



*Honoring the past, cultivating the present, empowering the future*

**MINUTES**

**Regular Meeting**

Board of Library Trustees - Altadena Library District  
Community Room – Main Library – **January 28, 2019** – 5:00 p.m.

**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 – 5:02 p.m.**

**2) ROLL CALL:**

- a) Terry Andrues, President
- b) Jason Capell
- c) Katie Clark, Secretary
- d) Betsy Kahn
- e) Gwendolyn McMullins

**3) ADOPTION OF AGENDA** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=88>

- 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).

**Trustee Clark asked to move the Presentation of the Financial Report up in the agenda.**

**Moved by Trustee Clark to move item 13 c to after item 12.**

**Second by Trustee Kahn**

**Capell: Aye**

**Clark: Aye**

**Andrues: Aye**

**Kahn: Aye**

**McMullins: Aye**

**Motion Passes.**

**4) CLOSED SESSION** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=200>

The Board of Trustees will recess into closed session pursuant to the Ralph M. Brown Act (Government Code Section 54960 et seq.) for purposes of the discussing and taking action on the following items:

**Public Comment: Ira Bershatsky**

- a) CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Kittay v. Altadena Library District, et al.

- b) PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code section 54957

Title: Interim District Director

- c) Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Unrepresented Employee: Interim District Director

Agency Designated Representative: Betsy Kahn, President of the Board of Trustees

**The Board went into Closed Session at 5:12 p.m.**

**5) RECESS BACK INTO OPEN SESSION – 6:05 p.m.** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=402>

**6) PUBLIC REPORT OF ANY REPORTABLE ACTION FROM CLOSED SESSION.** (Section 54960 et seq.)

**John Cotti of Best, Best & Krieger reported:** Item a) It was reported that the District approved a settlement agreement with a vote of 3-0-1 with one abstention: the following votes were recorded: Aye: Trustee McMullins, Trustee Kahn and 'other Board Members', Abstain: Trustee Bershatsky, Absent: Trustee Zambrano

**Item b) No Reportable Action**

**Item c) No Reportable Action, Item will be discussed under Item 7.**

**Public Comment: Rene Amy, Mark Mariscal**, John Cotti provided clarification regarding the settlement after public comment. Trustee Clark provided further clarification regarding a portion of the settlement being paid by the Library's insurance, the remainder of the settlement to be paid by the Library in a series of installments, and the availability of a public copy of the settlement.

- 7) Adopt Resolution 2019-01 - "A Resolution Appointing \_\_\_\_\_ as Interim District Director Pursuant to the 180-Day Waiting Period Exception and Approving Employment Agreement."  
(Information/Action) **Public Comment: Rene Amy** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=917>

**Moved by Trustee Kahn to Adopt Resolution 2019-01**  
**Second by Trustee Clark**

**Trustee Andruess and Trustee Kahn reported on the selection of the interim District Director.**  
**Cindy Cleary introduced herself to the Board and public.**

**Vote:**

**Capell: Aye**

**Clark: Aye**

**Andruess: Aye**

**Kahn: Aye**

**McMullins: Aye**

**Motion Passes.**

**8) PUBLIC COMMUNICATION**

- a) Individuals may address the Board regarding any item of Library business on or not on the agenda. Comments are limited to 3 minutes per item. At the discretion of the Board President, individuals 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 state the agenda item and/or issue you wish to address. <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=1549>  
**Rene Amy**

**9) REPORTS OF SUPPORT GROUPS** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=1766>

- a) Altadena Library Foundation  
b) Friends of the Altadena Library

**Mark Mariscal reported for both the Foundation and the Friends.**

**10) FINANCIAL REPORTS**

- a) **Financial reports for November 2018 (INFORMATION/ACTION)** Page # <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=2052>  
**Recommended Action:** The Board of Library Trustees hereby receives and files the Financial Reports.

**Public Comment: Mark Mariscal**

**Staff Accountant Nicole Fabry reported. Trustee McMullins asked for clarification about the line item for Passports Revenue.**

**Moved by Trustee Clark to receive and file the financial reports**  
**Second by Trustee McMullins**

**Capell: Aye**

**Clark: Aye**

**Andruess: Aye**

**Kahn: Aye**

**McMullins: Aye**

**Motion Passes.**

11) **CONSENT CALENDAR** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=2287>

- a) The Consent Calendar adopting the Recommended Board Action will be enacted with one vote. The Board President will first ask the staff and the Board if there is anyone who wishes to remove an item from the Consent Calendar for discussion and consideration. The matters removed from the Consent Calendar will be considered individually at the end of the Consent agenda under "Items removed from the Consent Calendar". The entire remaining Consent Calendar is then voted upon by roll call under one motion.

**Recommended Action:** The Board of Library Trustees hereby approves the items and recommended actions in the Consent Calendar listed below:

- i) Approval of Minutes – Regular Meeting held December 10, 2018, Page #
- ii) Approval of Minutes – Special Meeting held December 3, 2018 Page #
- iii) Statistical Reports – YTD – December 2018, Page #
- iv) Departmental Monthly Reports – December 2018, Page #
- v) District Director's Report – December 2018, Page #

**Public Comment: Rene Amy**

**Moved by Trustee Kahn to approve the consent calendar**

**Second by Trustee Clark**

**Capell: Aye  
Clark: Aye  
Andruess: Aye  
Kahn: Aye  
McMullins: Aye  
Motion Passes.**

12) **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

- a) Items removed from the Consent Calendar will be discussed individually at this time.

13) **OLD BUSINESS** <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=2685>

- c) Presentation of Altadena Library District Final Draft of the Annual Financial Report for FY 17/18, conducted by Nigro & Nigro, presented by Paul Kaymark of Platinum Consulting Group (INFORMATION/ACTION)

**Public Comment: Rene Amy, Mark Mariscal**

**Peter Glenn of Nigro & Nigro presented the Annual Financial Report**

**Trustee Clark asked a clarification regarding items processed after the fiscal year end.**

**Moved by Trustee McMullins to approve the Annual Financial Report**

**Second by Trustee Clark**

**Capell: Aye  
Clark: Aye  
Andruess: Aye  
Kahn: Aye  
McMullins: Aye  
Motion carries.**

- a) Update from Ad-Hoc Subcommittee to fill Interim District Director Position (INFORMATION/ACTION)

<https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=3585>

**Public Comment: Rene Amy**

**Moved by Trustee Clark to formally dissolve the ad-hoc committee to fill the Interim Director Position.**

**Second by Trustee Kahn**

**Capell: Aye  
Clark: Aye  
Andruess: Aye  
Kahn: Aye  
McMullins: Aye  
Motion Passes.**

- b) Board Committees (INFORMATION/ACTION) <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9P1cNrWRxcKwE3&t=3747>

**Public Comment: Rene Amy, Michele Zack**

- i) Facilities Committee – It was noted that Trustee Capell is the chair for the facilities committee and Trustee Andruess is the second committee member.

**Moved by Trustee Clark to establish an ad-hoc committee of two board members to serve as liaisons to the staff facilities committee, attend staff committee meetings and report back to the Board, and provide a report to the Foundation and Friends of the Library as well. This committee would analyze the state of the facilities to be included in the Strategic Plan and would dissolve when the Strategic Plan is approved.**

**Second by Trustee Kahn**

**Capell: Aye**

**Clark: Aye**

**Andruess: Aye**

**Kahn: Aye**

**McMullins: Aye**

**Motion Carries.**

- ii) Budget Committee

**It was noted that Trustee Andruess was appointed to fill the vacancy on the Budget committee at the last regular meeting of the Board.**

- iii) Executive Search Committee

Ad-hoc executive search committee with Trustee Andruess and Trustee Kahn to review job description, plan the process for soliciting input, create an application period timeline, create an application screening rubric, engage in application screening process, and interview and selection. The committee would dissolve when the process was complete.

John Cotti of BBK clarified that the committee would be bringing a recommendation to the Board for hiring as the committee has no authority to hire. Trustee Kahn clarified that the committee would bring a recommendation for selection by the full board.

Trustee Andruess provided his comments.

Public Comment: H. 'Grannie' Shakur, Michele Zack, Rene Amy

Trustee Clark provided her comments regarding the various structure of committees under the Brown act.

Trustee Kahn asked for clarification from legal counsel. John Cotti provided further clarification.

Trustee Andruess provided additional clarification that the committee would from time to time reach out to the public to solicit input, information and advice during the process.

Trustee Clark noted that she would advocate for a committee that included members of the public.

Trustee Andruess noted that he believes the ad hoc committee structure can still provide opportunity for public input.

Trustee Capell provided his comments, noting that the Board might need to look into the process further. Trustee McMullins provided her comments, noting she believed the Board needed to look into it further as well.

Trustee Capell stated the committee should begin the process, but that he would recommend that committee look into best practices and bring information back to the Board at the next meeting. Trustee Clark asked for clarification regarding Trustee Capell's recommendation.

Trustee Clark provided an amendment to the motion that described the scope of the executive search committee to include the return to the next regular meeting with an outline of best practices of similar institutions regarding public participation in a search process, and that the scope of work may be reexamined at that time.

Public Comment: Mark Mariscal

Trustee Andruess noted that the committee is already formed, and can come back to the next meeting with best practices and decide if the committee structure needs to be amended at that time.

Motion Withdrawn by Trustee Kahn.

John Cotti asked for clarification, with Trustee Kahn and Andruess noting the committee would report to the Board at the next regular meeting regarding best practices for the hiring of a permanent director.

- iv) Bylaws Committee <https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=7519>

It was noted that Trustee McMullins and Trustee Clark will be serving on the Bylaws Committee. The Bylaws committee will be reviewing the draft Bylaws for approval by the full Board, within 2-3 months.

- v) Strategic Planning Committee

Trustee Clark provided background to the current Strategic Plan and noted the intention of the Strategic Planning Committee to be a special ad-hoc Committee, consisting of both Trustees, Clark and Capell, and members of the public, that the meetings would be noticed and open to the public and that the committee would be subject to the Brown Act. She stated the Goal would be to bring a Strategic plan to the Board within six months for review and approval.

Trustee Andrues asked for clarification and expressed his concerns with the committee being subject to the Brown Act as a legislative body.

John Cotti of BBK provided clarification to the Board.

There was discussion between the Trustees regarding structure and size of the committee.

Public Comment: Rene Amy, Monica Hubbard, Rex M.

Trustee Clark amended the timeline to September 1<sup>st</sup>.

**Moved by Trustee Clark to constitute the Strategic Planning Committee as a special committee to include Trustee Clark, Trustee Capell and members of the public, as a legislative body subject to the Brown Act to draft a new strategic plan by September 1<sup>st</sup> for review and approval by the full board.**

**Second by Trustee McMullins**

**Capell: Aye  
Clark: Aye  
Andrues: Aye  
Kahn: Aye  
McMullins: Aye  
Motion Passes.**

The board went into recess from 8:34 to 8:47 p.m.

<https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=9335>

#### **14) NEW BUSINESS**

- a) Brown Act Refresher (INFORMATION)

It was noted that John Cotti of BBK had covered this topic during the committee discussion.

Trustee Clark noted she would like a rubric of Brown Act topics for future meetings.

Public Comment: Rene Amy

- b) Liaison to Friends of the Altadena Library (INFORMATION/ACTION)

Trustee Andrues requested a motion to appoint Trustee Capell to be the Liaison to the Friends of the Library.

**Moved by Trustee Kahn**

**Second by Trustee McMullins**

**Capell: Aye  
Clark: Aye  
Andrues: Aye  
Kahn: Aye  
McMullins: Aye  
Motion Passes.**

<https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9PlcNrWRxcKwE3&t=9817>

- c) Board of Library Trustees Agenda Format (INFORMATION/ACTION)

Trustee Clark presented a sample Draft Agenda Format.

There was discussion amongst the Trustees, Administrative Assistant and legal counsel regarding the draft minutes, and the agenda timeline and format.

- d) Board Member Community Outreach (INFORMATION/ACTION)

Trustee Andrues mentioned the Chamber of Commerce dinner and It was noted that the Board in the past has had a table for the Library. Administrative Assistant Klynn Chaney noted that Trustees have both elected to pay for their ticket or have the Library pay for their ticket, which is a reportable gift.

Public Comment: Rene Amy

There was discussion amongst the Trustees on whether or not to purchase a table of 8 for the event.

**Moved by Trustee Kahn to approve the purchase of a table at the Chamber dinner**  
**Second by Trustee McMullins**  
**Capell: Aye**  
**Clark: Aye**  
**Andruess: Aye**  
**Kahn: Aye**  
**McMullins: Aye**  
**Motion Passes.**

e) Tree Service for Cedar and Pine Trees at the Main Library (INFORMATION/ACTION)  
<https://youtu.be/mPtEm-g5-T8?list=PLUZFDIIZd0ksbYwckks9P1cNrWRxcKwE3&t=11640>  
Jonathan Arevalo asked to combine items e & f.

f) New ADA Doors for Branch Library (INFORMATION/ACTION)  
Public Comment: Rene Amy

Jonathan Arevalo reported.

14e. Trustee Clark asked about the budget for the projects.

**Moved by Trustee Clark to approve the staff recommendation for Tree Service (Phil & Sons) and to give the Interim Director authority to sign.**

**Second by Trustee Kahn**

**Capell: Aye**  
**Clark: Aye**  
**Andruess: Aye**  
**Kahn: Aye**  
**McMullins: Aye**  
**Motion Passes.**

**14f. Moved by Trustee McMullins to approve the staff recommendation for new ADA doors at the Branch (Commercial Door Metal Systems) and to give the Director authority to sign.**

**Second by Trustee Kahn**

**Capell: Aye**  
**Clark: Aye**  
**Andruess: Aye**  
**Kahn: Aye**  
**McMullins: Aye**  
Motion Passes.

#### **15) REPORTS OF TRUSTEES**

Trustee Clark reported on Community engagement and upcoming training

#### **16) AGENDA ITEMS FOR FUTURE AGENDAS**

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

#### **17) ADJOURNMENT**

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

**Moved by Trustee McMullins to adjourn the meeting**

**Second by Trustee Kahn**

**Meeting Adjourned at 9:47 p.m.**