



Honoring the past, cultivating the present, empowering the future

AGENDA SPECIAL MEETING
Board of Library Trustees – Altadena Library District
Community Room – Main Library
October 28, 2017 – 4:38pm

PUBLIC REQUESTS FOR DOCUMENTS: The District provides a public inspection copy of all materials included in the agenda packet distributed to the Board members. Members of the public who wish to obtain a copy of any document may do so by completing a Request for Public Document form and submitting it to Administration who will arrange for the documents to be copied at a charge of 15¢ per page. Request forms are available at the District Administration offices.

1. CALL TO ORDER

2. ROLL CALL:

- a. Ira Bershatsky, President
- b. Adalila Zelada-Garcia – Absent Excused
- c. Gwendolyn McMullins – Absent Excused
- d. John McDonald
- e. Armando Zambrano

3. ADOPTION OF AGENDA

- a. Opportunity for Board members to delete items, re-order items, continue items or make additions to the agenda pursuant to Government Code Section 54954.2(b).
- b. **Recommended Action:** The Board of Library Trustees hereby adopts the Agenda as presented.

It was noted that there was a public comment. Trustee Bershatsky stated “let’s hear it”. Mark Mariscal stood to present and Trustee McDonald stated that “they were going to limit public comment to the public comment period”. Mark Mariscal stated his comment was on the Agenda item and not a public comment and that is two different things by law. Trustee McDonald said that he was “not sure that’s the case” and that they can have “public comment all be done during the public comment section.”

Mark noted that the Board must hear the public comment on every single agenda item and they cannot adopt the agenda until they hear the comment on the Agenda. Trustee McDonald stated that, “we’ll let you comment at this point but I don’t think you are right.”

Mark Mariscal stated his name and that he was the President of the Friends of the Altadena Library. Trustee McDonald “You need to speak as a member of the public not as an organization”. Mark then stated that he was speaking as an individual who happens to be the President of the Friends of the Library, an organization that supports the Library and has members, dues paying members, and that he believes it is important that the Board understand when they set the agenda, they follow the bylaws of how they set the agenda. He noted he asked Director Kittay how the agenda was set due to wording included that was unusual, and she informed him she did not do the agenda with Ira, which is the normal procedure, which is what the bylaws say. He noted that he was concerned with the wording “Citizens of Altadena”, he said Altadena is not an incorporated city, it is part of unincorporated LA County, he noted he looked back at agendas, even to when he was Board President and the agenda always said the word ‘citizens’ may address the board, he said that due to recent events and the questioning of who has rights in this country, the Board might want to considering changing the language to people may address and not citizens because they are people that might see the word ‘citizen’ and “might be afraid to come here”.

**MOTION BY Trustee McDonald TO ADOPT THE AGENDA. Second: Trustee Zambrano
Aye: Trustee Zambrano, Trustee McDonald, No: None, Abstain: None**

4. PUBLIC COMMUNICATION

- a. Citizens of Altadena may address the Board regarding any item of Library business on or not on

the agenda. Citizen comments are limited to 3 minutes per item. At the discretion of the President, citizens may be allowed a longer presentation. While all comments are welcome, the Brown Act does not allow the Board to take action on any item not on the agenda. If speaking before the Board, please give your name and address, and state the agenda item and/or issue you wish to address.

Karen Gibson was called for public comment, she stated her name. Trustee McDonald asked her to state her name and address. Karen stated her name and her address. She commented on the extension of the Library Director, noting that the date was June of 2018. She said that she does not know the backstory but she is horrified to see that and she hopes that the Board will be entertaining a motion today to extend that to a 'more encouraging period'. She stated that to her an 8-month period is a slap in the face. She stated that she highly values the new Director and thinks that she has done a terrific job.

Trustee Bershatsky thanked Karen for her comment.

Sarah O'Brien, stated her name and address. She stated that she was also commenting on the District Director's contract. She stated that she has only seen positive events taking place in the Library and would like to know if the Board was going to explain the short term of the extension and why it was not a longer term of a few years.

Trustee Bershatsky thanked Sarah for her comment.

Gerry Rothschild stated his name and address. He stated that he has noticed the difference and how the Library has become part of the community since Mindy has been here. He said that when he saw the extension date he was 'aghast' so he was curious if the Board could explain why it is such a limited extension.

Trustee Bershatsky thanked Gerry for his comment.

A member of the public in the audience asked the Board if they would answer questions. Trustee Bershatsky replied "no, we don't need to". And that they "just say thank you for your comment."

Cynthia Kumanchik stated her name and address. She wanted to recommend that Mindy continue to be the Library Director, and she read from a letter that she submitted to the Board.

Trustee Bershatsky thanked Cynthia for her comment.

Monica Hubbard stated her name and address. She noted that she is a longtime resident. She thanked the Trustees for their service, noting that her husband was on the Library Board for several years, remembering the hours he spent reading board packages and attending community events. During her involvement with the Library, she has been on several strategic planning committees and remembers the report from the previous strategic planning consultant, who talked about the Library being 'the little library that could', that the library could do great things with limited resources. She said that this was many years ago and the library now is at an extraordinary level of activity and vibrancy. She stated she notices, being a community activist, that the Library has been a real catalyst for renewed energy and renewed excitement, and people coming together in ways they haven't before. One of the goals of the library was to become a community hub and in a short period of time that phrase could now be applied to the library. She stated that given so many incredible things have taken place, when she saw the agenda, and length of the contract, she was stunned. She believes that a period of 5 years is a normal period for a contract extension, and that she is hoping the Board provide some type of explanation for the community as to why the contract extension is so limited.

Trustee Bershatsky thanked her for her comment.

Marge Nichols stated her name and address. Stated she is a longtime resident. She stated that she has been impressed with many of the Library's programs and that the Library has moved into the 21st century. The library is not just about books anymore it's about making the library a vital part of the community. She noted that the Library is now a center of influence in the community. She stated that an 8-month contract extension is a slap in the face of the community and not just the director. She stated that the community wants a library director who continues to pursue innovation and community involvement, and that does not mean an 8-month contract.

Trustee Bershatsky thanked Marge for her comment.

Mark Mariscal stated his name and address. Stated that he would like to reiterate the changing of the language and that no matter where someone comes from they can speak in public comment. He stated that he hopes the Board takes some suggestions from public comment and considers them, such as suggestions that were made so that the Board would not have to hold a special meeting. He noted that speaking with legal counsel probably

cost the district some money. Trustee McDonald then interrupted Mark and asked "how are you aware legal counsel was involved?" Mark stated that he spoke with Trustee Zambrano before the meeting who mentioned it. Mark then noted that he thought that the Board was not responding to public comment so he wanted his 30 seconds back. Mark noted that to appoint your District Director by the Bylaws you must have three votes and he wanted to make sure that the Board could vote and approve with a majority of the quorum. He stated that the bylaws are very clear about needing three votes to appoint a District Director.

Mark stated that he hoped the Board was in a place to approve a contract extension according to their bylaws and that they have checked with legal counsel about the number of votes. He also noted that when there is public comment on an item the board is allowed to have a discussion and to answer questions. He reminded the Board that they could give an explanation to the public for the short term of the contract.

5. NEW BUSINESS

- a. Recommendation: Extend the contract of Altadena Library District Director, Mindy Kittay, at a monthly salary of \$10,584.97 per month (\$61.07 per hour), effective 11/1/2017 and expiring June 30, 2018.

Public Comment from Mark Mariscal. He stated that due to the short term of the contract extension, the Friends would like to know if the Board was going to be searching for a new Director, that the process be started sooner than later and that the process should be started as soon as possible, or if this was going to be the beginning of a contract negotiation for a longer term with the existing Director. He noted that the Friends concern would be the Library continuing to be staffed by a professional director. He encouraged a yes vote on agenda item #5.

Trustee McDonald thanked all of the public who attended the meeting both on Saturday and on Monday. He stated that there are extremely good reasons for reviewing to accept the counteroffer of a contract that runs through June 30, 2018. He stated that everyone should "be assured" that the Board "has received comment both directly, in person, individually and in writing throughout the years about the District Director" and that the Board "weighed all of those very carefully."

MOTION BY Trustee McDonald TO extend the contract of the district director. Second: Trustee Zambrano, Aye: Trustee Zambrano, Trustee McDonald, No: None, Abstain: Trustee Bershatsky

Trustee McDonald noted that an abstention means that the vote goes with the prevailing opinion which means there were three votes. And that the Motion Passes.

6. AGENDA ITEMS FOR FUTURE AGENDAS

- a. This is an opportunity for Board members to request that items be placed on future agendas.

Armando noted that the Contract needed to be signed.

Marge Nichols stated that the Board has not given a satisfactory response and that she would be voting against them in the next election.

Trustee McDonald noted that the District Director made this offer to the Board expiring June 2018 and they accepted that.

Gerry Rothschild asked the Board to 'be people' and address the concern of the community. He stated that It seems like the Board is just going to wait us out and do what you want. He asked that they shed some light here. Gerry requested that Mark not be silenced and that he would like to hear what this gentleman has to say.

Trustee McDonald said he was not being silenced that he sat down and he can still speak.

Mark Mariscal stated the counteroffer was most likely in response to the original offer, and that if the Board was considering a longer discussion on the extension of the contract they should possibly let the community know and that some people may feel a little more at ease.

Trustee McDonald stated that he is aware the prevailing opinion in the room was that Director Kittay has done a fabulous job. He stated the Board supports her and has stood behind her throughout her tenure here. He stated her initial contract was for three years, that the fiscal year begins on July 1st, 2018, he stated that they have

heard from the community, staff current and former, a variety of times both directly and in meetings like this where people have stood up and stated they did not believe director Kittay was doing a good job, so they have weighed all of that, and made an offer, that Mindy counteroffered and that they accepted that counteroffer. Over the next 8 months, there is a possibility of reviewing that, 3, 5 or 10 years as the public has stated, and there is nothing that is stopping the Board from reviewing the contract next month. He stated they are doing it at this time because the contract expires October 31st and they have voted to accept the counteroffer and extend the contract for the next 8 months.

It was noted that if the public is interested in learning more about the concerns of the Board they are welcome to view the video recordings of the Board meetings. A member of the audience asked if there was any reason the Board waited until the last possible second to renew the contract. Trustee McDonald noted they have been working on it for quite some time with HR and with Legal Counsel.

7. ADJOURNMENT

- a. **Recommended Action:** There being no further business to come before the Board, the meeting is adjourned.

MOTION BY Trustee McDonald TO Adjourn the meeting. Second: Trustee Zambrano, Aye: Trustee Zambrano, Trustee McDonald, No: None, Abstain: None

Meeting Adjourned at 5:05