MINUTES
BOARD OF LIBRARY COMMISSIONERS
CITY OF LOS ANGELES

November 21, 2013

A Regular Meeting of the Board of Library Commissioners was held at the Central Library, 630 West 5th Street, Los Angeles, CA 90071, convening at 11:06 a.m. on the above-written date.

PRESENT:

PRESIDENT JOSEFA SALINAS
VICE PRESIDENT BICH NGOC CAO
COMMISSIONER GREGORY BETTINELLI
COMMISSIONER MAI LASSITER
COMMISSIONER RITA WALTERS

EXCUSED

ABSENT: NONE

ALSO PRESENT: John F. Szabo, City Librarian; Kris Morita, Assistant General Manager; Basia Jankowski, Deputy City Attorney; Roy Stone, President, Librarians’ Guild; Henry Gambill, Executive Vice President, Librarians’ Guild; and staff.

Commissioner Rita Walters opened and chaired the Board meeting up to the election of officers.

WELCOME & INTRODUCTION OF NEW BOARD MEMBERS

City Librarian John F. Szabo welcomed new Board Members Gregory Bettinelli, Mai Lassiter and Josefa Salinas to the Library Commission.

Each of the new Board members spoke briefly about their career background and their community service.

Walters welcomed them and said the people in the City of Los Angeles are fortunate to have a library like this, whose City Librarian and his staff, throughout the library system, are very dedicated and energetic.

PUBLIC COMMENTS ON MATTERS WITHIN THE BOARD’S JURISDICTION: None.
CITY LIBRARIAN’S COMMENTS
AND ANNOUNCEMENTS

Friends of the Library Week

City Librarian John F. Szabo reported that the Library has 67 Friends of the Library groups. On November 2, the Library hosted 200 members of the Friends groups and staff at the annual citywide friends breakfast and workshop event held at the Central Library. It was an opportunity to recognize their accomplishments and thank them for their support. In April, the Library will host an event for all Library volunteers.

LAPL wins 2013 Quality and Productivity Improvement Award

Mr. Szabo announced that the Los Angeles Public Library (LAPL) was awarded the 2013 Quality and Productivity Improvement Award on November 7 from the Quality and Productivity Commission. The two projects submitted were LAPL’s new Digital Enhancement Initiative, which is an ongoing expansion of online media, and Education Access for All, online educational classes offered through lapl.org. The City Librarian thanked staff for the wonderful work on these two projects.

App-a-thon Event

On October 11, the Library held its first App-a-thon event. The winning team developed an app that allows users to look at an array of LAPL programming, layered with GIS data, to find out where the nearest library is offering the program in which they are interested.

AmeriCorps

Mr. Szabo announced that LAPL, in partnership with AmeriCorps and the Weingart Center Association, would begin an initiative in January 2014 to help the armed forces veteran population, particularly for recently returning veterans. This initiative will place 20 Americorps members, who are veterans, at 10 libraries for 35 hours a week to assist in reintegration, job assistance and placement, and accessing social/human services.

OverDrive Media Station

The Los Angeles Public Library (LAPL) was the first library to offer Streaming Video through OverDrive, the main provider of downloadable e-books. Recently, LAPL launched an OverDrive Media Station at the Central Library that allows patrons to enter a phone number or have the system text them a link for a particular title, and they can download that onto their device.

“Created Equal” Program

On November 16, the Library held a “Created Equal” Program in the Mark Taper Auditorium. This is part of a National Endowment for the Humanities’ grant to commemorate America’s Civil Rights struggle. Rev. James Lawson, a Freedom Rider and one of the architects of the civil rights movement, spoke about the civil rights legacy.
Photo Collection “Shades of L.A.” 20th Anniversary

The 20th Anniversary of “Shades of L.A.”, a compelling archive of 10,000 photos of diverse Southern California families (scanned in the 1990’s from family albums) was recently celebrated at the Central Library. Over 200 people attended, many of them were families who participated in the “Shades of L.A.” project. The photographs are digitized and available online.

Sunday Hours Update

Sunday service hours are going to be restored at the Central Library and eight Regional Branch Libraries starting January 12. Events will take place at all the nine library locations. LAPL is fulfilling its Measure L promise of restoring Sunday hours. Library staff will work closely with the Mayor’s Office, Council members, Commissioners, Neighborhood Councils and the Mayor to hold simultaneous events at 12:30 p.m. on January 12. The City Librarian invited the public to attend.

Affordable Care Act

Within the next couple of months Library staff will be available to answer questions and make referrals relative to the Affordable Care Act and Covered California. LAPL has received funding and marketing resources to let people know that the Library is a source of information for Covered California. The Library is also working with non-profit organizations on enrollment with Covered California.

Board Discussion

During the discussion of the City Librarian’s announcements, two goals for 2014 were suggested: Commissioner Bettinelli stated that they should make sure that every branch library has a Friends group (he requested a list of those libraries not having a Friends group). Commissioner Salinas spoke of improving the marketing and promotion of LAPL’s services and programs (she requested information on what is being done presently, including funding and staff).

Commissioner Lassiter inquired about the Friends annual contributions to the Library. Mr. Szabo replied that the Friends contribute an aggregate of approximately $200,000 annually.

ORIENTATION ON BROWN ACT (Taken Out of Order)

Commissioner Rita Walters introduced Deputy City Attorney Basia Jankowski, who is the Legal Counsel for the Library Department. Ms. Jankowski would provide an orientation on what the Brown Act means and how it affects the Board’s actions.

Basia Jankowski, Deputy City Attorney, welcomed the new members of the Board and informed them that as Legal Counsel to the Library Department she provides assistance and advice on matters affecting the Commission and laws concerning open government.
Ms. Jankowski provided an overview of the Ralph M. Brown Act, California’s Open Meeting Law contained in Section 54950 of the California Government Code. This law governs open meetings for local government bodies such as boards, councils, and commissions. It requires that legislative bodies hold open meetings, discussion, deliberations, and decisions are made openly and to give notice of the meeting to the public to ensure transparency and to facilitate public participation in local government decisions.

Ms. Jankowski explained that all of the departments and boards of the City of Los Angeles are governed by the Brown Act. She said the Brown Act also covers standing committees, but it does not include advisory committees that are composed of less than a quorum. She outlined the main provisions of the Brown Act, as follows:

**Communications:** A meeting is any gathering of the majority of the members of the body to hear or discuss any matters under the jurisdiction of the Board including any direct communications, personal intermediaries, or technological devices used by the members of the Board for the purposes of obtaining opinion or developing a collective concurrence on an action to be taken by the Board.

Ms. Jankowski explained that there are two types of serial meetings that can violate the Brown Act. A serial meeting is when a series of communications takes place outside the confines of a regular public meeting to reach a consensus; they are: Chain communications and hub-and-spoke communications. For example: If Commissioner A calls commissioner B, who subsequently calls commissioner C and so on until a quorum has evolved, is a chain communication. In the hub-and-spoke, one member communicates individually with various members or an intermediary such as a staff member contacts each or any of the board members to gauge their view or opinion. Such actions would constitute a collective searching for approval outside the public view and it is a violation of the Brown Act.

Ms. Jankowski stated that communications permitted under the Brown Act are individual communications and conversations between Board members and members of the public, and attendance to social or formal gatherings where no discussion on any matters under their jurisdiction of the Board takes place.

Ms. Jankowski stated that the Brown Act covers three types of meetings: Regular, Special and Emergency.

**Regular Meeting Requirements:** Regular Meeting requirements such as time and place are established by ordinance, resolution, or bylaws. The agenda of a Regular Board meeting must be posted at least 72 hours before the start of the meeting. The agenda must describe briefly the matter that would be discussed or decided in terms that are understandable to the public. Only matters scheduled on the agenda should be considered.

**Special Meetings:** Agendas for Special meetings must be posted or delivered 24 hours before the meeting by mail or personal delivery to all Board members and to all media outlets that have requested to be notified. Only matters that are on the agenda of the Special Meeting may be discussed. Public comments and approval of the Minutes are done only during the Regular Meeting.
**Emergency Meetings:** Emergency meetings can be called only in the case of a dire emergency, which include crippling activity, work stoppages, or other activities that severely impair the public health, safety or both. At least one-hour notice must be given to media outlets that have requested notice to Special meetings. Emergency meetings may not be held in closed session.

**Rights of the Public:** All members of the public are permitted to attend and must be allowed to present testimony and address the Board on each item on the agenda, or on any matter under its jurisdiction, even if the matter is not on the agenda. The Board may not act on an agenda item until it has allowed for public comment on that item.

Members of the public are entitled to copies of written materials that the Board would consider when discussing an item on the agenda. This requirement does not apply to materials that are subject to attorney-client privilege or other information not required to be disclosed under the California Public Records Act.

Meetings may not be held in facilities that are inaccessible to disabled persons or in facilities that prohibits the admittance of any person on the basis of race, origin, color, religion creed, national origin, ancestry or sex. If the Board holds a meeting in an unusual location, the public must be allowed to attend without need to pay any price for entry. They must be able to hear the proceeding and must be allowed to present testimony.

**Closed Sessions:** A Closed Session may be held under certain circumstances. If a meeting is closed to the public, is not permissible to allow some interested persons to attend while denying access to others. Generally, the only persons who may attend closed sessions are the members of the Board and any City staff that is needed to assist the Board in its deliberation.

In order for the Board to meet in closed session, the item must be listed on the agenda indicating the purpose of the closed session and it has met the Brown Act minimum requirement. Items that will be discussed in closed session must be announced publicly before the closed session is held. After the closed session is completed, the Board would be required to meet in open session and publicly report the action taken on the vote. Three major exemptions from disclosure are Personnel issues, pending litigation, and real estate negotiations.

**Penalties and Remedies for Violation of the Brown Act:** There are penalties and remedies when the Brown Act is violated. It is a criminal misdemeanor for a member of a legislative body to attend a meeting in which an action has been taken in violation of the Brown Act. Violations of the Act may result in the issuance of injunctions and written mandate to correct violation or to prevent future violations. It may declare a decision made in violation of the Brown Act void.

Ms. Jankowski concluded her presentation by underscoring that the Brown Act is important and it should be followed because there are civil and criminal penalties for not doing so.
Discussion

The Commissioners raised questions on whether direct communications between the Librarian, staff, and Commissioners is public record and how much interaction can be done between Commissioners prior to placing an item on the agenda.

Deputy City Attorney Basia Jankowski stated that if a Commissioner is performing public business as a member of the Board, the majority of communication is considered public record. She referenced the Public Records Act, whereby most records maintained by city government need to be made available to members of the public. She stated that there are very narrow exceptions to this Act. She also advised that the safest recourse, so as not to violate the Brown Act, would be to only discuss items of interest between Commissioners in a public meeting.

Commissioner Bettinelli asked what kind of information would be considered privileged. Ms. Jankowski replied that there are exceptions to the public records act but each issue has to be reviewed on a case by case basis to determine if an exception is justified to be considered privileged.

Ms. Jankowski underscored that both the Brown Act and the Public Records Act are vehicles whereby the public has right to information. (The Board Secretary distributed copies of the Brown Act to all commissioners requested by Commissioner Walters.)

In response to a question from Commissioner Salinas, Ms. Jankowski stated that commissioners could ask for information to be placed on the agenda so that information can also be made available to the public and be discussed during a public meeting.

CITY LIBRARIAN’S REPORTS:

Recommendation to Accept Gifts (Taken out of Order)

City Librarian John F. Szabo informed the Board members that per Board Policy any gift in the amount or value of over $1,000 requires approval of the Board for acceptance.

Commissioner Walters asked if there was a requirement for donations or gifts that go beyond a certain dollar amount had to be shared with other libraries, whether be from the Friends or other donors. She asked if the City Librarian would look into it and that it be placed in the agenda if there was such a policy.

It was MOVED by Commissioner Bettinelli, and seconded by Commissioner Cao, and unanimously carried that the following resolutions be adopted:

LIBRARY RESOLUTION NO. 2013-48 (C-39)

RESOLVED, that the gift in the amount of $3,000 from the Friends of the Studio City Branch Library for the “Hot Off The Press” Bestseller Program at the Studio City Branch Library be accepted; and
Library Resolution
No. 2013-48 (C-39)

FURTHER RESOLVED, That a letter of appreciation be sent to the Friends of the Studio City Branch Library expressing the grateful appreciation of the Board of Library Commissioners and staff for their generous donation.

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LIBRARY RESOLUTION NO. 2013-49

RESOLVED, That the gift to the West Valley Regional Branch Library, consisting of a digital projector including installation, valued at $2,564, be accepted from the Friends of the West Valley Regional Branch Library; and

FURTHER RESOLVED, That a letter of appreciation be sent to the Friends group expressing the grateful appreciation of the Board of Library Commissioners and staff for their generous donation.

ELECTION OF OFFICERS FOR FY 2013-2014 (Taken Out of Order)

President

MOVED by Commissioner Cao, seconded by Commissioner Lassiter, and unanimously carried that Commissioner Josefa Salinas be elected President of the Board for Fiscal Year 2013/2014.

Vice President

MOVED by President Salinas, seconded by Commissioner Bettinelli, and unanimously carried that Commissioner Bich Ngoc Cao be elected Vice President for Fiscal Year 2013/2014.

RECOMMENDATION TO APPROVE
PROPOSED LIBRARY DEPARTMENT
BUDGET FOR FISCAL YEAR 2014-15

City Librarian John Szabo reported that the proposed Budget Request for Fiscal Year 2014/2015, totaling $143,751,339, is due to the Mayor’s office on December 20, 2013. The Library’s budget incorporates and is aligned with the Mayor’s nine key priorities, which are promoting good jobs for Angelenos all across the United States, restoring City services that make our neighborhoods livable and attractive, making our communities the safest in the nation, creating a most sustainable and livable city, living within our financial means, providing outstanding customer service to our residents and businesses, deploying innovation and technology to modernize City government, restoring pride and excellence in public service and partnering with citizens and civic groups to build a greater city.

Mr. Szabo spoke about Measure L, the ballot initiative approved by the voters in March of 2011, which amended the Charter appropriation for the Library Department from .0175 % to .0300% based on the assessed value of all property in the City of Los Angeles.
Mr. Szabo underscored that in each of the four phases of Measure L, the Los Angeles Public Library has kept every promise made to the voters such as restoring Monday service, reestablishing evening and Friday morning service, increasing the library collections budget, providing technology upgrades, and the restoration of Sunday service hours in January. Also, as stipulated in Measure L, during the first three fiscal years (FY 2011-12, 2012-13 and 2013-14) a maximum of 55% of the Measure L increase was used for reimbursement of overhead and related costs. In FY 2014-15 and thereafter, the Library will be responsible for all overhead and related costs.

The City Librarian reviewed the Financial Data (Charter Appropriation and Proposed Budget Financial Information). He stated that while the majority of the revenue is derived from the charter appropriation, some funding also comes from fines and fees, meeting room rentals, lost book fees, etc. Additionally, unspent funds from one fiscal year are rolled over to the Library budget for the next fiscal year.

Mr. Szabo stated that as part of the budget submittal, there are 13 budget packages, four of which are dollars provided to other departments to do special things on the Library’s behalf. He emphasized that one of his top priorities in this budget is to improve security by investing in extra security cameras and additional security personnel. He said the Library has a close working relationship with the Los Angeles Police Department and the unions on this issue.

The City Librarian presented an overview of the following 13 Proposed Budget Packages:

1) Establish Job and Career Center - Central Library
2) Digital Learning Labs: Learn, Create, Collaborate
3) Enhancing Collections, Programming, Exhibitions and Security. This request includes funding for security cameras installation for 10 branch libraries; improvements to branch libraries; programming for all ages; and an increase to the library materials budget, which will raise the LAPL’s per capita expenditure from $2.19 to $3.00
4) Marketing, Promotion and Awareness
5) Strengthen Capacity of Community Engagement
6) Expand Delivery of Innovative Technology
7) Enhancing Service through Technological Investment and Innovation
8) Business Office Improvement
9) Paygrade Upgrades
10) Central Library Facility Improvements
11) Automate Branch Parking Operations
12) Painting and Graffiti Abatement Crew
13) Improve Security (to provide additional security officer presence at branch locations).

Lastly, Mr. Szabo expressed his gratitude to Business Manager Kyle Millager, Administrative staff and the unions for their assistance in the development of this budget. He especially thanked the staff at LAPL, who through the tough years, continued to provide outstanding service to the people of Los Angeles.
**Board Discussion**

The Board discussed various areas of the budget and raised the following questions:

Commissioner Bettinelli had questions regarding security funding allocation and facility maintenance and repair.

Mr. Szabo stated that the transfer of security from General Services to Los Angeles Police Department (LAPD) has benefited the Library because there has been greater involvement by LAPD; also, the Board recently approved new Rules of Conduct that gives staff new tools to deal with individuals who were creating problems on an on-going basis, both of these improvements has affected the incident reporting numbers. Additionally, the proposed budget includes requests for additional security staff and security cameras for the branch libraries.

In regard to facility maintenance and repair, the City Librarian and Business Manager Kyle Millager reported that Library’s budget contains a line item in the amount of $3.8 millions dollars designated for related costs for routine maintenance, which includes any repairs that may be needed. She said that for capital improvement projects such as building renovations, the City has a budget that the Library Department can request funds from for that purpose. The City’s Administrative Office (CAO) determines if a request qualifies as capital improvement or if the Library should cover the cost. Mr. Szabo added that the Library also pursues external funding opportunities such as the federal funds through the American Recovery and Reinvestment Act from which the Library received $3-4 million dollars in investment for the replacement of the roof and chillers for the Central Library.

Commissioner Lassiter asked for a copy of the Rules of Conduct and asked if there was any way for the Children’s areas to be more restrictive. Mr. Szabo replied that the Rules of Conduct would be provided to the commissioners. He said that staff is very vigilant with the children’s areas.

Commissioner Bettinelli asked if the Library was on track to spend the funds allocated for this current fiscal year and if funds could be moved around. Mr. Szabo responded that the Library is on track with the expenditures for the current budget and that the Library has the flexibility to move funds within certain accounts; however, Board approval is required for transfer of large amounts of more than $43,000.

In reference to the City Librarian’s comments on the hiring of new staff and anticipated filling of positions in the budget, Board President Salinas asked if the hiring would generate employment for the community.

Mr. Szabo stated that some of the jobs are only open for employees who are in career track within the city. He said that there are other positions that will be hired externally and those candidates have to go through the city’s hiring process. President Salinas stated that she would be interested in having that information.
Commissioner Cao had questions on partnerships for the digital labs and if the services would be free to patrons. Mr. Szabo replied that the Library is in conversation with L.A. Makerspace to enter into partnership to provide their services at the Pio Pico-Koreatown Branch Library and the programming would be free to the public.

Commissioner Cao asked about the plans for promotion and marketing for the next year, and Commissioner Lassiter inquired about the graphics and marketing materials. He noted that this is an area of huge need and welcomed their ideas. He stated that for graphics design and printing, the Library currently intends to contract for those services.

Commissioner Bettinelli stated that during his confirmation process he had met with Councilman Bonin who told him that the City Council doesn’t have enough information on who are the library users and what they want in terms of programs and services. He asked if that information had been collected and shared before.

Mr. Szabo replied that last year the Library began the process for a new strategic plan. In that process over 11,000 responses were collected from surveys and a poll taken from the public about what they like and don’t like about their library. He said the telephone poll provided a lot of insightful information about users and non-users. Additionally, the Library recently acquired a new software tool called, Counting Opinions. This software is a survey and benchmarking tool that queries patrons at a specific branch or about specific programs. He believes this new tool would provide some rich data to make sure the Library is being responsive to patrons’ needs.

Board President Josefa Salinas had questions regarding on available space and the use of space at library facilities. Mr. Szabo replied that generally there is no empty space. Staff determines how to most effectively use the square footage available for collections, children spaces, adult programs spaces, etc. He said that the way the spaces are used at the libraries can change depending on the programs and services being offered.

President Salinas asked what would be the case if someone comes to the Library with a program that is fully funded that they would like to offer at 45 locations. Mr. Szabo replied that there are many nonprofit organizations that would like to partner with the Library, but for something of a large scale it would have be determined how it incorporates into the strategic plan and direction of the Library.

Public Comments

(1)

Roy Stone, President, Librarians’ Guild, welcomed the new Commissioners and reported that the Guild met with Library administrative staff to provide input for the budget and there was much consideration given to their recommendations.

Mr. Stone pointed out information contained in Section 2 in the Findings of the Board report states that, “FY 2014-15 is the fourth and final year of Measure L.” He would like to clarify that is not the last year of Measure L, but the last increment in appropriation; from there on, the appropriation would remain at .0300%.
Mr. Stone also stated that the Guild would continue lobbing for other library staff because the Librarians’ Guild is part of the Coalition of Unions that includes clerical, maintenance and other professionals as well. He said that support staff is needed at Branch Library Services, Human Resources, the Commissioners’ office, and at the branch libraries that are barely getting by. He noted that the Guild is very pleased that some hiring will be done soon.

(2)

Henry Gambill, Executive Vice President, Librarians’ Guild and Branch Manager at the Kaufman-Brentwood Branch, stated that one of the main responsibilities of labor management and union task forces is the Health and Safety Committee. He said Business Manager Kyle Millager is in that committee as well and their work in that committee is reflected in the budget. He said that being senior branch librarians, he and Mr. Stone are at the forefront in dealing with a lot of issues and experiencing a lot of the problems. He reported that Ms. Millager has done a great job of obtaining restriction orders, when appropriate, and making library facilities safer. She deserves a lot of praise for all that work.

Mr. Gambill stated that the Board will always see them advocating for more staff because only until this budget, they have seen some hiring of full-time staff. He said most of the hiring to replace lower level staff has been part-time staff. He informed the Board that the Guild was a strong advocate for the passage of Measure L and they have been a persistent voice and are very pleased that progress has been made in this budget.

The Board President asked the board members if they wished to approve the budget or if they preferred to continue its approval to the next meeting.

Commissioner Bettinelli requested that the budget be continued. He asked if the entire budget was available for the Commissioners to review and that it would be helpful if they were provided with an overview of the process.

Mr. Szabo stated that fortunately the budget has been started early enough to continue to a future meeting and allow time to provide additional information prior to the Board voting to approve it. He stated that the budget was prepared building upon the strategic plan and the Mayor’s priorities according to the guidelines received from the City’s Administrative Office.

Mr. Szabo noted that staff and the Librarians’ Guild were very engaged in the process of the budget. Staff had to look at all the costs including the related costs for funding programs, services and projects and how they would fit into the Mayor’s priorities.

**BOARD ACTION**

Moved by Commissioner Walters, seconded by Commissioner Bettinelli, and unanimously carried that the Library Department Budget be continued to the Next Board Meeting.
MINUTES FOR APPROVAL: Regular Meeting – 10/10/13 (Taken Out of Order)

In response to Commissioner Bettinelli’s question whether members can vote to approve minutes from a meeting they were not part of, Deputy City Attorney Basia Jankowski stated that as a body, the members are responsible for approving the minutes. If they find that some information is not correct, they can request an amendment to correct them. Also, if anyone of them wished to continue the minutes to a future meeting to allow them more time for review, then they could make that request.

MOVED by Commissioner Walters, seconded by Commissioner Cao, and unanimously carried that the Minutes of the Regular Meeting held October 10, 2013 be approved as submitted.

VARIOUS COMMUNICATIONS: None.

COMMISSIONERS’ COMMENTS & REVIEW OF MATTERS PENDING: None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:15 p.m.

ATTEST: _________________
Josefa Salinas
President

______________________    _______________________
Raquel M. Borden          Board Executive Assistant

Date to be approved: December 11, 2013