 2004
(approved September 9, 2004)

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Las Vegas Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, July 22, 2004.

Present: Board: E. Sanchez L. Overstreet
V. Hoggard F. Sponer (telephone)
A. Arthurholtz, Treasurer A. Aguirre
T. Wong (telephone) K. Benavidez
M. Pohl

Counsel: G. Welt

Absent: K. Carter

Staff: Daniel L. Walters, Executive Director
Numerous Staff

Guests: Steve Singer, Orgill Singer & Associates
Charlie Dorsey, Marsh USA

E. Sanchez, 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 of Nominating Committee, June 10, 2004, Regular Session, June 10, 2004 and Special Board of Trustees Session, June 22, 2004. Trustee Pohl moved to approve the Proposed Minutes of the Nominating Committee held June 10, 2004. There was no opposition from the Committee members in attendance and the motion carried.

After a correction to the Development Report noting that instead of 66%, the figure should be .66%, and a correction on page 6, 2nd paragraph, that should read, "Public Services Director Morss" instead of "Deputy Director Morss," Trustee Aguirre moved to approve the Minutes of the Board of Trustees Meeting held June 10, 2004. There was no opposition and the motion carried.

Trustee Hoggard moved to approve the Minutes of the Special Board of Trustees Session held on June 22, 2004. There was no opposition and the motion carried.

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Chair's Report (V. Item I)

Chair Sanchez expressed her appreciation to staff for having the opportunity for an informative and well-presented Staff Day. Trustees Arthurholtz, Hoggard and Wong provided brief reports about the ALA conference in Orlando and indicated that ALA was very informative.

Executive Director Walters presented possible meeting dates to be considered for the Executive Committee meetings. He suggested October 13, 2004, January 12, 2005 and April 13, 2005. For the convenience of the Committee members, he suggested having the meetings at noon on or prior to the regular Board meetings.

Chair Sanchez solicited volunteers for committee assignments. Trustees expressing interest for the Finance Committee were E. Sanchez, F. Sponer, T. Wong, A. Arthurholtz and K. Benavidez. For the Bylaws Committee, Trustees Sponer, Arthurholtz and Hoggard expressed an interest. Risk Management drew response from Trustees Sponer, Aquirre, Pohl and Arthurholtz. Chair Sanchez agreed to check with Trustee Carter also.

Chair Sanchez asked Trustees to consider serving on the Legislative Committee. She will ask for people to serve at the next meeting. There was discussion regarding potential issues that the committee will consider.

Trustee Benavidez stated that she would like to be a representative to the Art Museum along with Trustee Aquirre. Chair Sanchez will make assignments for Chairs of the committees at the next meeting.

Executive Director's Report (Item V.A.)

Executive Director Walters noted that the *Library Journal* insert *Netconnect* cover showed a picture of a rolodex card promoting the District's Virtual Library. Marketing & Community Relations Director Pat Marvel worked with former employee Paula Wilson on the article.

Deputy Director Ledebauer gave a presentation regarding a settlement involving the recording industry class-action suit on CD price-fixing. Due to the settlement, the District received 18,000 CDs, represented to be a value of \$200,000. Ms. Ledebauer stated that the value of the CDs were well below market value, and that the District received too many copies of some CDs and only one or two copies of many others. She indicated that the District will add as many CDs to the collection as feasible and the remainder will be sold through the Friends, with the proceeds used to enhance the CD collection. A few CDs will be given away as prizes in YPL. Trustee Aquirre inquired about donating CDs to elementary schools. Ledebauer replied that the School District also received CDs in the settlement and were in the same predicament as the District.

General Services Director Rice informed the Board of a major mechanical failure of the cooling system at LVL. A temporary replacement is in place while repairs are being made. Trustee Hoggard inquired about the price to replace versus repair. Rice explained that it

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is less expensive to repair at a cost of \$45-\$50K versus replacement cost of \$200K. The repair should be covered by insurance, in which case the District has a \$10K deductible.

Public Services Director Robb Morss discussed an increase in security incidents and the need for increasing security patrols after hours. He has indicated that a 24 hour patrol would be instituted at LVL and CCL to provide better security and reduce after-hours incidents.

Trustee Aquirre inquired about using community groups to assist in cleaning graffiti from buildings. The Executive Director stated that the District has been advised to remove graffiti as quickly as possible. General Services Director Rice added that much of the work is large projects and it could be a liability to use volunteers. He agreed to look into the possibility of volunteers for smaller projects.

Trustee Wong inquired about the Foundation campaign and his inability to access its web site. Walters explained that the problem has been resolved and access will be available shortly.

Chair Sanchez acknowledged the \$1M free publicity benchmark that the Marketing Department accomplished for the year. Walters stated that Pat Marvel and Karen Bramwell have been working diligently to promote library services.

Trustee Aquirre thanked staff for the numerous reports and wanted to state recognition for the record of Debbie McGuire and Felton Thomas for participation in Clark County Leadership Forum. He also requested a report of the ethnicity/diversity of employees taking advantage of continuing education benefits.

Trustee Pohl 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.

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

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

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

Discussion and possible Board action regarding the appointment of a Broker of Record for the Library District's workers compensation and various insurances. (Item VII.A.)

Human Resources Director Bud Pierce explained that the current appointment for the Library District's Broker of Record for workers' compensation and various insurances expires in September 2004. A Request for Qualifications (RFQ) was advertised on May 9, 2004 in accordance with purchasing policies which included submitting the Invitation to Bid to businesses listed in the City of Las Vegas' Minority, Women and Disabled Veteran Business Directory and Clark County's Business Utilization Directory. A pre-proposal conference was held on May 19, 2004. The RFQ was open for approximately four weeks and closed on June 3, 2004. There were two (2) responses to the RFQ: Kellogg-Cutler-Yenchek Insurance Services, and Orgill Singer Insurance & Investments.

As a result of the evaluation process and interviews with representatives of both companies, Orgill Singer Insurance & Investments was selected for recommendation for appointment. The appointment will be for the policy year beginning on October 1, 2004. The initial appointment will be for one year with four (4) optional one-year extensions.

The Broker of Record receives no direct remuneration from the Library District. Remuneration is typically received from the insurance carrier in the form of a commission based on rates.

Mr. Pierce introduced Steve Singer, representing Orgill Singer. Mr. Singer answered Trustee Wong's questions regarding mod ratio.

Trustee Sponer inquired if Orgill Singer is separate from Marsh. Pierce answered that Marsh handles the District's Property/Casualty Insurance, whereas Orgill Singer is Broker of Record for Worker's Comp, Life, and Health Insurance.

Trustee Aquirre moved to authorize staff to appoint Orgill Singer Insurance & Investments as the Library District's Broker of Record for Workers Compensation and Various Insurances for the policy year beginning on October 1, 2004, and authorization for the Executive Director to execute up to four additional renewals subject to broker performance and review by Counsel. There was no opposition and the motion passed.

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Discussion and possible Board action regarding contract award for public officials and employment practices liability insurance. (Item VII.B.)

General Services Director Steve Rice introduced Charlie Dorsey of Marsh USA Inc., the District's Broker of Record for property and casualty insurance. Mr. Dorsey availed himself to answer any questions that the Trustees might have.

Trustee Wong inquired what the policy covers. Mr. Dorsey explained the coverage includes wrongful termination, actual employment violations, discrimination, sexual harassment, wrongful failure to promote, but also has many exclusions. He further added that his recommendation is to purchase the policy option which provides aggregate limit of liability of \$1,000,000 with a \$50,000/\$100,000 deductible. He indicated this would cover any catastrophic type situation. Trustees inquired as to the cost of the premium. Executive Director Walters stated that the annual premium would be \$29,073.

Trustee Arthurholtz noted that the cost in relationship to the budget is not overwhelming. She added that other governmental agencies purchase this coverage.

Trustee Sponer inquired if the policy includes prior acts. Mr. Dorsey stated it does not.

Trustee Overstreet requested that clarification under the \$100K right-to-settle be put in writing.

Trustee Benavidez stated that she still had questions regarding the right to settle. Council Welt indicated that he had asked Marsh to investigate whether the District would remain in control of the claim until the deductible is met as a condition in negotiating the contract.

Trustee Arthurholtz moved to authorize staff to award a contract, through Marsh USA Inc, to AIG at an annual premium of \$29,073 for public officials and employment practices liability insurance. There was no opposition and the motion carried.

Discussion and possible Board action regarding contract award for property and casualty insurance for the policy year commencing on July 1, 2004. (Item VII.C.)

General Services Director Rice presented this item. The District's property and casualty insurance policy renews annually on July 1st. Marsh USA Inc., Broker of Record, conducted a thorough review of the District's current policy and coverage, solicited competitive premium quotes, and prepared a proposed insurance package and recommendation for contract award.

The Risk Management Committee met at 4:30 prior to the Board meeting to review the proposals for property and casualty insurance with Charlie Dorsey and Chris Kidd of Marsh USA Inc. and to discuss staff's review and recommendation for contract award.

Rice stated that the premium cost actually went down this year, a decrease of \$21,000 or 9% below what was budgeted. The annual premium cost will be \$231,270. Two bids were received and Chubb Group submitted the lowest proposal.

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Discussion and possible Board action authorizing the Executive Director to negotiate a contract for consulting services with Dubberly Garcia Associates, Inc. to conduct the District's next strategic planning process and develop a Strategic Service Plan for the years 2005-2008. (Item VII.D.)

Trustee Arthurholtz moved to authorize staff to award a contract, through Marsh USA Inc. to Chubb Group at an annual premium of \$231,270 for property and casualty insurance for the policy year commencing on July 1, 2004. There was no opposition and the motion carried.

Deputy Director Ledeboer, Salvador Avila, Felton Thomas and Floresto Cabias explained the selection process of choosing a consultant for planning services.

Ms. Ledeboer led the presentation outlining the successful history of the District that was guided by the current Strategic Service Plan.

Mr. Avila provided background on what is involved in the planning process. Demographic and financial analysis is combined with input from the library staff and community stakeholders to identify service priorities.

Mr. Thomas explained the multi-step process of reviewing the five proposals and the recommendation to award the contract to Dubberly, Garcia & Associates. He further added that the firm was more experienced working with libraries as large and complex as the LVCCLD and they presented a clear methodology for completing the plan.

Mr. Cabias reviewed the costs associated with planning. He stated that in addition to the planning consultants, Hobbs, Ong & Associates, local consultants, will be contacted to update the District's Financial plan at a cost not to exceed \$20K. He added that an additional local firm will be hired to conduct community meetings. The total cost of planning would be \$270,000, which is less than the \$303,082 spent on the last plan.

Executive Director Walters indicated that it would take 6-7 months to complete a new plan that would include address issues identified at the Board Retreat.

Chair Sanchez added that the Plan will identify issues of importance in preparation for the next legislative session.

Ms. Ledeboer stated that the RFP stipulated that a draft be completed by December 2004.

Trustee Pohl stated he is pleased with the success of the current Plan, despite his initial skepticism. Based upon how the District has implemented its Strategic Plan, he is supportive of the current proposal.

Trustee Overstreet questioned whether the planning contract will actually cost less, noting that the previous contract resulted in a five year plan and the proposed is for a three year plan. Walters noted that goals outlined in the previous plan actually were mostly

accomplished in the first three years, and that a five year planning horizon is not realistic for Las Vegas.

Trustee Aquirre inquired about incorporating local companies in the planning process to conduct community meetings.

Trustee Pohl moved to authorize the Executive Director, subject to review by Counsel, to negotiate a contract for planning services with Dubberly Garcia & Associates, Inc. not to exceed \$225,000 for general planning services outlined in the District's May 2004 RFP to include facilitation of meetings with designated groups, review and analysis of data and reports, surveying, travel and production of a draft report and a final Strategic Plan 2005-2008. There was no opposition and the motion carried.

Discussion and possible Board action to adopt a proposed revision to the Personnel Policy on lunch and rest breaks for non-represented staff. (Item VII.E.)

Human Resources Director Bud Pierce presented this item which is essentially a "housekeeping" revision of a policy adopted prior to the District's negotiated Collective Bargaining Agreements. When the *Personnel Policies & Procedures Manual* was adopted on November 9, 1995, several variations of meal and break periods were mandated based upon the number of hours worked per day by staff members. Since that time, the District has negotiated collective bargaining agreements that have allowed more flexibility in scheduling unpaid meal periods. Whereas the current policy that applies to non-represented requires a one hour meal period if staff works eight hours in a day, represented staff is able to select between a 30 minute and a 60 minute meal period with supervisory approval.

In the Outlying Branches, it is difficult to cover public service desks for an entire hour while a staff person is taking their required meal period. It is also somewhat confusing to schedule part-time staff for a 45 minute meal period if they work six hours or more, but less than eight hours during a shift. For these reasons, a revision to the *Manual* is recommended to provide more flexibility in the scheduling of meal and break periods and to provide conformance to the policy for represented staff. He stated that this would be an administrative update.

Trustee Pohl moved to adopt the proposed revision to the policy on lunch and rest breaks for non-represented staff. There was no opposition and the motion carried.

Discussion and possible Board action regarding acceptance of donated funds in the amount of \$3,000 for deposit in the District's Gift Fund and action to restrict

Deputy Director Ledebor presented this item. The Library District received a check for \$3,000 from H.W. Wilson Foundation in recognition of the District's John Cotton Dana Award. This award recognizes outstanding marketing efforts by a library.

Staff recommends that the donation be placed in the Gift Fund and restricted for use in support of library programming such as Reading Las Vegas, Heritage Month celebrations and other similar types of author visits and cultural programs or staff day activities.

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the expenditures for the purpose of supporting library programming. (Item VII.F.)

Trustee Sponer moved to allocate the \$3,000 donation to the Gift Fund and restrict expenditure of the funds to support library programming. There was no opposition and the motion carried.

Announcements (Item VIII.)

The next Board Meeting will be held Thursday, September 9, 2004 in the West Las Vegas Library at 6:00 p.m.

Public Comment (Item IX.)

None

Adjournment (Item X.)

Chair Sanchez adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Ken Carter, Secretary