

**LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT  
BOARD OF TRUSTEES' MEETING  
LAS VEGAS, NEVADA  
January 21, 2021  
(Approved February 18, 2021)**

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session via WebEx at 6:00 p.m., Thursday, January 21, 2021.

**Present:**

Board:	F. Ortiz, Chair	S. Bilbray-Axelrod
	K. Benavidez	E. Foyt
	R. Wadley-Munier	M. Francis Drake
	J. Meléndrez	S. Ramaker
	B. Wilson	K. Rogers

Counsel: G. Welt

Absent:

Staff: Fred James, Acting Executive Director  
Numerous Staff

Guests: Chelsea Capurro, the Griffin Company  
Jane Whisner, Destiny Executive Search Group

F. Ortiz, Chair, called the meeting to order at 6:03 p.m.

**Roll Call and Pledge  
of Allegiance  
(Item I.)**

All members listed above represent a quorum. Appendix A.  
Chair Ortiz led attendees in the Pledge of Allegiance.

**Public Comment  
(Item II.)**

None

**Agenda  
(Item III.)**

Trustee Wadley-Munier moved to approve the Agenda as proposed.  
There was no opposition and the motion carried.

**Approval of  
Proposed Minutes  
Regular Session,  
November 12, 2020;  
Special Board  
Meeting, December  
4, 2020; Regular  
Board Meeting,  
December 17, 2020;  
Special Board  
Meeting, January 8,  
2021.  
(Item IV.A-D.)**

These items were removed from the agenda.

**Presentation on the  
upcoming 2021  
Legislative Session**

Chair Ortiz introduced Chelsea Capurro, from the Griffin Company, to the Trustees and welcomed her to the meeting.  
Ms. Capurro thanked the trustees for the opportunity to represent the Library District in the 2021 Legislative Session. She explained that the

## Minutes - Board of Trustees' Meeting

January 21, 2021

Page 2

### **by Chelsea Capurro of the Griffin Company (Item V.)**

first part of the session is going to be mostly conducted via ZOOM with very limited staff, legislators, and media in the building. Once staff and legislators are vaccinated, the public will be allowed into the building.

Ms. Capurro stated that the Bill Draft Request is in place for the Library District and that she has met with Acting Executive Director James and Acting Deputy Director Milam about the bill. She added that Piper Overstreet, also with the Griffin Company, has met with Assemblyman Flores, the Government Affairs Chairman, and he doesn't anticipate any issues with the bill. Ms. Capurro continued that the number one priority of all legislators during this session is the budget.

Trustee Wadley-Munier asked Ms. Capurro to identify the bills that she is referencing and what specifically do they address. Ms. Capurro replied that there is one BDR requesting authority for the Library Board of Trustees to vote on changing the qualifications for the Executive Director of the Library District. She explained that the bill has not yet been introduced and she will send the language of the bill to the Trustees once the session begins. Vice-Chair Bilbray-Axelrod clarified that it is BDR 167 to which Ms. Capurro is referring.

In response to Trustee Benavidez, Ms. Capurro said her firm would send a monthly email with a review or an update as well as a weekly Bill Tracking Report. but the frequency could be changed to accommodate the Boards requests. Trustee Benavidez thanked her and stated that a weekly report would be best.

### **Discussion and possible Board action regarding contract award for services with Jane Whisner of Destiny Executive Search Group, to conduct an in-state search for an Auditor (Item IX.D. – Part One)**

Chair Ortiz stated that he had a question and asked Ms. Capurro to stand by for a moment. Chair Ortiz addressed Mr. Welt for his legal opinion of the matter of hiring a second employee. Chair Ortiz explained that the Board voted to add a second employee, an internal auditor, and Mr. Welt's interpretation of the law was that it was not clearly stated if the Board has authority to do so. The workaround is that the board can hire the employee as a contractor and then petition to get the legislation changed to allow the board to hire a second employee. Chair Ortiz continued that after hearing Mr. Welt's opinion on the law, he asked for a Legislative Counsel Bureau opinion because there is a statement that says the Board of Trustees can do whatever is necessary to maintain the orderly function of the libraries.

Chair Ortiz asked Mr. Welt if he had presented the information correctly and Mr. Welt replied yes. Chair Ortiz said that in light of these facts, he would prefer to amend the Library District's Bill Draft Request to add the ability of the Board to hire a second employee of the Library District or a Library District serving a population of 400,000 or more, as he would prefer to have an employee as opposed to contractor. Chair Ortiz asked each trustee for his or her opinion on the matter.

A discussion was held with all trustees weighing the benefits and detriments of having an employee versus a contractor as the Library District's Internal Auditor. At the end of the discussion, Chair Ortiz made a motion to ask Ms. Capurro to amend the Bill Draft Request asking that libraries serving a population of one million or more be allowed to hire an internal auditor as a second employee of the Trustees. Trustee Ramaker seconded the motion. Chair Ortiz stated

## Minutes - Board of Trustees' Meeting

January 21, 2021

Page 3

that if the Legislative Bureau gives permission to hire the employee before the session begins, that the request would be withdrawn. Ms. Capurro explained that she believes it is a wise decision to add this request to the BDR since the legislature meets only every other year, but she warned of the single subject rule for BDR's. However, she thinks the current BDR has a broad enough description that she should be able to add the second request.

Chair Ortiz thanked Ms. Capurro for the information and asked for a vote on the motion. Chair Ortiz and Trustees Wilson, Rogers, Ramaker, Francis Drake, Foyt, Wadley-Munier, Bilbray-Axelrod, and Meléndrez voted in favor, Trustee Benavidez voted against, motion carried. Ms. Walker asked Chair Ortiz to clarify if this motion was in reference to Agenda Item IX.D., as the current Agenda Item V. is only slated for discussion and not action. Chair Ortiz consulted with Counsel Welt and stated yes, the vote would be under Agenda Item IX.D. Chair Ortiz thanked Ms. Capurro for her presentation.

### **Executive Session (Item XII.)**

Chair Ortiz advised meeting attendees that the Executive Session would be closed and Trustee Foyt moved to adjourn into Executive Session. There was no opposition and the motion carried. Trustees adjourned into Executive Session at 6:33 p.m.

Trustee Wadley-Munier moved that the Regular Session be reconvened. Trustee Wilson seconded the motion, there was no opposition and the Regular Session reconvened at 8:12 p.m.

### **Chair's Report (Item VI)**

No report was given.

### **Library Reports (Item VII.)**

Chair Ortiz asked if any trustees had questions about staff reports. Trustee questions and staff responses are recorded under the report headings below.

### **Acting Executive Director's Report (Item VII.A.)**

No report was given.

### **Library Operations, Security Reports and Monthly Statistics (Item VII.A.1.a.)**

No questions.

### **Branding and Marketing Report and Electronic Resources Statistics (Item VII.A.2.a.)**

Trustee Wilson noted that the Facebook engagement is down and there is a 13% drop in unique visitors to the website for November. He added that he has not been receiving the emails that are being sent out by Branding and Marketing and is wondering if there is a problem with the email provider. Chair Ortiz asked IT Director, Al Prendergast, if he could respond. Mr. Prendergast stated that the emails and website are a function of the Branding and Marketing Department and not IT. He explained that the email provider is a contracted service managed

by Branding and Marketing. Trustee Wilson asked that staff check with the email provider to see if they are seeing a deliverability issue.

**Community  
Engagement Report  
and Monthly  
Statistics  
(Item VII.A.2.b.)**

No questions.

**Development and  
Planning Report  
(Item VII.A.2.c.)**

No questions.

**Information  
Technology Report  
(Item VII.A.2.d.)**

No questions.

**Financial Services  
Report  
(Item VII.A.3.a.)**

Trustee Foyt asked Acting Financial Services Director Floresto Cabias to explain where, in the comprehensive report covering the time of July 1, 2019 to June 30, 2020, does it show the \$500 a month automobile allowance given to all members of the Executive Council and when did this start.

Mr. Cabias replied the allowance has always been in place as far as he can remember, at least 20 years. It is not specifically broken down in the financial statements but is included in the broad expenditure category of salaries and benefits.

Trustee Foyt asked Mr. James if he would agree on that timeframe. Mr. James replied that the benefit had been in place as long as he could remember. Trustee Foyt continued that she understood why there is a car allowance for the Executive Director but when was it expanded to the eight members of the Executive Council? She stated that this came as a total surprise to her and asked for an explanation of how this has been a right for these individuals. Trustee Foyt stated that she would like to have a serious discussion about this and have an item placed on the agenda to eliminate the car allowance for EC members. Chair Ortiz noted that an item for discussion and possible board action on the car allowance should be placed on the agenda for the next meeting.

Trustee Wadley-Munier stated that she would like to see a breakdown of when the allowances started and the amounts each person was paid every year. She requested that if the allowance stays as a benefit, she would like it to be shown in the budget as a line item within the benefits category. Mr. James agreed to bring that item to the next meeting.

There was further discussion among the trustees in regards to employee benefits. Trustee Foyt asked for information on vacation, sick leave and comp time accruals. Mr. James agreed to provide that information in the HR report at the next meeting. Mr. Cabias provided some further explanation of the sick and vacation accruals and Trustee Foyt replied that she looked forward to seeing all of the benefits written out so that she can evaluate and perhaps ask more questions. Chair

Ortiz added that he would like to see all of the benefits that a new employee gets included in the report, not just the questions raised by Trustee Foyt.

Trustee Wilson stated that for the agenda item he would like to know who are the eight people getting the car allowance, how often these positions drive from their home to a location other than the office they work at, how often they use library vehicles, and a summary of travel responsibilities.

Trustee Rogers asked whether the car allowance is part of the employees' contract or if it is something that is offered after employees are hired. Mr. Cabias replied that executive employees, except for the Executive Director, no longer have contracts with the District. HR Director Serpico explained that the car allowance is part of the initial offer letter. Trustee Rogers noted that if the allowance is part of a written agreement then it might be binding.

Trustee Francis-Drake asked if the allowance has always been given to eight people or have more been added along the way? Mr. James replied that the Development and Planning Director and the Community Engagement Director positions have been added since he has been with the District, and that they both receive the car allowance. Trustee Francis Drake asked for clarification on whether these employees justify their driving in any way. Mr. James replied that this information would be provided.

Trustee Wadley-Munier stated that if the employees do not have contracts, she would like to see where the car allowance is written and if these employees received the allowance while the libraries were closed.

On a related issue, Chair Ortiz expressed concern that salaries are getting prohibitive, and many high paid people are being added onto the PERS system. Mr. James clarified that HR Director Serpico would be conducting a study on all staff salaries, including executives. Chair Ortiz then asked if library managers are classified employees or exempt employees. Mr. James replied that branch managers are union employees. Chair Ortiz asked at what point do exempt employees start. Mr. James replied that certain non-managers are no longer in the Union, but all the branch managers are in the Union. Chair Ortiz asked to add the following to Trustee Foyt's agenda item- what the employee pay scales are, how does the range keep moving, why do employees continue to get raises even when they have reached the top of the scale, and why does the Director not approve the pay scale increases.

Chair Ortiz asked Counsel Welt to be prepared for the next meeting to address how employees have been getting two pay raises (COLA and merit). Counsel Welt replied that would be a question for Scott Abbot because he is the one who negotiated the contracts.

Chair Ortiz said that he feels confident the economy is coming back and he would like to see an agenda item to start putting funds back into the construction budget. Mr. Cabias replied that based on current economic conditions, he foresees the ability to transfer six or seven million dollars at the end of fiscal year 2021 from the General Fund to the

Capital Projects Program. This amount would be over and above the 20% Fund Balance. These funds would be earmarked for building maintenance and IT replacement and repair. Chair Ortiz thanked Mr. Cabias for the information and stated that since the District was already planning to put funds aside for capital improvements, there is no need for an agenda item.

**General Services Report (Item VII.A.3.b.)**

Trustee Foyt asked General Services Director John Vino if at the next board meeting he could address how the Library District directs the contracted security staff to be effective within the building and in the parking lots. Trustee Foyt expressed concern of theft in the Sahara West parking lot. Trustee Francis Drake noted that as a volunteer in the warehouse at Sahara West, she has not seen security come through in the last six months, whereas she used to see them often. Mr. Prendergast noted that the security guards do patrol the outside of the buildings, because IT extended the Wi-Fi system outside specifically so that security staff can communicate with library staff inside the building. Chair Ortiz asked Mr. Vino to present a report at the next meeting that includes the role of security staff inside and outside library buildings.

Chair Ortiz asked if there were any more questions from the trustees on the library reports. Hearing none, Trustee Melendrez made a motion to accept the library reports. Trustee Wadley-Munier seconded the motion. All voted in favor, motion passed.

**Human Resources Report (Item VII.A.3.c.)**

No questions.

**Unfinished Business (Item VIII.)**

None

**New Business (Item IX.)**

**Discussion and possible Board action to appoint the Mesquite QALICB Inc. Board of Directors (Item IX.A.)**

Danielle Milam, Acting Deputy Director, presented the next item, discussion and possible Board action to appoint the Mesquite QALICB Board of Directors. Ms. Milam explained that this agenda item relates to the Mesquite QALICB, Inc., a nonprofit that was established in December 2017, as the Library District entered into a New Market Tax Credit transaction related to the Mesquite Library construction project.

In the Articles of Incorporation for the QALICB, it stipulates that a five-member Board of Directors shall be appointed annually by the Board of Trustees of the Library District. Two of those Board Directors should be independent directors who are not officers, directors, trustees, or employees of the District and/or Foundation, and three Board directors shall be appointed from nominees who are current or former employees, officers, or trustees of the District and/or Foundation. With the retirement of Fred James, this item proposes to replace Fred James with Acting CFO Floresto Cabias as President, Keiba Crear as Secretary/Treasurer. Directors proposed for reappointment are Randy

Ence, Tim Wong, and Michael Saunders. Trustee Ramaker made a motion to accept the appointment of the Mesquite QALICB, Inc. Board of Directors as presented. Trustee Melendrez seconded the motion, all voted in favor, motion passed.

**Discussion and possible Board action regarding contract award for outsourced Call Center operations, provided by Unique Integrated Communications, for three years with options to extend the contract for four one-year renewals. (Item IX.B.)**

Acting CFO Floresto Cabias presented the item for discussion and possible Board action regarding a contract award for outsourced call center operations provided by Unique Integrated Communications for three years with the option to extend the contract for four one-year renewals. Mr. Cabias explained that the District began outsourcing call center services in December 2015 to Unique Integrated Communications. UIC is the sister company of Unique Management Services, the District's collection agency. The call center handles patron phone calls, mitigates the effect of high call volume on staff and gives customers a faster response time.

Originally, the outsourced phone calls included anything related to digital services, including databases, downloading eMedia, and help with different devices, and collection agency inquiries. After monitoring this service and receiving positive feedback from customers and staff, the District expanded the service in September 2017, to outsource circulation and reference desk phone calls. Among other things, UIC provides information about library programs, classes and events, information about patron accounts, and answers to reference questions. UIC did excellent work assisting customers with inquiries and library service availability where possible throughout the last year. This service has helped staff improve the patron experience by reducing long lines and wait times.

In Fiscal Year 2020, the call center answered approximately 42,000 calls that lasted 104,000 minutes and that was at an annual cost of \$142,000. However, Fiscal Year 2020 included nearly three months of facility closure due to the COVID-19 pandemic so that lowered call volume. The contract being proposed tonight is not to exceed \$180,000 annually. Mr. Cabias explained that Nevada Revised statutes provide exceptions to competitive bidding including sole source contracts and UIC is currently the only call center vendor that specializes in library services and works with Innovation Interfaces, which is the software developer for the District's Sierra Library system.

Mr. Cabias asked if there were any questions. Chair Ortiz asked how many calls they entertain, pre-pandemic. Mr. Cabias replied approximately 42,000 calls a year. Chair Ortiz asked if there were questions from the other trustees. Trustee Benavidez asked where the call center was located. Mr. Cabias replied that it is in Indiana. Trustee Wilson asked if the District pays an annual flat rate by call volume. Mr. Cabias responded that the current rate is \$1.31 per minute. Trustee Wilson asked if there are any savings to be made by having our own staff take as many phone calls as possible, or is it more beneficial to keep calls going to the call center while we are operating with reduced staff or staff working from home? Mr. Cabias stated that in his experience, there is an efficiency gain in utilizing the call center service. He cited an example in the Financial Services department where one of his team members could be answering a question about

collections for an hour, as opposed to spending time working on another project such as processing payroll. Overall, it has been a timesaver and it frees up staff members to be more productive.

Chair Ortiz asked who gets a synopsis of the complaints or returned calls. Mr. Cabias replied that Library Operations monitors those reports closely for complaints or other significant items that should be brought to everyone's attention. He added that Financial Services monitors all of the statistics. The statistics provided by Unique are very robust and they provide good detail to exactly the types of calls they are handling. Chair Ortiz stated that he feels very comfortable with this contract. Trustee Rogers made a motion to authorize the Executive Director to award a contract to Unique Integrated Communications to provide outsourced call center operations for three years and authorize staff to extend the contract for four one-year renewals, subject to funding availability and vendor specifications outlined in the contract terms for a total amount not to exceed \$180,000 per year. Trustee Ramaker seconded the motion, all voted in favor, motion passed.

**Discussion and possible Board action regarding contract award for the purchase of theater lighting equipment for various District locations. (Item IX.C.)**

Acting General Services Director John Vino presented the item for discussion and possible Board action regarding a contract award for the purchase of theater lighting equipment for various District locations. Mr. Vino explained that funds are allocated in the Capital Budget Funds to purchase replacement theater lighting equipment for the Clark County, Summerlin, and West Las Vegas theaters, as well as the West Charleston Lecture Hall. The equipment is in need of replacing due to the age and functionality deficiencies. An invitation to bid was advertised in the Review Journal, it was posted on the District's website, e-mailed to minority Chambers of Commerce, and posted on the Nevada Government eMarketplace, NGEM.

The bid opening was held on December 4th, 2020, and ten bids were received. The full bid results are listed in the agenda item. The lowest responsive and responsible bidder was Production Resources Group, also known as PRG.

Staff is requesting authorization to award contracts for the purchase of theater lighting equipment for various District locations in accordance with Bid Number 21-03 to PRG for \$106,128.

Trustee Bilbray-Axelrod asked if any priority is given to minority owned businesses. Mr. Vino explained that in bids under \$50,000, the District must receive bids from at least one minority company. For larger contracts the Library District does outreach to minority firms. Trustees discussed the benefits of replacing the theater lighting at a time when the facilities were mostly closed and all agreed it was a good idea. Trustee Bilbray-Axelrod made a motion to authorize staff to award a contract for the purchase of theater lighting equipment for various District locations in accordance with Bid Number 21-03 to PRG for \$106,128. Trustee Ramaker seconded the motion, all voted in favor, motion passed.

Counsel Welt stated that in view of the prior discussion of the Board regarding contracts, when he reviews this and other contracts, it is entirely possible that he will make changes to it. He asked if the Board

**Minutes - Board of Trustees' Meeting**

**January 21, 2021**

**Page 9**

wanted the revised contract to come back to them for discussion or do they want him to send them copies of the altered contract? How do you want us to handle this? Discussion was had among the trustees and all agreed that when Counsel Welt had the final contract ready with his approval he would let Chair Ortiz know of the changes that were made. All trustees agreed that was acceptable and that if the changes to the contract were significant they would have the option to call an emergency meeting to discuss the changes.

**Discussion and possible Board action regarding contract award for services with Jane Whisner of Destiny Executive Search Group, to conduct an in-state search for an Auditor (Item IX.D.)**

Chair Ortiz stated that the last item on the agenda is discussion and possible board action regarding the contract award for services with Jane Whisner of Destiny Executive Search Group, to conduct an in-state search for an Auditor. Chair Ortiz explained that Ms. Whisner would conduct a statewide search for an auditor that would start as a contract employee with the possibility of becoming a full time employee. The request is to authorize a fee of \$20,000 for Ms. Whisner. Chair Ortiz explained that contracts under \$50,000 do not require a vote but he felt it important for the board to vote on this. He asked if there were any questions.

Trustee Rogers asked what is the up-to annual amount for this position. Chair Ortiz replied the pay scale is \$79,000 to \$103,000 with a top out at \$127,000. Trustee Wadley-Munier asked if that included benefits. Chair Ortiz replied that if they were a contractor they would not get benefits. If they become an employee then benefits would be added. Chair Ortiz explained that Ms. Whisner would bring three people from which the board will choose. Hearing no other questions, Chair Ortiz made a motion to approve a contract for \$20,000 with Jane Whisner of Destiny Executive Search Group to conduct an in-state search for an auditor, subject to review by counsel. Trustee Wilson seconded the motion, all voted in favor, motion passed.

**Announcements (Item X.)**

The next Board Meeting will be held February 11 at 6 p.m. Chair Ortiz stated if the COVID infection rates decrease, the meeting will be held in-person with the option of tuning in remotely. If the rates are at a 20% positivity or higher, then the meeting will be held strictly via Webex. Vice-Chair Bilbray-Axelrod announced that the February meeting would be her last meeting, after 10 years she has finished her board terms. Chair Ortiz thanked her for her hard work. He added that the February meeting would also be Acting Executive Director James' last meeting, as he is retiring.

**Public Comment (Item XI.)**

None.

**Adjournment (Item XIII.)**

Chair Ortiz adjourned the meeting at 9:21 p.m.

Respectfully submitted,

Kelly Benavidez, Secretary

# 2021 ATTENDANCE

January 21, 2021 Regular Board Meeting

Appendix A

2021		January 8 Special Board Mtg	January 21 Regular Board Mtg														
Benavidez	Kelly	P	P														
Bilbray-Axelrod	Shannon	P	P														
Francis Drake	Marilyn	P	P														
Foyt	Elizabeth	P	P														
Meléndrez	José	P	P														
Ortiz	Felipe	P	P														
Wadley-Munier	Robin	P	P														
Ramaker	Sandra	P	P														
Wilson	Brian	P	P														
Rogers	Keith	A-E	P														

attended Committee meeting but not a member

- A-E                Excused Absence
- A-U                Unexcused Absense

as of January 22, 2021