Minutes-Approved 6/14/2012

DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES
6:00PM, THURSDAY, MARCH 8, 2012

REGULAR MEETING

MEETING LOCATION:
COUNCIL CHAMBER, CITY HALL, CITY OF DIXON
600 EAST A STREET, DIXON, CA

1. **Call to Order**

   The meeting was called to order at 6:10p.m. by Irina Okhremtchouk, President.

2. **Roll Call**

Trustees	Staff
Irina Okhremtchouk-President	Gregg Atkins, District Librarian
Gildardo Piñon, Vice-President	Sandy Myers, Recorder-excused
Herb Cross, Secretary	
Joe DiPaola	Library Commission President
Guy Garcia	Becky Craig

3. **Communications**

   In the packet is a copy of the letter from the Dixon Fire Department. Mr. Atkins reported the Fire Department performed a walk through of the library and the library meets the requirements. David Werrin- if he recalls the letter was pertaining to occupancy load with regards to exits not A.D.A. compliance or any type of those issues.

   Mr.Atkins-Chief Lewis said the Library meets all the requirements. In regards to occupancy; 90 occupancy must have two exits and the fire department states the Library meets all the requirements. Mr. Atkins did not see or receive a written complaint.

4. **Approval of Agenda**

   Mr. DiPaola states there is an error under Item 6.A. It should read September 8, 2011.

   Public Comment:

   - *Mr. Ceremello asks about the Pledge of Allegiance and why it is not on the agenda.*
   - *Mr. DiPaola made a motion to amend the agenda to include the Pledge of Allegiance. Will be brought up under Board comments item 11 as well.*

   Gildardo Piñon moved, Guy Garcia seconded and the motion carried to approve the agenda as amended.

5. **Public presentations to, or discussion with, the Trustees**

   - *Shirley Humphrey's read a letter from the Nancy Schrott regarding a plaque commemorating the role the Women's Improvement Club played in the history of the Carnegie Library. They request the plaque be placed near the Carnegie Library entrance.*
   - *Paty Perfecto read a letter from the Dixon Carnegie Library Preservation Society regarding the commemorative plaque. Ms. Okhremtchouk would like to know a time frame for the placement o f the plaque. Mr. DiPaola thanked the Preservation Society and Ms. Werrin for their efforts.*

- *Ms. Craig inquired about a letter she received via email saying it represents the Library Trustees on letter head from Atkinson, Andelson, Loya, , Ruud, & Romo an attorney's firm in Sacramento. She would like to know under whose authority the work was authorized and completed.*

The Pledge of Allegiance was recited.

6. Approval of minutes

A. Minutes of Special Meeting of September 9, 2011

Mr. Cross stated that item 8-has him as nay but it should be aye. Ms. Okhremtchouk stated that item 4 is still missing Mr. Arnolds comment in its entirety.

B. Minutes of Special Meeting January 26, 2012

C. Minutes of Special Meeting of February 2, 2012

Irina Okhremtchouk moved to approve the minutes of January 26, 2012 and minutes of February 2, 2012 with the removal of the minutes of September 8, 2012 for further revision, Guy Garcia seconded and the motion carried.

7. Financial Reports

Mr. Atkins reported that Measure B revenue is approximately $30,000 ahead of what was estimated. The next Measure B check should reflect December holiday shopping. The Impact Fee account shows a change due to the accumulation of interest. The General Operating Budget tax income is where expected. Although the State monies to libraries has been cut, due to past due monies received the library received $18,000. Everything else is on target. Expenditures are running a little less than expected in personnel. Other expenses are generally on track.

8. Usage Statistics

The pattern shows the library is running about 4000 below last year in all categories. It can be attributed to school classes not visiting the library, other libraries taking furloughs and closure during the holidays. Reference statistics have increased slightly.

Mr. DiPaola inquired into the discrepancies in the State Library reports for 08/09 and 09/10. He also asked if amended reports could be filed. Mr. Atkins was directed to contact the State Library to make any corrections and to ascertain where the error occurred.

Mr. Dingler spoke regarding the statement made by Mr. Atkins that if discrepancies exists the State Library would contact the Library. Mr. Dingler stated that he called the State Library and was informed that in fact they would not contact the Library.

Mr. Ceremello suggested a sub-committee be formed to address this issue. If money was given does it need to be given back? Mr. Atkins there are various funding from the State Library, the ones the library receives is not based on circulation statistics.

Mr. Garcia requests clarification on the reports and statements.

Ms. Okhremtchouk requests that Mr. Atkins respond by Friday.

9. Discussion Items

A. FY 2012-13 Budget Development-Review of Income Estimates

Mr. Atkins explained that the Library receives income from four sources, property tax, sales tax, state funding, and miscellaneous revenue of copies, fees etc. For 2012/2013 budget the property tax is estimated to have no significant changes. Due to the dissolution of redevelopment agencies the library will receive the full amount of property tax for the affected area. Currently the redevelopment funds are $25,000. There will also be a one time infusion $175 million from the State to be divided

in some fashion to Special Districts. There is no indication as yet to how this money will be divided. After discussion with surrounding library directors the sales tax amount was increased to $40,000. State funds to libraries are currently $18,148 and will not be available in 12/13 due to cuts. This year the decision was made to rollover the surplus monies into the operating budget. There is no rollover added into 12/13 budget. The end picture shows an increase of almost $22,000 with out the redevelopment money. If redevelopment is included at $25,000 it would put the budget $47,000 above last years for income.

B. Recommendation that the Board or subcommittee hereof begin a search for qualified applicants for the position of District Librarian, or, that the Board recommend to the Library Commission that the Commission or subcommittee thereof begin a search for qualified applicants for the position of District Librarian

Mr. DiPaola that the District Librarian's contract expires June 1, 2012. He believes a new District Librarian can be hired for much less. Mr. Cross asked if Mr. Atkins had resigned. Mr. Atkins expressed that he does not wish to renew his contract. Mr. DiPaola asked if Mr. Atkins would be seeking a new contract. Mr. Atkins stated, "No he would not". Mr. Atkins will contact the Commission regarding the completion of his contract. Mr. DiPaola would like public input as to how they want the process to proceed for seeking a new District Librarian.

Mr. Atknis informed the Board of the previous process used. An interim was brought in who had experience with Special Districts and who helped in the process of recruiting a new District Librarian. Mr. Arnold believes this is a good idea and reminded the Board that they have a recently retired librarian who could also be considered. Ms. Perfecto stated that in working with the interim in the past she found that it was quite helpful. Ms. Earl suggested that a current librarian should be part of the search committee.

10. New Business

A. Recommendation to Appoint Board Member to Dixon Redevelopment Agency successor agency Oversight Board

Mr. Atkins explained that in the process of dissolving the redevelopment agency a successor agency had to be chosen. In this case it was the City of Dixon. However it is required by law htat there is an oversight board. Composition of the Board is established in law. One of the requirements is that the largest agency has a member sit on the Board. In this case the Library District is the largest agency and must provide a member for the Board. Mr. DiPaola moved to appoint Ms. Craig if and he would be the alternate contingent on Ms. Craigs acceptance. Mr. Cross seconded. Ms. Emerson asked how long the appointee would serve. Mr. Atkins answered with six to twelve months. Mr. Ceremello made the Board aware that the appointment should be citizens' at large not elected officials. Mr. DiPaola withdrew his motion. Mr. Cross moved Ms. Craig be appointed contingent upon her acceptance, Mr. DiPaola seconded. Ms. Humphreys suggested Mr. Arnold be appointed. Mr. Arnold said he felt Ms. Craig would do a fine job, but if the appointment was thrown at him he would not refuse, but he would not volunteer. Mr. DiPaola moved to appoint Mr. Arnold, Mr. Piñon seconded and the motion passed all in favor. Mr. Arnold accepted the appointment.

B. Recommendation that the Board consider whether to disapprove future expenditures contained in the District's Budget for payment of wages/ salary to an employee pursuant to an employment agreement, f that employment agreement (and/or any extensions or amendment thereof) does not contain an "at will" employment clause in it.

Mr. DiPaola said policy 3000.4 states the District Librarian serves at the pleasure of the Library Commission and is an at will employee. He would like to declare that every employee is at will. He would also like an amendment to 10.B that this action would not apply to an employment contract entered into prior to March 8, 2012 unless such agreement were amended, modified after March 8, 2012. Mr. Cross asked what the purpose of this was. Mr. DiPaola replied it is to say this only applies to contracts entered into after March 8, 2012 and to prohibit the Commission from making any further financial obligations prior to their dissolution.

Mr. Simmons is concerned this may make it difficult to obtain suitable applicants. Mr. DiPaola stated that the Board has the flexibility to negotiate a severance package if it so chooses. Ms. Earl requested a brief definition of at will. Mr. DiPaola supplied the definition. Mr. Cross asks why the Board just doesn't ask the Commission to change the policy. Ms. Okhremtchouk replied that it is on this agenda and could be taken care of easily. Mr. Piñon moved for approval as amended, Mr. DiPaola seconded. Mr. Garcia stated that he understands the concept but would be more comfortable with legal counsel. Ms. Okhremtchouk will follow up with legal counsel in the future. The Board was polled with Herb Cross, nay; Guy Garcia, nay; Irina Okhremtchouk, aye; Gildardo Piñon, aye; Joe DiPaola, aye. The vote passed 3-2.

C. Recommendation to disapprove future payment of wages/salary to an employee pursuant to an employment agreement, if that employment agreement (and/or any extension or amendment thereof) contractually obligates the District to pay an amount greater than $10,000 per annum, and was not approved in advance by the Board

Mr. DiPaola requested that all contracts in excess of $10,000 be disapproved by the Board if prior consent was not received. The amendment states that it applies to contracts entered into or amended after March 8, 2012. Mr. DiPaola moved, Mr. Piñon seconded. The Board was polled. Herb Cross, nay; Guy Garcia,nay; Irina Okhremtchouk, aye; Gildardo Piñon, aye; Joe DiPaola, aye. The motion passed 3ayes, 1 nay and 1 abstention.

D. Recommendation that the Board approve the amount of $7,000 to be spent form the budget on ADA repairs/changes to the Dixon Library facilities

Mr. DiPaola asks the Board to approve expenditures up to $7000 to begin meeting A.D.A. requirements. A list was submitted by Mr. Chapman addressing non compliant issues. Mr. Atkins mentioned that not all the items on Mr. Chapmans list need to be addressed. For example the exit areas only need be addressed if they are emergency exits. Mr. DiPaola would like the Board to know that he requested that Mr. Akins meet with he and Mr. Chapman to go over the list and Mr. Atkins declined. Mr. Cross is concerned that money would be spent that is not necessary and feels the Board should oversee the expenditures. Mr. DiPaola moved, Mr. Piñon seconded. Ms. Humphrey's thanked the Board for taking action. Mr. Simmons stated he felt Mr. Chapman was informed on A.D.A. compliance.Mr. Arenold understands the issues and feels that it is at least a show of good faith to allot $7000 for repairs. Mr. Ceremello agrees with Mr. Cross that it is fine to budget the money, but that repairs should go through a bid process. He suggests amending the motion for Board approval before spending the money. Mr. Cross supports amending the motion. Mr. DiPaola moved to approve $7000 for A.D.A. repairs/changes subject to Board approval for specific expenditures, Mr. Piñon seconded and the motion carried. All ayes.

11. Board Comments

Mr. DiPaola hopes that if a Special Meeting need be called for A.D.A. it would happen in an expeditious manor. Ms. Okhremtchouk assures Mr. DiPaola that it will happen.

Mr. Cross-regarding Ms. Craigs question about the law firm who contacted them. Ms. Okhremtchouk stated it was her as the rights of the Board president allow that. She will agendize this item for a future meeting..

It is requested that the Pledge of Allegiance be added to the agendas in the future.

Mr. DiPaola thanks the public for their patience in allowing the Library Board to conclude their business.

Ms. Okhremtchouk request the Carnegie Library Plaque be added under discussion for the next meeting.

12. Announcements

None

13. Adjournment

The meeting was adjourned at 7:42 p.m. by Board President Irina Okhremtchouk.

Irina Okhremtchouk, President

Herb Cross, Secretary