

**MINUTES
 LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
 BOARD OF TRUSTEES' MEETING
 LAS VEGAS, NEVADA
 September 13, 2012
 (approved October 11, 2012)**

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Clark County Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, September 13, 2012.

Present: Board: K. Benavidez, Chair R. Kirsh
 M. Saunders – via telephone R. Ence
 C. Reese Y. Yturralde
 S. Bilbray-Axelrod S. Moulton
 R. Wadley-Munier

Counsel: G. Welt

Absent: K. Crear - excused

Staff: Jeanne Goodrich, Executive Director
 Numerous Staff

Guests:

K. Benavidez, Chair, called the meeting to order at 6:01 p.m.

Roll Call and Pledge of Allegiance (Item I.) All members listed above represent a quorum. Trustee Saunders attended via telephone until he arrived at 7:05 p.m. Trustee Yturralde arrived at 6:13 p.m. Trustee Crear was not able to attend – excused absence. Appendix A.

Chair Benavidez led everyone in the Pledge of Allegiance.

Public Comment (Item II.) Chair Benavidez announced that audience members signed up for Public Comment on Item VIII.B. would be heard during the discussion of the Item.

No other Public Comment.

Agenda (Item III.) Trustee Ence moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Approval of Proposed Minutes Regular Session, July 12, 2012. (Item V.A.) Trustee Wadley-Munier moved to approve the Minutes of the Board of Trustees Meeting held July 12, 2012. There was no opposition and the motion carried.

Chair's Report (Item V.) Chair Benavidez asked Trustees if there were any comments on the proposed dates for the 2013 Board Meeting schedule. There were no comments and the schedule will go forward as proposed:

MONTH	LOCATION LIBRARY
January 10	Whitney
February 14	Las Vegas
March 14	Sahara West

April 11	Clark County
May 16	Windmill
June 13	West Las Vegas
July 11	Centennial Hills
August 8	West Charleston
September 12	Rainbow
October 10	Sunrise
November 14	Enterprise
December 12	Summerlin

All meeting days are Thursday, with a start time of 6:00 p.m.

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

Executive Director Jeanne Goodrich began her report by recognizing staff members who were recently promoted to new positions. Jennifer Schember was promoted to Assistant Public Services Director and Sufa Anderson was promoted to Access Services Manager.

Ms. Goodrich continued by discussing the Mesquite Library re-opening on July 16. Goodrich said it was a joyous event, as many library users were on hand to celebrate with Board members, local officials and staff and to immediately begin using library computers and materials. The expansion nearly doubled the size of the branch, provides for separate adult and children's sections, a meeting room, additional public computers, and over 10,000 new books and other library items. Staff involved in the project did a wonderful job of ensuring the success of the reopening, as did the contractors and vendors involved in the expansion project. She added that it was heartening to see the enthusiasm of Mesquite residents and has been told by staff that every day is a busy day.

Trustee Ence expressed thanks from the City of Mesquite.

Ms. Goodrich then provided an update on the activities related to CTX changes. During the last couple of months, CFO Fred James and Ms. Goodrich attended more meetings of both the legislative study group and the working group. Their work has now ended. Members of the legislative study group agreed to a number of proposed changes in statute that will be passed along to the Legislative Counsel Bureau Legal staff to craft into Bill Draft Resolution (BDR) language.

The impact on District CTX revenues is very small, estimated to be less than .5%. In terms of distribution for the 2nd tier CTX recipients, revenues will be distributed by using as a base allocation the total received the previous year (i.e., base plus excess). Basically, these proposed changes will result in smoothing out the sharp increases and decreases in CTX distributions, making this a more predictable revenue stream and should prevent unintended windfalls for some jurisdictions.

Ms. Goodrich and Mr. James both believe the concepts approved by the legislative study group are good public policy. Because there was a

working group made up of public jurisdictions from both the north and south of the state (including rural areas), Ms. Goodrich hopes that the legislature will understand that an agreement has been reached and will adopt the proposed recommendations. She encouraged Trustees to contact her if they have any questions.

Ms. Goodrich then congratulated Youth Services Coordinator Mary Nelson Brown and the District's Children's Services staff on the just-concluded, very successful Summer Reading Program (SRP). There was a record 23,790 children and teens registered and over 15,000 participants in SRP programs and activities. In addition, 3,500 Lied Children's Discovery Museum passes were distributed and over 17,000 Book Bucks were not just distributed, but redeemed. Ms. Goodrich is very excited about the redemption rate of the Book Bucks, which were provided through the generosity of the Library District Foundation and used to purchase books in the Foundation's book stores.

The District continued partnerships with the Boys & Girls Clubs of Las Vegas, Three Square, Vegas PBS, and Southern Nevada Wolf Trap Early Learning for SRP. Staff experimented with special e-newsletters targeted at households with children and teens, learning more about both this communication medium and possible barriers to program participation. Staff will use what was learned as the planning for next year's program begins.

Finally, Ms. Goodrich discussed activities surrounding the Vegas Valley Book Festival. This exciting series of events, designed to stimulate an appreciation for reading and the writing arts, will begin with pre-festival events in September.

Many adults enjoy reading "young adult" literature, so there was a lot of interest in "Smart Chicks Kick It Tour," a presentation, reading, and book-signing event featuring seven best-selling young adult authors. This event was held at the Reed Whipple Cultural Center, 821 Las Vegas Blvd. North (right next to the Las Vegas Library) on September 11, 7-9 p.m. Bestselling author and essayist Cheryl Strayed, author of *Wild: From Lost to Found on the Pacific Crest Trail* will be the featured guest at a literary conversation at the Clark County Library on September 26, 7 p.m.

The main festival events will run from November 1-3, with a keynote presentation by mystery author Charlaine Harris (author of the bestselling Sookie Stackhouse mystery series) at the Clark County Library on November 1 at 7 p.m.

For a full picture of the many, many festival events, check out www.vegasvalleybookfestival.org. Ms. Goodrich encouraged trustees to attend Festival events.

Business Office Report (Item VI.A.2.) No questions.

Human Resources Report and Diversity/Competitive Workplace Committee Report (Item VI.A.3.) No questions.

Technology Report (Item VI.A.4.) No questions.

General Services Report (Item VI.A.5.) No questions.

Marketing Report (Item VI.A.6.) No questions.

Development Report (Item VI.A.7.) No questions.

Unfinished Business (Item VII.) None.

Consent Agenda Discussion and possible Board action to approve the days of closing for calendar year 2013. (Item VIII.A.) Trustee Moulton moved to approve the Consent Agenda in its entirety which included:
 Approving the proposed days of closing for calendar year 2013. These dates are:

- | | | |
|--------------------------------|---|---------------------------|
| Tuesday, January 1 | * | New Year's Day |
| Monday, January 21
Birthday | * | Martin Luther King, Jr.'s |
| Monday, February 18 | * | President's Day |
| Sunday, March 31 | * | Easter (unpaid holiday) |
| Monday, May 27 | * | Memorial Day |
| Thursday, July 4 | * | Independence Day |
| Monday, September 2 | * | Labor Day |
| Friday, October 25 | * | Nevada Day |
| Monday, November 11 | * | Veterans' Day |

Thursday, November 28 * Thanksgiving Day
Tuesday, December 24 * Christmas Eve
Wednesday, December 25 * Christmas Day

In addition, the Library District will close at 5:00 PM on Tuesday, December 31, 2013.

There was no opposition and the motion carried.

Discussion and possible Board action regarding the policies governing Meeting Room and Performing Arts Center rental fees. (Item VIII.B.)

Deputy Director, COO Robb Morss explained that, beginning in April 8, 2010, staff brought up for discussion the possibility of revising the policies and fees governing meeting rooms and Performing Arts Centers (PACs). These rates had not been changed in over 17 years. Over the course of the next year, the Board of Trustees discussed various options at six public meetings. In addition, a Community Meeting was held on February 23, 2011, where the public was invited to share their thoughts. At each of the public meetings, staff shared various cost recovery scenarios with the trustees ranging from 59% to 100% cost recovery. On April 14, 2011, the Board of Trustees adopted a fee structure for a 100% cost recovery, based on the District's ongoing revenue shortfalls.

Mr. Morss continued to say that, during the past six months, community members have made public comment at the Board of Trustees meetings sharing their concerns over the rental fee increase. Staff initiated discussions with Hobbs, Ong & Associates about the possibility of doing an independent study to look at the expenses associated with the operation of the District's PACs as well the rental fees of these spaces. It was determined that an independent study could not be pursued at this time as the cost to undertake such a study had not been budgeted and was cost prohibitive for FY 2012-2013. In addition, the District wanted sufficient time to conduct a comprehensive study and felt there was urgency around the District in finding a resolution that was responsive to community concerns.

Guy Hobbs, of Hobbs, Ong & Associates, offered Executive Director Jeanne Goodrich his services to help develop a resolution that could possibly meet the needs of both the District and the user groups. Mr. Hobbs worked with District staff and user groups to develop a compromise of the fee structure. The proposed compromise:

Meeting Room Rental Fee	\$30.00 per hour
PAC Hourly Rental Fee	\$40.00 per hour
Technician Fee	\$35.00 per hour with an increase to \$40.00 per hour on October 1, 2013 (Overtime will be computed at actual cost if incurred)

Security Fee	\$15.00 per hour, \$25.00 per hour if less than 72 hours' notice is given
Dark Days	\$70.00 per day for all runs over two weeks
Deposit	50% at time of booking up to a maximum of \$7,500.00

Mr. Morss then explained that the revised fee structure as outlined is projected to enable the District to recover 70% of the costs in FY 2012-2013 and 72% in FY 2013-2014. Furthermore, an independent analysis will be budgeted and conducted in the first half of FY 2013-2014 to establish methodology for rates and rate increases going forward. Part of the analysis will also include discussion with Trustees on developing policy direction for the level of subsidization of these spaces in the future. The public will be given an opportunity to share their input on future policies and fee structure recommendations as part of the study. Results and recommendations from the analysis will be presented to the trustees at a future meeting before the start of the FY 2014-2015.

During the course of the next two years, staff will also look at implementing procedures and efficiencies to help manage the costs associated with the meeting rooms and PACs, in the areas of staffing as well as services and supplies. A new HR/Payroll system, scheduled to be installed by the end of FY 2012-2013, will also assist in this endeavor and the independent analysis by providing greater detail of actual staffing costs based on duties performed.

Mr. Morss concluded his remarks by saying that, if approved, the revised fees would be effective immediately. Staff recommended adoption and wanted to thank Mr. Hobbs for his time and efforts.

Trustee Yturralde arrived during Mr. Morss' remarks.

Trustees spoke before, during and after hearing from members of the public. Their remarks are listed after the public comment remarks.

Chair Benavidez announced that as 21 people had signed up for public comment, each person would have two minutes to speak. All 21 people requested the Trustees reconsider the rate increases for the District's performing arts centers. Each individual who spoke is listed.

Most speakers spoke of the benefit to the community to continue these activities, both for the children participating in these activities and to the community to see these performances of dramatic theater, musical theater and ballet. Speakers spoke of the joy of performing in front of an audience and how these activities benefit the audience members, who may find it easier or more affordable than going to other venues. Students explained how they felt performing in these venues improved their learning abilities.

Several of the speakers also requested that the District not eliminate separate rates or reduce the rates for commercial groups as they

feared community groups would be driven out of the venues due to commercial groups taking up the available space.

Marci Riedy – Volunteer with Broadway Bound.

Lisa Mayo – no affiliation

Julie Wignall – Ms. Wignall spoke about her daughter's experience with the District. Ms. Wignall's daughter attempted to partner with the District to produce her senior project. She was trying to turn a children's book into a theater production introducing students to new ways to learn science. The District turned down Ms. Wignall's request via email saying it was outside the library's priorities.

Wignall added that she was at one of the meetings prior to the rate change and everyone was talking about working together.

Trustee Kirsh asked to see a copy of the email Ms. Wignall's daughter received.

Michael Vojvodich – Instructor and producer with Broadway Bound

Sandy Runkle - President of Speeding Theater over 55, the first and only senior theater group in Nevada.

Alex Greig – 17 years old, student at Advanced Technical Academy, actor with Broadway Bound and stagehand with Signature Productions.

Marie Wallace – Resident of Las Vegas for over 40 years.

Jim Cannon – 88 year old former CPA

Marcia Blake – Executive Director of James Seastrand Helping Hands of North Las Vegas. Ms. Blake's organization has for the past 13 years utilized venues around the county to put on a theatrical performance which was the group's major fundraiser. The group has not able to do so with the current rates. There are over 100 volunteers who put on the plays.

Trustee Kirsh confirmed the group was based in North Las Vegas but asked how many people in the District would be affected by this. Ms. Blake said that only 20% of the volunteers live in North Las Vegas, the majority live in Las Vegas and Henderson.

Alisa McAfee – Las Vegas Belly Dancing Intensive

Wendy A. Selover – Board member of the James Seastrand Helping Hands of North Las Vegas.

Ms. Selover became involved as a volunteer on one of the plays and spoke about how these volunteers are the group's outreach to the community and help other residents become further involved with the work of the group.

Andrea Avruskin – Performer in community theater

Kyudong Kwak – Founder of the Las Vegas Ballet Company. Mr. Kwak spoke how putting on a show takes a lot of effort and how his group had to reduce preparation time from two days to four hours due to the cost.

Flora Mangio – Student at the Las Vegas Ballet Company.

Grace Riedy – Nine years old, student with Broadway Bound.

Lindy Kelley – Performer at Las Vegas Ballet Company.

Steve Sisolak – Clark County Commissioner, District A

Commissioner Sisolak noted that he had sent each trustee a letter because he is very concerned about this item. Sisolak mentioned he heard information on this at a public comment session at a Clark County Commission meeting. The young people who spoke really affected Commission members. He said that this is why people serve in public office. It is to help the individuals here today.

Commissioner Sisolak fully understands, as does each trustee, that they must work within the District's budget. He believed, however, that the District needs to do everything possible to keep area youth in a situation where there are healthy alternatives, whether the alternatives are school athletics, libraries, or open theaters in libraries. To make the increases in the fees so high that could potentially jeopardize the availability of these facilities for these groups is something that he cannot contemplate. It is so important that young people are given a chance and that families are given a chance to encourage their children to participate in these events. If that means that entities have to cut or look into another area, then that means entities have to cut or look into another area.

Commissioner Sisolak said it is so important that trustees see so many parents here representing their children, so many children and young people that came to the meeting to speak and represent their interests. He asked the trustees to tread very cautiously and to consider the impact of this decision will have on these individuals and the relief that they seek is extremely important, not just to Sisolak, but to every constituent in the County.

Jacki DePari – Performer at Las Vegas Ballet Company.

Karl Larson – President and Executive Producer of Signature Productions.

Dr. Larson said that Signature Productions is a 23-year-old non-profit community theater company. Larson commented that based upon the District's new proposals, the trustees have now acknowledged their original numbers for operating the theaters were incorrect and are now willing to address the issue. He thanked Trustees.

Dr. Larson then suggested that the trustees allow Signature's professional theater productions that are put on at the Summerlin Library theater be used as part of a library program. He said he is asking Trustees to help subsidize part of these productions and show the public that the library supports community theaters as well as books. Larsen then said his group should not be forced to pay 100% of the costs when other library services are totally subsidized.

Dr. Larsen said Signature has never minded paying a bigger share, but in turn, the District has never wanted to consider Signature Productions as anything but renters. The group wants to be part of the solution,

not part of the problem. It is his belief that Signature could be a part of the programming the District offers. Signature's programs are family-friendly and very well-attended. A partnership would be beneficial to all. The District could then congratulate themselves for subsidizing good quality family entertainment.

Cambri Salway – Student at Broadway Bound.

Tom Salway – Parent of twin daughters who perform with Broadway Bound.

Trustee Saunders arrived during public comment.

Many trustees commented on the requirements of the Open Meeting Law which restricted the ability of trustees to speak when the item was not posted for discussion. Trustee Moulton commented that this was protection for the public in addition to the Board members.

Many trustees also spoke about the difficulty of this issue for the Board, noting that they had a fiduciary responsibility for ensuring library services were delivered as well as wanting to not stifle patron use of District spaces.

Trustees Moulton, Bilbray-Axelrod, Saunders and Wadley-Munier spoke about meeting with staff in order to understand the numbers and methodology behind the rate changes.

Trustees applauded the community for their advocacy and passion and expressed the hope that their efforts would not die with this issue. Trustees also stated how proud they are of area youth for getting involved.

Trustee Bilbray-Axelrod asked whether a non-profit rate was considered and asked about commercial usage. Mr. Morss said that when this issue was first brought up during the original consideration of the rate and policy changes, the District did not have many commercial groups using spaces. The \$750 rate is lower than many casinos.

Mr. Morss continued by saying that a lot of staff's struggle has been managing District spaces as a lot of groups would tell staff they are a non-profit or registered with the Secretary of State and it was hard to manage groups under the previous rules. Staff found it would be beneficial to look at one rate and noted that most commercial groups require catering kitchens and the ability to serve food which the District does not allow. In addition, the District also gives all groups one year advance booking privileges. Non-profits are usually there, ready to book. Most commercial group book one-two months ahead and the space is already booked. He added that when the rates changed, staff did not see a lot of increase in commercial bookings.

Mr. Morss said that when the independent analysis is done, Morss would like to instruct the firm that does the work to survey all entities in the county and city and see their return on investment as well.

Counsel Welt commented that a lot of groups who refer to themselves as non-profits are not 501(c)(3), so the District would not be able to charge them the lower rate unless they did the work to become such a group, which some organizations are unable to do so. He said it was a

question for the District of whether they wanted to charge these groups a commercial rate even though these groups do not make money. This can be looked at again, but at this time, Welt felt it would have an adverse impact.

Trustee Bilbray-Axelrod asked Ms. McAfee if the Belly Dancing Intensive was a 501(c)(3). When McAfee replied no, Bilbray-Axelrod commented that any rate increase would then affect her group.

Trustee Moulton also commented that several speakers asked about the methodology to be used going forward. Moulton said she felt that the steps built into the process for the next two years will help staff improve procedures and efficiencies to help manage the costs and expenses. She expressed the hope that members of the audience will be a part of that discussion.

Trustee Kirsh said that he was glad to have the item on the agenda so a discussion could occur and everyone could move on.

Trustee Moulton felt that the proposed compromise is helpful in moving the issue forward and she supports it.

Trustee Bilbray-Axelrod said that trustees do care and she was glad a compromise may have been reached, because compromise was what life is all about.

Trustees Ence and Kirsh took issue with Dr. Larsen's comment about the District being wrong about the original figures. Ence said that the figures were correct but due to patron concerns, Trustees now understand the impact of the rates on groups. Ence then said if the District had not had an Executive Director and staff who had, over the last several years, done an immense amount of work on achieving cost savings, the District might have been facing the prospect of closing branches. Ence asked attendees to understand that a great deal of effort has gone into trying to balance the budget. Due to the coverage of the issue by local media, there had been very little information about what the District has done in balancing a budget to provide all the different library services. Not all entities in the valley can say the same.

Trustee Kirsh said that the District is bending as well as user groups to reach a compromise.

Trustee Wadley-Munier commented that trustees could not talk among themselves, but Trustees, in their own way, were reaching out to other elected officials and other community entities, looking for ways to resolve this issue. She mentioned sponsors or things that could be adopted in next year's budget and looking to the city or county, to see if they could sponsor events.

Trustee Wadley-Munier was glad to see Sisolak, supporter of some of the other entities that she has worked with, and she knows his heart is in the right place, but she would also ask that he and others help to find some way to work with other entities or venues to reduce their fees so that groups have more options. It is very difficult as the District trustees have to be continually aware of their fiduciary responsibilities. Trustees worked very hard to understand the figures

and to see if there was a way or a mistake. Wadley-Munier said that the District has to make choices, like everyone else during this time. She is in favor of the proposal as it stands.

Chair Benavidez noted that she is the trustee with the longest tenure on the current Board. She stated she will be voting against the proposed changes and will probably be the only 'no' vote. Benavidez said that when the Board voted to reduce library hours, she stated that her personal agenda was to increase the hours as soon as possible. She wanted to promise patrons that their libraries would be open their regular hours.

Chair Benavidez respected everyone's view and vote and she was proud that the Trustees did their own research, went through the information and spoke to different people to form their own views. Benavidez concluded by saying that she appreciated everyone coming out, especially the younger people. She was happy her child was growing up with these kids in the community with their passion and she expressed the hope that this passion continued throughout their life.

Trustee Reese commented that she was also a long-time member of the Board. As someone who loves culture and everything it represents, it has been hard to sit and listen. In addition to art, dance, theater and music, Reese loves libraries. In every community where she has lived, regardless of money, she could always be a part of whatever the library offered. Since she has been on the Board she has seen so much more than books offered to people. Whatever response has been needed in the community, e.g., many people are out of jobs and they need a computer to apply for a job, they can come to the library. Speaking as a teacher and a mother to six children, Reese noted that Nevada is in trouble, ranking at the bottom of many lists and there are real budget problems.

Trustee Reese concluded by saying that she can support the proposed changes, but she does not want to see libraries closed. It is a priority to keep libraries open and currently they are working with fewer staff. The trustees will have to look at this again. The only reason she is agreeing at this time is that there will be an independent review of the numbers. She does not want patrons to have to go through this again, nor does she think it's fair that time has been taken from the library staff's duties. When this process was started, staff were trying to clean up things people had not paid attention to for a while, due to the large amount of money available.

Trustee Kirsh moved to approve the revised fee schedule outlined above for FY 2012-2013 and FY 2013-2014 which includes:

Meeting Room Rental Fee	\$30.00 per hour
PAC Hourly Rental Fee	\$40.00 per hour

Technician Fee	\$35.00 per hour with an increase to \$40.00 per hour on October 1, 2013 (Overtime will be computed at actual cost if incurred)
Security Fee	\$15.00 per hour, \$25.00 per hour if less than 72 hours' notice is given
Dark Days	\$70.00 per day for all runs over two weeks
Deposit	50% at time of booking up to a maximum of \$7,500.00

Trustee Saunders acknowledged this has been a tough issue involving how best to allocate very scarce resources in unsettled economic times. He can support the compromise proposals and said patrons should be very heartened that they have been able to effectuate change.

Trustees Kirsh, Saunders, Reese, Ence, Yturralde, Bilbray-Axelrod, Moulton and Wadley-Munier voted to approve; Chair Benavidez voted against the motion. The motion carried (8-1).

There was a round of applause after the motion passed.

Trustee Wadley-Munier thanked advocates in the room, Ms. Goodrich, Chair Benavidez, other trustees and District staff. She thanked in particular, Mr. Guy Hobbs. She thanked everyone who worked together and said that is what community is all about.

Commissioner Sisolak also thanked the Board. He said he knew they grappled with tough decisions as does the County Commission. Sisolak also said it was really inspiring to see young people come together to make changes. He thanked the trustees on behalf of the County for all they do.

Discussion and possible Board action regarding adoption of revisions to the LVCCLD Diversity Plan. (Item VIII.C.)

Human Resources Director Jerilyn Gregory introduced Diversity Committee Chair Ann LaGumina to present the proposed revisions to the *LVCCLD Diversity Plan*.

Ms. LaGumina started by saying that in October of 1999 the Las Vegas-Clark County Library District formed a Diversity Committee to study diversity in employment and make recommendations for the Library District. Their goal was to have the District's workforce reflect the ethnic distribution of the county's population.

Four trustees, the Executive Director, HR Director and four staff members met several times between October 1999 and December 1999 and, based on their findings, the Diversity Committee made many recommendations regarding recruitment and retention. The staff report was presented to the Board of Trustees on December 13, 1999, and the Board accepted staff's recommendation to move forward on the development of a diversity policy. On February 8, 2001, the Board approved a motion to adopt the proposed *Diversity Plan*.

Over ten years later, on September 8, 2011, the Board approved the Diversity Committee's action plan for 2011/2012 which included the following item: "Review and revise as needed the current *LVCCLD Diversity Plan* adopted on February 8, 2001." The Diversity Committee chose twelve staff members from around the District to participate in the review process and provide feedback. Based on their input revisions were made to the *Diversity Plan*.

Today, as a result of the work of the Diversity Committee incorporating these goals and plans into the Library District's organizational culture, the District's workforce is much more diverse across all ethnic populations.

Ms. LaGumina then introduced the Diversity Committee members:

- Melissa Peters (who put together the statistics)
- Art Cabrales
- Jennifer Schember
- Lorinda Soto
- Mary Nelson Brown
- Jerilyn Gregory
- Joanne Ross (not able to attend the Board meeting)

The success of the District is due not only to the Committee's efforts, but it also grows out of staff throughout the District participating in diversity initiatives.

Ms. LaGumina said she knew she spoke for the whole Committee when she said that she believed the District's success is a result of the culture that has been created at the District by trustees who have challenged staff over the years to be the best in the country as far as diversity programming is concerned. Staff would like to thank trustees.

Ms. LaGumina and Ms. Gregory offered to answer questions trustees had.

Trustee Reese commended staff on their work; Reese always enjoys reading the monthly reports on the staff diversity and feels that the end-of year statistics provided even more information on the level of diversity at the Library District.

Trustee Ence said that the Library District can be an example for Clark County and appreciated that this is included as a budget item. He also thanked staff for their hard work.

Trustee Moulton questioned an item in the proposed Policy describing some of the District's diversity initiatives as "non-mandated." Ms. Gregory explained that the District's diversity initiatives are followed, even though there is no mandate by the government to do so. Staff have taken it upon themselves to build this culture. While there are federal laws that mandate equal employment opportunities, the level of inclusion at the Library District is far beyond what is spelled out in the

law. Trustee Moulton commented that she sees the diversity in each District library she visits and is happy to see this in action, commending staff for their work.

Trustee Wadley-Munier also commended staff for their work.

Trustee Reese moved to adopt the revised *LVCCLD Diversity Plan*. There was no opposition and the motion carried.

Discussion and possible Board action to authorize the Executive Director to execute an amendment to the District's current contract for maintenance and support of the Radio Frequency Identification (RFID) and Automated Materials Handling System with Envisionware and P.V. Supa. (Item VIII.D.)

Information Technology Director Al Prendergast explained to trustees that in December 2007, the District contracted with EnvisionWare and P.V. Supa for a Radio Frequency Identification and Automated Materials Handling (sorter) solution. The contract included a 12 month warranty period for all purchases and itemized the maintenance cost of each item that was purchased, beginning at the end of the warranty period. The total cost of the contract was approximately \$7.8M.

In Fiscal Year 2009-2010, the District paid approximately \$110,000 for maintenance and support. In Fiscal Year 2010-2011, the District paid a discounted cost of approximately \$556,000 for maintenance and support. In Fiscal Year 2011-2012, the District paid a discounted cost of approximately \$634,000. The estimated maintenance and support costs for Fiscal Year 2012-2013 were approximately \$830,000. In Fiscal Year 2010-2011, the District experienced a severe revenue shortfall and negotiated a discount of approximately \$50,000 for the maintenance costs. In Fiscal Year 2011-2012, with continuing revenue shortfalls, staff negotiated an additional \$150,000 discount for the maintenance costs.

In late 2011, the District realized that, with continued falling revenues, future maintenance of the systems at the contracted costs would not be possible. Staff advised vendors that the District could no longer afford the contracted costs for maintaining the systems. The new amendment is the result of those subsequent negotiations.

This amendment would extend the maintenance contract for another five years, until December 21, 2016, and fix the District's maintenance costs at \$368,806.36 per year. The amendment also included some minor language changes and was restructured to remove some items from maintenance.

Mr. Prendergast expressed the District's gratitude for all of the support that staff have received from vendors, especially EnvisionWare, for their recognition of the difficult financial predicament that the District faced during the financial crisis. Staff believed that there are numerous benefits that justify the approval of this amendment to continue with a maintenance and support contract instead of a time and materials agreement. These reasons include:

- This maintenance largely removes the burden of support from the District's staff. EnvisionWare maintains a local support technician who performs ongoing maintenance of the systems and generally responds to any outages within an hour. The local support technician has a comprehensive inventory of spare

parts that ensure minimal downtime. The vendor has projected that:

- Over the lifetime of a sorter everything will be replaced at least once.
 - Green friction assemblies are replaced every three years and it takes about two hours to replace an assembly. Each system has several of these assemblies.
 - System relays are on a 12-18 month replacement cycle.
 - Actuator motors are replaced every three years, but some were replaced in the first two years of service. It takes approximately six hours to replace a motor and each motor costs more than \$4,000.
 - Induction roller bearings are replaced every three years and require a full day for repair.
 - Induction motors require more than a day of labor.
 - Roller bed bearings are the most common items to be replaced. Over 100 roller bed bearings have been replaced over the last three years.
 - Rollers require two hours to replace. In the first three years, 15 rollers were replaced. The replacement rate will escalate after three years.
- The local support technician is highly trained on the systems and components and spends time documenting system performance, uptime, and changes. The technician also works with the equipment manufacturer to resolve high-level technical issues. The local support technician also performs preventative maintenance and ensures that the District's systems are using the most recent versions of software and firmware.
- A maintenance contract would still be needed on the software and firmware to ensure the continued operations of the systems when updates and fixes are needed.
- One of the most critical elements of the maintenance contract is to preserve the life expectancy of the systems. The current contract guarantees that the systems will be operational for at least 10 years, if maintained to the manufacturer's specifications. If the maintenance is converted to a time and materials agreement, this guarantee is potentially compromised.
- Some major components, such as roller, actuator motor or some other unique element could be discontinued. If the vendor cannot find a replacement part, and the systems are under maintenance, it remains the vendor's responsibility to find

a resolution, even if that means replacing an entire module or modules.

These are a few of the examples to illustrate the issues that could be caused by moving from a maintenance and support contract to a time and materials agreement. Additionally, the cost for telephone assistance is \$195 per hour. If an onsite visit is required, the cost would be \$195 per hour, plus all expenses and the response window would be 24 to 36 hours. All of these issues are alleviated by continuing with the maintenance and support contract.

Mr. Prendergast concluded his remarks by saying that the amendment was reviewed and approved by Counsel Welt.

Trustee Moulton wanted clarification on the Amendment start date and Mr. Prendergast said that the First Amendment had already been executed by Envisionware and P.V. Supa so it would be valid once approved by the Board and signed by the Executive Director.

Trustee Wadley-Munier asked whether the vendor would be able to stay in business for the duration of the contract. Mr. Prendergast said he felt confident they would still be around, based upon past history and their customer list. In addition, he said that the system specifications have been placed in escrow, so that in the case of the companies going out of business, the District would have the ability to reclaim the items from escrow and find another manufacturer. While not an easy proposition, it is a safeguard for the District. Ms. Goodrich added that Envisionware has continued to diversify its product line, so they are not reliant on materials handling devices.

Trustee Reese confirmed that the use of the automated materials handling system is the way the District handles the large volume of materials moving around the different branches without expanding staff. Mr. Prendergast confirmed that the system has enabled many efficiencies, including fewer staff required to move the materials as well as less time required to move these materials.

Trustee Moulton moved to authorize the Executive Director to execute the First Amendment to the Software, Hardware and Services Agreement dated December 21, 2007, with EnvisionWare, Inc. and P.V. Supa, Inc., for continued support of the District's Radio Frequency Identification and Automated Materials Handling System in the amount of \$368,806.36 per year for five years.

Counsel Welt commented that the District had a standard clause in all of its multi-year contracts that if the District has no money, the contract is void. Mr. Prendergast commented that the out-clause was why the District had some leverage in the negotiations.

There was no opposition and the motion carried.

Announcements
(Item IX.)

The next Board Meeting will be held Thursday, October 11, 2012 in the Sunrise Library at 6:00 p.m.

Public Comment
(Item X.)

None.

Minutes - Board of Trustees' Meeting
September 13, 2012
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Executive Session Removed from Agenda.
(Item XI.)

Adjournment Chair Benavidez adjourned the meeting at 7:48 p.m.
(Item XII.)

Respectfully submitted,

Keiba K. Crear, Secretary

2012 ATTENDANCE

APPENDIX A

SEPTEMBER 13, 2012 REGULAR BOARD MEETING

2012		January 12 Regular Board Meeting	February 9 Regular Board Meeting	March 8 Regular Board Meeting	March 29 Finance & Audit Cmte	April 12 Regular Board Mtg	May 17 Regular Board Mtg	June 14 Nominating Cmte	June 14 Risk Management Cmte	June 14 Regular Board Mtg	July 12 Regular Board Mtg	NO BOARD MEETING HELD IN AUGUST	September 13 Regular Board Mtg
Benavidez	Kelly	P	P	P	A-E	P	P		P	P	P		P
Bilbray-Axelrod	Shannon	P	P	P		P	P	P	A-E	P	P		P
Crear	Keiba	P	P	P	P	P	P	P	P	P	A-E		A-E
Ence	Randy	P	P	P	P	P	P			P	P		P
Kirsh	Ron	P	P	P		P	P	P		P	P		P
Moulton	Sheila	P	P	P	P	P	P		P	P	P		P
Reese	Carol	P	P	P		P	P		P	P	P		P
Saunders	Michael	P	P	P	P	P	P	P		P	P		P
Wadley-Munier	Robin	P	P	P	P	P	A-E			P	P		P
Yturralde	Ydoleena	P	P	P	P	P	P	P	P	P	P		P

attended Committee meeting but not a member

A-E Excused Absence
 A-U Unexcused Absence
 as of September 14, 2012