



## AGENDA

Board of Library Trustees  
Community Facilities District (CFD) Committee | Altadena Library District  
Virtual – Zoom – March 10, 2021 – 3:00 p.m.

### IMPORTANT NOTICE REGARDING MARCH 10, 2021 CFD COMMITTEE MEETING

This meeting is being conducted utilizing teleconference and electronic means consistent with the **State of California Executive Order N-29-20** dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed by visiting the Altadena Library District's YouTube channel at the following URL <https://www.youtube.com/c/AltadenaLibrary>

**SUBMISSION OF PUBLIC COMMENT:** For those wishing to make Public Comments at the March 10, 2021 Community Facilities District (CFD) Committee Meeting, please submit your comments by email or electronically to be read aloud at the meeting. If multiple comments are submitted, only the first comment will be read aloud during the meeting. Email and Electronic Comments submitted online will be accepted up to two (2) hours prior to the start of the meeting. Email comments can be submitted to [hello@altadenalibrary.org](mailto:hello@altadenalibrary.org). Electronic Comments may also be submitted online at [www.altadenalibrary.org/publiccomment](http://www.altadenalibrary.org/publiccomment).

Email and Electronic Comments will be submitted to the standing committee and shall become part of the record of the meeting.

If you wish to make public comment during the live meeting, you can call in to (626) 798-0833 ext. 103, during the corresponding item of the agenda. For public comment on any non-agenda item, please plan to call at 3:00 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.

In compliance with the Americans with Disability Act, if you need special assistance to participate in the meeting, please contact Library Administration at (626) 798-0833 x 103 at least 48 hours prior to the meeting so the Altadena Library District may make reasonable arrangements to ensure accessibility to the meeting.

#### I. Call to Order

#### II. Open Session

- a. Roll Call
- b. Approval/Reordering of Agenda Items
- c. Adoption of Agenda
- d. Public Comment on Non-Agenda Items

#### III. Consent Calendar

The Community Facilities District (CFD) Committee hereby approves the items and

recommended actions in the Consent Calendar listed below:

- a. Approval of Minutes – Regular Meeting held January 7, 2021 - [Pages #3-5](#)
- b. Approval of Minutes – Regular Meeting held February 10, 2021 - [Pages #6-8](#)
- c. Special Presentation – Standing Committee Overview - Pages #9-30

**IV. Unfinished Business**

- a. None.

**V. New Business**

- a. Development of Committee Procedural Documents (Discussion)
- b. RFP Review Process (Discussion)

**VI. Announcements & Planning**

- a. Proposed Future Agenda Items

**VII. Adjournment**

- a. Adjourn



## MINUTES

Board of Library Trustees

Community Facilities District (CFD) Committee | Altadena Library District

Virtual – Zoom – January 7, 2021 – 3:00 p.m.

### IMPORTANT NOTICE REGARDING JANUARY 7, 2021 CFD COMMITTEE MEETING

This meeting is being conducted utilizing teleconference and electronic means consistent with the **State of California Executive Order N-29-20** dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed by visiting the Altadena Library District's YouTube channel at the following URL <https://www.youtube.com/c/AltadenaLibrary>

**SUBMISSION OF PUBLIC COMMENT:** For those wishing to make Public Comments at the January 7, 2021 Community Facilities District (CFD) Committee Meeting, please submit your comments by email or electronically to be read aloud at the meeting. If multiple comments are submitted, only the first comment will be read aloud during the meeting. Email and Electronic Comments submitted online will be accepted up to two (2) hours prior to the start of the meeting. Email comments can be submitted to [hello@altadenalibrary.org](mailto:hello@altadenalibrary.org). Electronic Comments may also be submitted online at [www.altadenalibrary.org/publiccomment](http://www.altadenalibrary.org/publiccomment).

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#### I. **Call to order**

Trustee Andruess called the meeting to order at 3:02 p.m. Trustee Cervantes inquired about the process of allowing public comment and discussion with Trustee Andruess and Director Winslow. Director Winslow requested adding Open Session items to the future agendas, including Reordering and Adoption of the Agenda. Administrative Assistant Natalya Romo explained that her understanding of public comment in Standing Committees can only be related to Agenda items and that comments regarding Non-Agenda items is not permitted. Trustee Andruess asked that we review this for future Agendas.

#### II. **Roll Call**

Trustee Andruess called roll. Trustee Cervantes was also present.

### III. **New Business**

#### a. Scope and duties of CFD Committee **(Information)**

Trustee Andruess opened up a conversation about research he had done on State of California Government Code 53600.3. He emphasized the role of the members of the CFD Committee and their fiduciary responsibility with the public funds that will be collected and dispersed through the CFD. He then discussed the organizational chart as it relates to their work as an Advisory Committee to the Board of Trustees. Trustee Cervantes had questions about the timeline of the bond issuance process. Director Winslow responded that the next steps are hiring a Registered Municipal Advisor, CFD Administrator and Bond Counsel. Her and the staff were working on writing the RFPs for these roles and hope to bring them back to the CFD Committee for review at their February 10, 2021 meeting and take it to the full Board for approval on February 22, 2021. Lastly, Trustee Andruess made a suggestion that the finances being overseen by the CFD Committee be tracked separately in the budget once this funding starts flowing in.

\*\*Public Comment was received about this item by Joe Crowley. The call was taken following Item III.c. at approximately 3:43 p.m. He wanted to note that in addition to what was discussed that there was no discussion of an RFP for a Bond Underwriter and suggested that this be added to the list of RFPs to post along with the other ones discussed during this item.

#### b. Call for Additional Committee Member(s) **(Information)**

Trustee Andruess recommended that the CFD Committee do a call for additional community members, either 1 or 3, so that there be an uneven number of members for voting purposes. Director Winslow laid out the process of posting the call for members on the website and on social media, with the hope of bringing the applications to the CFD later that month and installing them for the February CFD Meeting. It was pointed out that additional members would have to be submitted to the full Board of Trustees so it was agreed that the potential candidates would be presented to the CFD Committee on February 10, they would select their recommended additional members and present that to the Board of Trustees on February 22.

#### c. Calendar of Meetings **(Action)**

Trustee Andruess presented the calendar, which has the CFD Committee meeting on the 2<sup>nd</sup> Wednesday of each month at 3:00 p.m. Trustee Cervantes agreed with the schedule. Both agreed that there may be months that need to be cancelled depending on if there is business to address.

**Moved by Trustee Andruess to approve the Calendar of Meetings. Second by Trustee Cervantes. No discussion followed.**

**Roll Call Vote:**

**Trustee Andruess: Aye**

**Trustee Cervantes: Aye**

#### d. Formation of CFD Working Group **(Information)**

Trustee Andruess reviewed the list of consultants that the District needs to contract with as well as the staff members that will be supporting the CFD Committee work.

### IV. **Announcements & Planning**

#### a. Proposed Future Agenda Items

Trustee Cervantes offered having the Review of the RFPs. Also, a suggestion of an action item to vote on members of the "CFD Working Group" or whatever the name of this team would be. Director Winslow will also add an action item to vote on additional member(s).

**V. Adjournment**

Trustee Cervantes moved to adjourn the meeting at 3:55 p.m.



## MINUTES

Board of Library Trustees  
Community Facilities District (CFD) Committee | Altadena Library District  
Virtual – Zoom – February 10, 2021 – 3:00 p.m.

### IMPORTANT NOTICE REGARDING FEBRUARY 10, 2021 CFD COMMITTEE MEETING

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#### I. Call to order

Trustee Terry Andrues called the meeting to order at 3:03pm.

#### II. Roll Call

Trustee Andrues called roll call. Trustee Cervantes responded as present.

#### III. Public Comment on Non-Agenda Items

No public comment.

#### IV. New Business

##### a. Review and Approval of RFP for Municipal Advisor (Action)

Trustee Andrues opened discussion regarding the RFP for Municipal Advisor stating

that he thought it was a solid RFP. Trustee Andruess has noticed that in other RFPs or municipal advisory services documents, the title for the Municipal Advisor often states “certified” or “registered”. Trustee Andruess requested that District staff confirm whether it is a real term that the District should be working under. Trustee Andruess asked about the timeline for RFP review. District Director, Nikki Winslow, responded that the tentative timeline for review is available but may change once staff confirms whether potential candidate interviews require an open meeting. Trustee Cervantes added that District staff may be able to conduct the background checks and interviews and report to the committee. Director Winslow mentioned that there may be minor, non-substantive edits to the RFP when presented to the Altadena Library District (ALD) Board of Trustees as feedback was provided by an external consultant after the publication of the RFP for this committee meeting. Trustee Cervantes thought the RFP was ready to present to the ALD Board of Trustees.

**Moved by Trustee Cervantes to approve the RFP for Municipal Advisor and RFP for Bond Counsel as to form for ALD Board of Trustees consideration. Second by Trustee Andruess. No discussion followed.**

**Roll Call Vote:**

**Trustee Andruess: Aye**

**Trustee Cervantes: Aye**

- b. Review and Approval of RFP for Bond Counsel (Action)  
Action and discussion of this item was conducted in Item IV.a.
- c. Review and Recommendation of Additional Committee Members (Action)  
Trustee Andruess opened the discussion by describing the committee’s role and responsibilities of the CFD Committee. He explained that the committee is subject to the Brown Act and serves as an advisory standing committee to the ALD Board of Trustees. The committee will be responsible for raising capital for the CFD and creating policies related to the CFD for ALD Board of Trustees to review and approve. Initially, the committee meeting will be scheduled every second Wednesday because the committee anticipates being busy this first year but may meet less frequently in the future. Trustee Cervantes mentioned that with the passing of Measure Z there is expectations that ALD Board of Trustees, with the help and guidance of the CFD Committee, rehabilitate the libraries in a fiscally responsible and timely manner. Additionally, he mentioned that the committee will function as the financial oversight of ALD capital improvement projects.

Trustee Andruess allowed participants that would like to be considered for a committee member position a total of 3 minutes to provide a statement of why they would like to join the CFD Committee. District Director Winslow mentioned that one committee member applications was withdrawn. The remaining applicants introduced themselves, their qualifications and interests in serving the committee. After the presentations, Trustee Andruess opened discussion with the committee about whether they would add either one or three additional committee members. Since there were four qualified candidates, the committee agreed that three additional committee members would be appropriate to support the CFD Committee work and ensures the committee has an odd number of committee members. The committee agreed to recommend to the ALD Board of Trustees the following three candidates for the CFD Committee: James Vitale, Amy Lyford, and Kim Kenne. These individuals will be contacted by District staff to move forward with training and information on the CFD Committee, once approved.

## **V. Announcements & Planning**

a. Proposed Future Agenda Items

Trustee Cervantes reminded staff to add RFP review timeline and process on the agenda for next meeting. Trustee Andruess reminded the committee to submit any additional agenda items to him or District staff before the following meeting.

**VI. Adjournment**

Trustee Andruess moved to adjourn the meeting at 3:37pm.





# Standing Committee and Brown Act Overview

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COMMUNITY FACILITIES DISTRICT (CFD) COMMITTEE MEETING

ALTADENA LIBRARY DISTRICT BOARD OF TRUSTEES

MARCH 10, 2021

*Adapted from Yolo County's "Brown Act Training for Advisory Committee Members & Staff Liaisons"*

# Agenda

## Brown Act Basics

- History and Intent
- Legislative Bodies
- Meetings
- Notice / Agenda and Public Participation Requirements

## Staff Roles

# History of the Brown Act

- Authored by Ralph M. Brown (1908–1966) a Central Valley assemblyman, the Legislature adopted the Brown Act in 1953 to safeguard the public's right to access and participate in local government meetings.
- **“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body, except as otherwise provided in this chapter.”**
- Legislative bodies covered by the Brown Act should conduct their affairs as if within a “house of glass” (meaning, be entirely transparent)
- The Brown Act is found at California Government Code Sections 54950-54963.

*Further reading: Open and Public V, p. 9.*

# Intent of the Brown Act

- **To ensure that deliberations and actions of legislative bodies are open and public.**
- To ensure meaningful public access to local government decisions.
- Meetings must be open to the public, held on a regular schedule, follow a noticed agenda.
- No secret votes.

*Further reading: Open and Public V, pp. 6, 8-9.*

# Legislative Bodies – Who Must Comply?

- **The Act applies to the meetings of “legislative bodies” of local agencies.**
- Governing bodies
- Subsidiary bodies

Any board, commission, committee, or other body of a local agency created by charter, ordinance, resolution or formal action of a legislative body is itself a legislative body. Exception: Ad hoc advisory committees.

*Further reading: Open and Public V, pp 12-14.*

# Legislative Bodies – Standing Committees

- **Notice and agenda requirements are the same as the parent body.**
- Must be less than a quorum of the parent body.
- Other board members can attend but only as passive, neutral observers. (Note: This is unusual)
  - No wincing, frowning, smiling, thumbs up.
  - Must be neutral in expression and body language.
  - No questions or comments.

*Further reading: Open and Public V, p. 13*

# Meetings – When does the Brown Act apply?



Congregation of a majority  
of the members of a  
legislative body

Same time and place  
To hear, discuss or  
deliberate  
Agency business



Can include use of technology (email, phone)  
by a majority of board members to discuss an  
issue (though teleconference meetings can  
legally occur if requirements are met)



Meeting requires quorum to get started and  
stay in business

*Further reading: Open and Public V, p. 18.*

# Meetings – When does the Brown Act not apply?



Individual contacts & conversations



Conferences open to the public (e.g., annual association conferences)



Open and publicized community meetings (e.g., local service club)



Other legislative bodies (e.g., members of city council attending meeting of planning commission)



Social/ceremonial events (e.g. football games, wedding, retirement party, etc.)

So long as you **DON'T** discuss agency business unless part of agenda or program!

*Further reading: Open and Public V, pp. 18-21.*

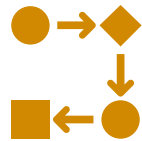


# Meetings – Serial Meetings



## Hub and Spoke

- i.e., a superintendent briefs board members prior to a formal meeting and reveals information about the members' respective views.



## Daisy Chain

- i.e., Member A contacts Member B, Member B contacts Member C, Member C contacts Member D and so on, sharing positions along the way.



## Email

- Beware of “reply to all”

*Further reading: Open and Public V, pp. 21-25 (Note that the discussion seems to say that even one-on-one conversations without revealing the views of others may be a violation—most public agency attorneys would disagree).*

# Meetings – OOPS! Was that a meeting?



## Collective Briefings

- Quorum cannot meet together with staff in advance of a meeting for a collective briefing (smaller briefings ok)



## Retreats or Workshops

- Brown Act will apply, including if discussion concerns long-term agency planning or even “team building”



## Informal Gatherings

- Beware of pre- or post-meeting gatherings

*Further reading: Open and Public V, pp. 22 and 24.*

# Meetings – Types of Meetings

## Regular Meetings:

- Agenda posted in publicly accessible location 72 hours before meeting.

## Special Meetings:

- Called by chair or majority of board members.
- 24 hours before meeting: Post notice. Notify board members in writing. Notice to requesting newspapers.

## Emergency Meetings:

- For health and safety emergencies.
- Same notice requirements as for special meetings, but only one hour notice required

*Further reading: Open and Public V, p. 18.*

# Meetings – Quorum

## What if I lose a quorum, or simply don't have a quorum show up?

If you lose a quorum, the meeting is effectively adjourned. Usually the remaining members will announce the adjournment and conclude the meeting.

- But, while the “legal” meeting is over, there is no bar to continuing to receive public comments and any presentations by staff or third parties. The remaining legislative body members simply can't take any action in response.
- The best approach requires case-by-case consideration, balancing inconvenience to staff and the public against the value of having a quorum present to hear all comments and presentations

## What if you don't have quorum at the start of the meeting?

If you simply don't have a quorum appear, no “meeting” occurs under the Brown Act. No action can be taken by those present other than receiving public comments and presentations by staff or third parties, as discussed above.

*Further reading: Open and Public V, p. 32.*



# Notice/Agenda and Public Participation Requirements



**Notice:** Required for all meetings



**Agenda:** Required only for regular meetings (but in practice, agenda/notice often one in the same)



**Open and public:** All persons must be permitted to attend, no secret voting



**No conditions on attendance:** May not require to sign-in, cannot charge for attendance.

*Further reading: Open and Public V, pp. 30-32, 34-37.*

# Notice/Agenda and Public Participation Requirements



**Accessible:** Must provide reasonable accommodations, cannot allow some members of public to attend and others not, can't hold in facility that prohibits attendance on discriminatory bases



**Video/audio recording:** Must allow photos, audio/videotaping of the meeting (unless it is disruptive to the meeting)



**Voting (New in 2014):** Must report how each individual official votes on any action and record the vote in the minutes.

*Further reading: Open and Public V, pp. 30, 35-36.*

# Notice/Agenda and Public Participation Requirements

## What about meeting minutes?

The Brown Act does not require the keeping of meeting “minutes”.

However, it does require a report on actions taken in open session and the vote of each member thereon. While the language of the statute seems to make this a requirement that applies at the time the vote occurs, in practice most agencies announce the vote taken and keep at least brief minutes that include:

- Content of the motion
- First/second of the motion
- Vote on the motion

Check your bylaws or other rules of procedure for specific requirements on keeping minutes.

*Further reading: Open and Public V, pp. 30, 35-36.*

# Notice/Agenda and Public Participation Requirements

## Agendas

Must post in a location “freely accessible to members of the public” 24/7.

Must state time and place of meeting and a “brief general description” of each item of business to be transacted or discussed, including items to be discussed in closed session.

People should have enough information to decide whether they want to attend.

Notices must be posted on agency’s website, if it has one

*Further reading: Open and Public V, pp. 30-31.*





# Notice/Agenda and Public Participation Requirements

## Items NOT on the Agenda

No action can be taken... except when:

- Majority decides there is an **emergency** situation; **or**
- 2/3 of the members present (or all members if less than 2/3 are present) vote that immediate action is needed **and** the need came to board's attention after agenda was posted (regular meetings only); **or**
- When an item appeared on the agenda of, and was continued from, a meeting held not more than 5 days earlier.

During general public comment:

- Brief response to statements or questions during public comment is permitted
- May refer to staff for response during meeting
- May request staff to report back and/or place on a future agenda

May also briefly announce or report on member's own activities

*Further reading: Open and Public V, pp. 34-35.*



# Notice/Agenda and Public Participation Requirements

## Rights of the Public

May address Board:

- Matters on the agenda—before or during consideration of the item
- Other matters within jurisdiction—regular meetings only unless Board allows otherwise
- Brief response and/or referral to staff, but **NO ACTION!**

Cannot prohibit public criticism of agency and governing body, but personal attacks need not be permitted

Reasonable time limitations and other regulations are permitted (be consistent)

*Further reading: Open and Public V, pp. 34-35.*

# Notice/Agenda and Public Participation Requirements

## Records & Public Access

- General rule: agendas, minutes (if any) and handouts distributed at board meetings are public records.
- Documents pertaining to an agenda item must be made available to the public (website posting only is ok). This includes staff handouts distributed to board members less than 72 hours prior to the meeting.
- Handouts provided by staff during a meeting must be made available to public at same time; handouts from public must be made available after meeting.

*Further reading: Open and Public V, pp. 36-37.*



# Staff Liaison Roles and Responsibilities

## Assigned Staff Liaison

Maintain a positive working relationship with the Chair and committee members

Coordinate Meeting Notifications and General Recordkeeping

Assist the advisory body in staying on track, focused and within its role.

Serve as a Communication Link to Altadena Library Departments, Altadena Library Foundation, Friends of Altadena Library, LA County Clerk of the Board and other organizations/partners

Ensure Follow-up after Advisory Body Decisions / Recommendation

Provide Guidance, Issue Analysis, and Recommendations

Support in Research, Report Preparation, Correspondence

# Staff Liaison Roles and Responsibilities

## Altadena Staff Liaisons – Contact Information



**Nikki Winslow**

Library District Director

Phone: (626) 798-0833 x103

[nwinslow@altadenalibrary.org](mailto:nwinslow@altadenalibrary.org)



**Diego Gamboa**

Administrative Assistant

Phone: (626) 798-0833 x118

[dgamboa@altadenalibrary.org](mailto:dgamboa@altadenalibrary.org)

# Helpful Resources

## Brown Act Resources

- “Open and Public V” —League of California Cities  
(<http://www.cacities.org/Resources-Documents/Resources-Section/Open-Government/Open-Public-2016.aspx>)
- The Brown Act, California Government Code § 54950-54963

## Altadena Library District Resources

- Altadena Library District Website:  
<https://www.altadenalibrary.org/board/>
- Altadena Library District Board of Trustees Handbook – Fiscal Year 2020-2021: [https://www.altadenalibrary.org/wp-content/uploads/2021/01/FY-20-21-Handbook-Website-Version\\_compressed.pdf](https://www.altadenalibrary.org/wp-content/uploads/2021/01/FY-20-21-Handbook-Website-Version_compressed.pdf)
- Altadena Library District Strategic Plan:  
<https://www.altadenalibrary.org/strategicplan2020/>

