

DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES
6:00 PM, WEDNESDAY, August 22, 2012

REGULAR MEETING

AGENDA

MEETING LOCATION:
COUNCIL CHAMBER, CITY OF DIXON
600 EAST A ST., DIXON, CA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

Trustees

Irina Okhremtchouk, President
Gildardo Piñon, Vice-President
Herb Cross, Secretary
Joe DiPaola
Guy Garcia

Staff

Nancy Schrott, Acting Library Director

NOTICE TO THE PUBLIC

Public Comment

Any member of the public wishing to address the Governing Board on a topic within the subject matter jurisdiction of the District but not on the agenda may do so during the PUBLIC COMMENT period identified in this agenda. By law, subjects not on the agenda cannot be acted upon by the Board except to briefly respond, clarify, or refer to staff for review and presentation at a future meeting. The Board President will recognize you for public comment on matters on the agenda at the appropriate time.

4. CLOSED SESSION
 - a. Public comments regarding closed session items
 - b. Conference with Legal Counsel - Existing Litigation
Response to Grand Jury Report
[Gov Code 54956.9]
 - c. Public Employee Discipline/Dismissal/Release
[Gov Code 54957]
 - d. Public Employee Appointment
Library Director
[Gov Code 54957]

5. **INTRODUCTORY ITEMS**
 - a. Open Session Call to order
 - b. Report out Closed Session
 - c. Approval of Agenda Action
 - d. Communications Receive
 - e. Approval of minutes Action
(Special Meeting of July 11, 2012, Attachment)

9. **PUBLIC COMMENT** Receive

10. **ACTING LIBRARY DIRECTOR REPORT** Receive

11. **OLD BUSINESS**
 - a. EIR Report-Update Discussion/ Action
 - b. ADA Update Discussion/ Action
 - c. DPLD New Library Building Project Receive

12. **NEW BUSINESS**
 - a. Budget Discussion/ Action
(Attachment)
 - b. Impact Fee (Current and potential use) Discussion/ Action
 - c. Mission Statement Discussion/ Action
 - d. Job Title Changes Discussion/ Action
 - e. Ratify Acting Director Employment Contract Discussion/ Action
(Nancy Schrott/ Attachment)
 - f. Ratify Contract For Independent Audit Of Fiscal Years Discussion/ Action
Ending June 30, 2011 and June 30, 2012
(Stephen Roatch Accountancy Corporation/ Attachment)
 - g. Appointment New Library Director Discussion/ Action
 - h. Approve District Response to Grand Jury Report Discussion/ Action
(Attachment)

13. **BOARD COMMENTS/ANNOUNCEMENTS**

14. **ADJOURNMENT**

The Acting Library Director legally posted this agenda in accordance with the Brown Act on: August 17, 2012. In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Acting Library Director's Office at (707) 678-1805. Notification of at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

**DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES**

SUBJECT: NEW BUSINESS

MEETING DATE: 8/22/2012

AGENDA ITEM: 4b; 12h

ITEM SUBMITTED FOR

CONSENT

PUBLIC HEARING

ACTION, INFORMATION, DISCUSSION

ACTION

RESOLUTION

RECEIVE

DISCUSSION

SUBMITTED BY: Scott Holbrook

PRESENTED BY:

LIBRARY RECOMMENDATIONS:

DISCUSSION:

FINANCIAL IMPACT:

Cal. Penal Code § 933.05 Responses to Grand Jury findings

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.



DIXON PUBLIC LIBRARY

230 North First Street • Dixon, California 95620
(707) 678-5447 • (707) 678-3515 Fax • dixonlibrary.com

VIA EMAIL (cdclower@solano.courts.ca.gov)
& U.S. MAIL

August 17, 2012

Solano County Grand Jury
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

RE: 2011-2012 SOLANO COUNTY GRAND JURY REPORT
Dixon Public Library District Financial Analysis Response

Dear Grand Jury Representatives:

The Board of Trustees ("Board") of the Dixon Public Library District ("District" or "Respondent") appreciates the time and effort taken by the Solano County Grand Jury ("Grand Jury") to conduct its financial analysis of the District. The District has given the Grand Jury's findings serious consideration and this response will identify several actions recently approved and implemented by the Board consistent with the Grand Jury's recommendations.

The District's responses to the Grand Jury's findings and recommendations are set forth below in accordance with the format required by Penal Code section 933.05.

Please do not hesitate to contact me if you require further information.

Sincerely,

Irina Okhremtchouk
Board President
Dixon Public Library District

cc: Paul L. Beeman, Presiding Judge

FINDINGS AND RECOMMENDATIONS

Finding 1:

Audits are not timely. Specifically, the last audit was completed more than a year after the end of the fiscal period. Timely completion of an audit allows the governing body to view current financial information and provides an opportunity to correct small deficiencies before they become large problems.

Recommendation 1:

Governing Board of Library Trustees require that future audits be completed no less than 180 days following the end of the fiscal period.

District Response:

The Respondent agrees with Finding 1 and Recommendation 1 is being implemented. The District was previously managed and operated by a Library Commission ("Commission") during the years in question pursuant to Education Code section 18440. The Board's powers were limited during the Commission's management of the District. Accordingly, the Board took action in January 2012 to dissolve the Commission effective June 30, 2012, pursuant to Education Code section 18452. Immediately thereafter, the Board took action in July, 2012 to commence an audit of the fiscal years ending June 30, 2011 and June 30, 2012. The District signed an agreement with an independent auditor which was approved by the Board on August 22, 2012. The District will also revise its Board Policies to clarify that future audits are to be completed no less than 180 days following the end of the fiscal period.

Finding 2:

The financial stability of the Dixon Public Library District may be in jeopardy. District spending and shrinking revenues between 2008 and 2011 resulted in the following:

- A decrease in net assets of approximately \$100,000
- A decrease in General Fund cash of more than \$960,000
- A decrease in Building Fund cash from \$1,133,715 to \$43

Recommendation 2a:

Governing Board of Library Trustees develop a financial plan to address the decline in net assets and cash.

Recommendation 2b:

Governing Board of Library Trustees coordinate with the County Director of Library Services to determine the economic benefit and viability of joining the Solano County Library System.

District Response:

The Respondent agrees with Finding 2 to the extent that "spending and shrinking revenues" during the Commission's management of the District between 2008 and 2011 resulted in a decrease in net assets, and General and Building Funds. However, the Respondent is unable to confirm the Grand Jury's proposed figures until such time that the District's independent audit is completed.

Recommendation 2a has been implemented in part and will continue to be implemented during the 2012-13 fiscal year and thereafter. The District Librarian hired by the Commission to administer the District during the years in question is no longer employed by the District. As part of the Board's plan to address the decline in net assets and cash, the District's vacant chief executive "Librarian" position was downgraded to "Library Director" and the administrator compensation previously authorized by the Commission was significantly cut resulting in tens of thousands of dollars in reduced personnel costs. The Board hired a temporary Acting Library Director on July 14, 2012 and is in the process of hiring a permanent Library Director to be seated in September, 2012. The Board will work with the new Library Director to further develop a financial plan to preserve the fiscal integrity of the District.

Recommendation 2b requires further analysis and discussion with the County Director of Library Services to determine the economic benefit and viability of joining the Solano County Library System. The District will conclude that analysis and discussion, which

will include opportunities for public comment, within six months of the date of this response.

Finding 3:

The Dixon Public Library District is in danger of losing the 1/8 cent library sales tax which is due to expire on October 1, 2014. This funding source accounts for more than 50 percent of the District's revenues.

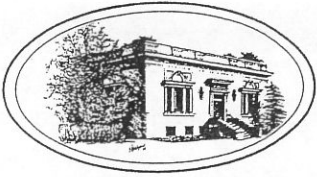
Recommendation 3:

Governing Board of Library Trustees develop a plan of action to deal with the possibility that the 1/8 cent library sales tax will not be extended.

District Response:

The Respondent agrees with Finding 3 to the extent that the District may lose "the 1/8 cent library sales tax" if it expires on October 1, 2014 and is not extended. However, the Respondent cannot confirm the Grand Jury's statement that this "funding source accounts for more than 50 percent of the District's revenues" until such time that the District's independent audit is completed.

Recommendation 3 has not yet been implemented but the Board will work with the new Library Director to explore options in developing a plan of action to secure extension of the 1/8 cent library sales tax and/or deal with the possibility of losing this funding source if not extended.



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Recommendation 2b will not be implemented because it is not warranted. The District was established by vote of the citizens in June 1911 and is governed by Education Code section 18300, et seq., which mandates that the District's geographic boundaries are the same as the Dixon Unified School District and that the school district trustees

August 17, 2012

also serve as trustees of the District. The Board represents the citizens of the Dixon community who have repeatedly expressed their desire for a locally governed and community based public library." Accordingly, the Board respectfully declines to implement Recommendation 2b.

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DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES

SUBJECT: CLOSED SESSION

MEETING DATE: 8/22/2012

AGENDA ITEM: 4b; 12e

ITEM SUBMITTED FOR

- CONSENT
- PUBLIC HEARING
- ACTION, INFORMATION, DISCUSSION
- ACTION
- RESOLUTION
- RECEIVE
- DISCUSSION

SUBMITTED BY:

PRESENTED BY:

LIBRARY RECOMMENDATIONS:

DISCUSSION:

FINANCIAL IMPACT: