

MINUTES

BOARD OF LIBRARY COMMISSIONERS CITY OF LOS ANGELES

NOVEMBER 5, 2009

A Regular meeting of the Board of Library Commissioners was held at the Robertson Branch Library, 1719 South Robertson Boulevard, Los Angeles, CA 90035, convening at 11:00 a.m. on the above-written date.

PRESENT:	PRESIDENT	TYREE WIEDER
	VICE PRESIDENT	JULIE A. MENDOZA
	COMMISSIONER	ROBERT A. CHICK
	COMMISSIONER	MARSHA HIRANO-NAKANISHI
	COMMISSIONER	RITA WALTERS

EXCUSED

ABSENT: NONE

ALSO PRESENT: Martin Gomez, City Librarian, Assistant General Manager, Patricia Kiefer, Assistant City Librarian; Basia Jankowski, Deputy City Attorney; Roy Stone, President, Librarians' Guild; and staff.

MINUTES FOR APPROVAL – 9/24/09

MOVED by Commissioner Walters, seconded by Commissioner Chick and unanimously carried that the Minutes of the regular meeting held September 24, 2009, be approved as submitted.

REMARKS BY THE WESTERN AREA MANAGER

Suzanne Gray, Western Area Manager, reported that the region is served by twelve branches and offers a variety of services and programs including Student Smart Programs (preparatory workshops designed to assist teens with developing effective study and test taking strategies for college) and author visits such as a recent talk by Steve Goldstein, "LA's Graveside Companion," where 55 attendees at the Westwood Branch heard about the famous and infamous people buried nearby at the Westwood Park Cemetery.

Moreover, Ms. Gray said the Robertson Branch, built 12 years ago as part of the Proposition DD Bond measure, services a broad section of the community. Ongoing services include a very popular Early Learning with Families program, (ELF), outreach to nearby schools and an Adult Literacy Center, a cornerstone in efforts to improve literacy skills.

Senior Branch Librarian

Carol Duan, Senior Librarian, advised that the Robertson Branch Library is very well used, indicating it is one of the top five busiest branches in terms of circulation in the Western Area. She said they moved into their renovated building twelve years ago and patron usage has been thriving since. Staff has close ties to the community offering a teen volunteer program, special collections in the Persian language and on Jewish history, an Adult Literacy Center, computer classes, and summer reading clubs. Their ELF program and Storytime for babies and toddlers are very well attended. Ms Duan thanked the Friends of the Robertson Branch Library for their strong, active support of their programs and collections through their bi-monthly book sales. In conclusion, the Senior Librarian introduced the following staff members who were present: Meloni Nelson and Tah-Neka Colbert, Clerk Typists, and Miriam Touchton, Young Adult Librarian.

**PUBLIC COMMENTS ON MATTERS
WITHIN THE BOARD'S JURISDICTION: NONE**

CITY LIBRARIAN'S REPORT

MOVED by Commissioner Walters, seconded by Commissioner Chick and unanimously carried that the following resolutions be adopted:

Recommended Transfer of California
Public Library Foundation Funds

LIBRARY RESOLUTION NO. 2009-54 (C-41)

WHEREAS the Library's FY 2009-10 Budget, approved by the Mayor and City Council, includes the use of funds from the California Public Library Foundation (PLF) grant in the amount \$1,377,552:

RESOLVED that the California Public Library Foundation funds in the amount of \$1,377,552 be transferred from the Library Education Trust Fund 420 to the Library's Fiscal Year 2009-10 Budget, Fund 300, Department 44.

Recommended Acceptance of California
Library Literacy Services Baseline Grant

LIBRARY RESOLUTION NO. 2009-55 (C-42)

WHEREAS, on August 17, 2009, the California State Library announced that the Los Angeles Public Library Literacy Service was eligible for the baseline grant; and

WHEREAS, The Los Angeles Public Library and the Library Foundation of Los Angeles provide matching funds to be eligible for the grant:

RESOLVED that the Board of Library Commissioners accept the California Library Literacy Services (CLLS) initial baseline grant in the amount of \$20,000 for the Los Angeles Public Library Literacy Services for Fiscal Year 2009/2010.

Recommended Acceptance of Library
Services and Technology Grant Award

LIBRARY RESOLUTION NO. 2009-56 (C-43)

WHEREAS, on May 24, 2007, the Board approved the initial grant application from the Library Services and Technology Act (LSTA) as a partial funding for the new Out-of-School-Time Online Homework Help program provided by Tutor.com; and

WHEREAS, the State Library approved renewal of the LSTA grant for the third year for a total of \$75,000:

RESOLVED that the Los Angeles Public Library accept from the State of Library the Library Services and Technology Act (LSTA) Grant in the amount of \$75,000 for the continuation of the Out-of-School-Time Online Homework Help program.

FURTHER RESOLVED that the LSTA Grant be deposited into Library Service Trust Fund 419, Department 44, Account 270.

RECOMMENDED APPROVAL OF MEMORANDUM
OF UNDERSTANDING BETWEEN THE
LOS ANGELES PUBLIC LIBRARY AND THE
LIBRARY FOUNDATION OF LOS ANGELES

Martin Gomez, City Librarian, introduced John Cooke, President of the Library Foundation of Los Angeles, and Carl Anderson, Chairman of the Foundation Governance Committee, who were present to speak on the proposed Memorandum of

Understanding (MOU). Mr. Gomez stated Library staff and Foundation members have been working diligently on the MOU that will replace the current MOU, which expired October 31, 2009.

President Wieder pointed out the City Librarian was instrumental in working with Mr. Cooke to make this happen. She also introduced Nancy Harahan and Sharon Rising, Foundation Board Members, who were present.

Mr. John Cooke said they have enjoyed working with the City Librarian, and the biggest challenge was the section on Disposition of Assets Upon Liquidation should the Foundation be dissolved and no longer be in existence. He emphasized the proposed language ensures that the Library Department receives the funds in accordance with the wishes of the donors, indicating the assets of the Foundation will be transferred to a donor-advised fund and disbursements from the fund shall be directed by a group of three former Foundation Directors to be appointed by the outgoing Foundation Chairman. Additionally, any disbursement authorized must be in accordance with the original intent of the donors and it has to support the Library.

As a follow up to the aforementioned section, Commissioner Chick put forth an amendment proposing that one of the three former Foundation Directors be a member of the Board of Library Commissioners who has served on the Foundation Board. He stated this amendment would make certain that the Library's position is carried forward in the decisions that are made by that committee. During the discussion, Mr. Anderson assisted in the rephrasing.

Commissioner Chick's proposed amendment (in bold type) to the second sentence in Disposition of Assets Upon Liquidation is as follows:

Disbursements from the fund shall be directed by a group of three (3) former Foundation Directors to be appointed by the outgoing Foundation Chairman, **one of the three of whom shall be a member of the Board of Library Commissioners who has served on the Foundation's Board of Directors.**

Mr. Carl Anderson noted he and Mr. Cook would recommend the amendment. He indicated the Foundation's Executive Committee is the body delegated with the authority to negotiate the agreement, and he is one of the members within the Executive Committee.

Thereafter, Commissioners Mendoza and Walters spoke in support of Commissioner Chick's amendment.

Additionally, President Wieder called attention to a correction requested by staff under Disposition of Assets Upon Liquidation. The suggested correction would be to change "has amended" to "will amend" in the sentence, "The Foundation has amended its Articles of Incorporation ...". The President voiced concerns about an open-ended timeline with the change as proposed.

Mr. Anderson stated the Foundation is able to amend the by-laws at any regular meeting of the Board of Directors, and the next meeting is set to take place February 3, 2010. During the discussion, Deputy City Attorney Jankowski recommended additional language for consideration. Subsequently, the following amendment was proposed:

President Wieder's proposed amendment (in bold type) to the first sentence in Disposition of Assets Upon Liquidation is as follows:

The Foundation **agrees to amend** its Articles of Incorporation **at its next regular meeting of the Board of Directors** to provide that upon dissolution of the Foundation, the assets of the Foundation will be transferred to a donor-advised fund.

Commissioner Walters thanked Commissioner Chick and Mr. Cooke for bringing this document to its final stage.

During the ensuing discussion, questions/suggestions were raised by Commissioner Walters (responses are italicized):

1. Referencing the section on Office Space, Equipment and Supplies:
Add "reasonable" as in "The Library will provide "reasonable" office space.
(*"reasonable" is implied*)
2. Referencing the section on Office Space, Equipment and Supplies:
Is the Foundation required to provide reciprocal financial information such as what is being requested from the Library Department under this section? (*Yes, under the section Financial Statements*)
3. Referencing the section on Other Uses of Library Facilities:
What specific terms and conditions does the Foundation need to abide by on the use of library facility spaces? (*The Library Foundation follows all the rules and regulations for meeting spaces that are in existence such as the Board Policy on Facilities Use, Fines and Fees Policy, insurance provisions required by the Risk Manager, etc.*)
4. Does the Foundation have Error and Omission insurance? (*Yes, it does*)
5. Commissioner Walters referred to a request she made at previous Board meetings relative to whether the Foundation could provide their budget to the Commissioners. (*Commissioner Chick indicated that since two Board of Library Commissioners sit on the Ad Hoc Committee of the Foundation Board of Directors and items such as the budget are distributed at the Foundation Board meeting, he saw no reason why a copy could not be provided at a Commissioner's request*)

Thereafter, it was MOVED by Commissioner Chick, seconded by Commissioner Mendoza and unanimously carried that the two (2) amendments concerning the Disposition of Assets Upon Liquidation be approved and the following resolution be adopted.

LIBRARY RESOLUTION NO. 2009-57 (C-44)

WHEREAS, the extension of the Memorandum of Understanding (MOU), Contract No. 727, between the City of Los Angeles Public Library and the Library Foundation of Los Angeles expired October 31, 2009:

RESOLVED that the Board of Library Commissioners hereby approves the Memorandum of Understanding (MOU), with amendments to the section on *Disposition of Assets Upon Liquidation*, between the City of Los Angeles Public Library and the Library Foundation of Los Angeles. The agreement is for a term of three (3) years, to be effective from November 1, 2009 through October 31, 2012.

RECOMMENDED ADOPTION
OF CHANGE IN SERVICE HOURS

The City Librarian presented a report on the impact of the labor agreement with the Coalition of City Unions (COCU). He indicated that on October 30, 2009, the City Council approved an amendment and Letter of Agreement to the labor contract between the City and COCU. This new amendment includes provisions that postpones salary increases, provides for the implementation of a reduced work schedule and creates an Early Retirement Incentive Program (ERIP).

Mr. Gomez mentioned the new agreement requires that all Coalition employees reduce their work by 3.5 hours per pay period. According to periodic door counts conducted by the Library, the slowest day of service is Friday mornings. Due to current low staffing levels and in order to accommodate reduce work hours, staff is proposing that Coalition employees in the branches take the 3.5 work reduction hours on Friday mornings. He explained staff is recommending that 72 branches be closed each Friday morning; therefore operating hours would be from 1:30 to 5:30 p.m. beginning on November 30, 2009. The Central Library would continue to be open from 10:00 a.m. to 6:00 p.m. He pointed out Library management has had an opportunity to discuss this proposal with the unions.

Moreover, City Librarian Gomez advised that as of today's meeting 92 employees have submitted their application to take advantage of the ERIP. Employees have until December 17, 2009 to submit an application and seven calendar days to withdraw after the date of notification by the City Administrative Officer that the retirement has been approved. He stated currently there are approximately 100 vacant positions in the library. Due to the hiring freeze, those positions have not been filled. With

possible losses as result of the ERIP, the Library Department may face a 19% reduction of its workforce. Retiring employees will begin to leave after the first of the year (2010) to May 2010. He said backfilling positions would be extremely restrictive, if not zero. This may result in an additional reduction of public service hours and library services. The City Librarian will keep the Board informed.

Public Comments

(1)

Roy Stone, President, Librarians' Guild, said they are happy the ERIP was adopted because had it not passed, it would have been a major disaster for library service, employees and the public. He stated the staffing plans proposed by library management is the best possible way to deal with service for the public because Friday mornings is the least busiest time for patrons. This will allow students to come in after school, people to visit after work, provide more staff for the open hours and standardize the hours to help with scheduling personnel.

(2)

Alice Goff, President of Local 3090, representing the clerical and support services within the Library system, stated they are grateful they had the opportunity to meet with City Librarian Gomez and his staff a couple of weeks ago to talk about this matter formally and figure out the best approach to take.

She underscored there was sacrifice, with their members subject to loss of pay at a time when they could least afford it, but at the same time as City employees they saw this as the best way to assist the City through its crisis right now. The challenge, she explained, is how to provide a level of service that is acceptable to the public with reduced staff, and the only reasonable, viable option was to close Friday mornings. She concurred with Mr. Stone that they fully support Mr. Gomez' recommendation to the Board.

It was MOVED by Vice President Mendoza, seconded by Commissioner Hirano-Nakanishi and unanimously carried that the following resolution be adopted:

LIBRARY RESOLUTION NO. 2009-58 (C-45)

WHEREAS, a new agreement between the City of Los Angeles and the Coalition of Unions requires the reduction of 3.5 work hours per pay period; and

WHEREAS, in order to accommodate the reduced hours, it is proposed that the service hours at all 72 branch libraries be changed on Fridays, opening to the public from 1:30 p.m. to 5:30 p.m., effective November 30, 2009:

RESOLVED that the Board of Library Commissioners hereby adopts the change in service hours for all branch libraries effective November 30, 2009.

RECOMMENDED REVISION TO BOARD
POLICY ON HOLIDAY CLOSURE OF
LIBRARY FACILITIES ON DECEMBER 24, 2009

City Librarian Gomez advised staff is recommending a revision to the Board Policy on Holiday Closure of Library Facilities for December 24, 2009. He pointed out past practice has been for employees to work half day on Christmas Eve. However, based on current staffing levels and reduced work schedule for Library employees, it is being recommended that on Thursday, December 24, 2009, all public Library facilities be closed for the entire day and employees take their 3.5 hours reduction.

Public Comment

(1)

Alice Goff, President of Local 3090, stated they concur with Mr. Gomez' recommendation. She said in prior years it had been only a half-day of service. By employees using the 3.5 hours and closing library facilities it avoids confusion and provides a level of expectation for the public that both on December 24 and 25, library facilities will be closed. She said with the ERIP in place and limited ability to hire after June, they will still be in a quandary as to how to get the work done with limited staff; so they are fully supportive of continuing discussions with Mr. Gomez on how to best address that.

(2)

Roy Stone, President Librarians' Guild, also spoke in support of staff's recommendation echoing Ms. Goff's comments that closing library facilities on December 24 avoids confusion and frustration, especially during the holiday time. In addition, he remarked, it saves cost to the Library Department, staff and the public. Along with Alice Goff, Mr. Stone is very appreciative of meeting with the City Librarian and staff from time to time as issues come up to be able to provide input on their views. They believe decisions are made better that way.

President Wieder thanked Mr. Gomez for making sure discussions with the labor brothers and sisters took place prior to coming to the Board meeting. She emphasized everyone understands the seriousness of the financial situation of the City and State. She commented everyone coming together to find a mutual agreement is very important. The President asked staff to make sure the public is made aware that Library facilities will be closed December 24, 2009.

Thereafter it was MOVED by Vice President Mendoza, seconded by Commissioner Hirano-Nakanishi and unanimously carried that the following resolution be approved:

LIBRARY RESOLUTION NO. 2009-59 (C-46)

WHEREAS, due to staffing levels and reduced work schedule of Library employees as required in a new agreement between the City of Los Angeles and the Coalition of Unions, it is recommended that library facilities be closed for the entire day on Christmas Eve, December 24, 2009:

RESOLVED that the Board of Library Commissioners approves revision to the "Holiday Closure Policy for Library Facilities" Library Resolution No. 2003-77 (C-65), Item No. 3, as follows:

All public library facilities will be closed for the entire day on Christmas Eve, Thursday, December 24, 2009.

VARIOUS COMMUNICATIONS: NONE

COMMISSIONERS' COMMENTS, ANNOUNCEMENTS
AND REVIEW OF MATTERS PENDING

Resignation of John Cooke, President
Library Foundation of Los Angeles

The City Librarian announced that Mr. John Cooke has tendered his resignation to be effective December 1, 2009. The City Librarian stated he has had the pleasure of working with Mr. Cooke over the last several months. He indicated in the last seven months that John Cooke served as President of the Foundation he has successfully streamlined operations, improved the financial position of the Foundation, held a very successful Literary Award Dinner in May and recent Literacy Feast Dinners, and helped strengthened the relationship between the Los Angeles Public Library and the Library Foundation of Los Angeles. In the short period of time he was here, he accomplished many important tasks with no compensation. On behalf of the Library Department, the City Librarian stated they are extremely thankful for his service.

Commissioner Walters expressed her appreciation to John Cooke for stepping in at a critical moment in the existence of the Foundation and the Library. She hopes whoever is selected to administer the Foundation from this point forward will have John's guidance and wise counsel.

Commissioner Chick highlighted John Cooke's leadership indicating the partnership between the Board and the Foundation is in the best position it has been in a long time.

President Wieder echoed the comments from City Librarian Gomez and the Commissioners acknowledging appreciation to John for all his hard work.

John Cooke remarked that it has been a delight to work with all the Library staff and the Commissioners. He said he feels very good about the institution and about what the Foundation is doing, commenting that the second quarter is going splendidly and future events are being planned. He concluded by stating that the Foundation staff and members are clearly engaged in its mission and want to do everything they can to help the Los Angeles Public Library.

Literacy Feast Dinners

President Wieder reported that the Literacy Feast Dinners were an overwhelming success and congratulated the Library Foundation staff. She said this was an opportunity to meet authors and thanked the generous hosts that helped make this great event a success. The proceeds will be used to provide additional resources for the Library.

Opening of Silver Lake Branch

The President announced that the grand opening of the Silver Lake Branch would be held Monday, November 16, 2009 at 10:00 a.m. Mayor Villaraigosa and Council President Garcetti are scheduled to be present.

City Librarian Gomez indicated the opening will be more of a press-conference style event and will highlight the completion of a significant bond construction project.

Successful System Maintenance

The City Librarian indicated the computer system upgrade during the Columbus Day weekend was very successful.

Stephen King to be Honored

The City Librarian announced author Stephen King has accepted to be the honoree for the 2010 Literary Award Program, which will take place next spring.

International Book Fair in Mexico

The City Librarian will be traveling with Mayor Villaraigosa and a few Councilmembers to Guadalajara, Mexico, where he will be one of the keynote speakers at the International Book Fair to be held on Friday, November 27, 2009. The Library Department is planning to purchase several Spanish titles at the book fair.

PENDING ITEMS:

The following pending items were reviewed by President Wieder:

Book Budget Generating Ideas

President Wieder asked the City Librarian to communicate with Councilmember LaBonge's Office regarding the status of a pending recommendation from his office as discussed at the September 10, 2009 meeting. Mr. Gomez stated he would work with both Councilmembers LaBonge and Hahn's relative to this issue.

System for Buying Books More Efficiently

Commissioner Chick asked that this pending item be moved to January of 2010 because of the present issues with staffing.

Plans to be Implemented Relative to the 2010 Census

Commissioner Hirano-Nakanishi stated the Library Department is key to making the public aware of why this is so important and hopes to have information by January 2010 on plans thereon.

There being no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

ATTEST: _____

Tyree Wieder
President

Gladys L. Senac
Board Executive Assistant

Date to be approved:

November 19, 2009