

**MINUTES**  
**LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT**  
**BOARD OF TRUSTEES' MEETING**  
**LAS VEGAS, NEVADA**  
**November 13, 2008**  
**(approved December 11, 2008)**

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Las Vegas Library, Las Vegas, Nevada, at 6:03 p.m., Thursday, November 13, 2008.

**Present:**

Board:	F. Barron, Chair	K. Carter
	A. Arthurholtz	E. Sanchez (via phone)
	A. Aguirre	V. Davis-Hoggard
	K. Benavidez (via phone)	R. Kirsh
	K. Crear	

Counsel: G. Welt

Absent: None

Staff: Daniel L. Walters, Executive Director  
Numerous Staff

Guests: Dr. E. Louis Overstreet  
Kathy Ong & Jim Chachas, Hobbs Ong & Associates  
Martha Ford, Piercy Bowler Taylor & Kern  
Cameron Stuart, Clarity Advisors to Management

F. Barron, Chair, called the meeting to order at 6:03 p.m.

**Roll Call  
(Item I.)**

All members listed above represent a quorum. Trustees Benavidez and Sanchez attended via telephone, and were on the line when the meeting began, but could not be heard in the meeting room until 6:05 p.m. Trustee Arthurholtz arrived at 6:13 p.m. Appendix A.

Chair Barron congratulated Trustee Benavidez on the arrival of her son Santiago Williams, on November 1 at 12:31 p.m., weighing in at approximately 7 lbs.

**Agenda  
(Item II.)**

Trustees Benavidez and Sanchez were able to be heard starting with this item.

Chair Barron said she was moving Item V.A. to come after Item II. After Items III., IV., and V.B-C., Item VIII.A-C would then be addressed. After Item VIII.C., Item VII. would be addressed and then any items pulled off the Consent Agenda would be heard after Unfinished Business, Item VII. No items were pulled off the Consent Agenda. After Item VII., the rest of the items would be addressed, starting with Item VIII.D. Trustee Kirsh moved to approve the Agenda as amended. There was no opposition and the motion carried.

NOTE: Approval of Proposed Minutes, Item IV.A., was actually addressed between Items VIII.B and C.

**Chair's Report  
Trustee Recognition  
– E. Louis  
Overstreet  
(Item V.A.)**

Chair Barron presented former Trustee Dr. E. Louis Overstreet with a clock to mark his seven years on the Board and thank him for his service. Trustee Overstreet thanked his colleagues on the Board and staff, which was followed by a round of applause.

**Executive Session  
regarding litigation  
and labor issues.  
This is a closed  
session estimated to  
require 30-45  
minutes.  
(Item III.)**

Chair Barron announced that the Board would adjourn into Executive Session for a briefing by Counsel on litigation and labor issues. The meeting was adjourned at 6:08 p.m. Trustee Arthurholtz arrived during the closed session. Trustees Sanchez and Benavidez also participated in the session via telephone.

Trustee Carter moved that the Board resume. There was no opposition and the motion carried. The meeting resumed at 7:11 p.m. Trustee Benavidez was on the telephone when the meeting resumed.

**Chair's Report  
(Item V.B-C.)**

Chair Barron congratulated Trustee Davis-Hoggard on being honored as Pioneer of the Year at the Urban Chamber Gala on Saturday, November 8. There was a round of applause.

Chair Barron briefly reviewed the current Board committee assignments and added Trustee Crear to the Finance and Audit Committee.

The 2008-2009 Board Committee assignments are as follows:

**Standing Committees:**

**Executive Committee:** M. Frances Barron, Chair, Ken Carter, Andrea Arthurholtz, Aldo Aguirre (meet periodically)\*

**Finance and Audit Committee:** Aldo Aguirre, Chair, Andrea Arthurholtz, Kelly Benavidez, Ken Carter, Keiba Crear, Elaine Sanchez

**Risk Management Committee:** Ken Carter, Chair, Andrea Arthurholtz, Verlia Davis-Hoggard, Ron Kirsh

**Bylaws Committee:** Andrea Arthurholtz and Counsel Gerald Welt

**Special/Ad Hoc Committees:**

**Legislative Committee:** M. Frances Barron, Chair, the Board will serve as a Committee of the Whole

**Las Vegas Art Museum Board Representation:** Aldo Aguirre, Verlia Davis-Hoggard

**Design Review Committee:** Aldo Aguirre, Chair, Andrea Arthurholtz, Ken Carter, Ron Kirsh, Elaine Sanchez

\*The bylaws of the Board of Trustees dictate that this committee is made up of the officers of the Board.

Chair Barron advised Trustees that a Design Review Committee meeting should be scheduled prior to the December Board meeting.

Trustee Sanchez resumed participation in the meeting at this time.

After committee members checked their schedules, Committee Chair Aguirre announced that the meeting would be held on Thursday, December 11 at 4:00 p.m. at the Clark County Library.

**Consent Agenda**

**1. Discussion and possible Board action regarding contract award for the purchase and installation of audio and video system equipment for Centennial Hills Library.**

Trustee Davis-Hoggard moved to approve the Consent Agenda in its entirety which consisted of Items VIII.A.1-6.:

Authorized staff to award a contract for the purchase and installation of audio and video system equipment for Centennial Hills Library, in accordance with Bid No. 09-11, to Audio Video Design-Build Group for the amount of \$82,459.99.

Authorized the Executive Director to enter into a Memorandum of Understanding with the City of Las Vegas to develop a relocated driveway and retaining wall for the Bunker Brothers Mortuary on a portion of the District leased property at the Las Vegas Library, subject to review by Counsel.

**2. Discussion and possible Board action to approve entering into a Memorandum of Understanding with the City of Las Vegas to develop a relocated driveway and retaining wall for the Bunker Brothers Mortuary on a portion of the District leased property at the Las Vegas Library.**

Authorized staff to award a contract for professional commissioning services for LEED certification for the Southwest Library and Service Center to Dynamic Commissioning Solutions, Inc. for the amount of \$121,875.00, plus authorized reimbursable expenses.

Authorized staff to joinder onto the Western States (WSCA) contract for the purchase of computer related equipment.

Authorized staff to make ongoing purchases of computer hardware and software, telecommunications hardware, and other related infrastructure improvements over \$50,000 from WSCA-approved vendors that have been approved for procurement by the Board in its fiscal year 2008-2009 budget.

Authorized staff to purchase Cisco Systems network switches from Embarq Corporation in the amount of \$99,792.66.

**3. Discussion and possible Board action regarding contract award for professional commissioning services for LEED certification for the Southwest Library and Service Center.**

There was no opposition and the motion carried.

**4. Discussion and possible Board action regarding the**

recommendation to  
joinder onto the  
Western States  
Contracting  
Alliances (WSCA)  
contract for the  
purchasing of  
computer related  
equipment.

5. Discussion and  
possible Board  
action regarding the  
approval of ongoing  
purchases of  
computer hardware  
and software,  
telecommunications  
hardware, and other  
related  
infrastructure  
improvements over  
\$50,000 from  
WSCA- approved  
vendors that have  
been approved for  
procurement by the  
Board in its fiscal  
year 2008-2009  
budget.

6. Discussion and  
possible Board  
action regarding the  
approval of  
purchases of Cisco  
Systems network  
switches from  
Embarq Corporation  
in the amount of  
\$99,762.66.

(Item VIII.A.1-6.)

Discussion and  
possible Board  
action to adopt  
Resolution 2009-03,  
designated by the  
short title "2009  
Medium-Term  
Resolution;"  
providing for the

Fred James, Deputy Director and CFO, presented the item. He noted that at the October 13, 2008 Board meeting, the Trustees adopted Resolution 2009-02 authorizing the issuance of medium-term obligations, and the forwarding of copies of all hearing notices, Resolutions and related materials for review and approval to the Executive Director of the Department of Taxation of the State of Nevada.

**issuance by the Las Vegas-Clark County Library District, Nevada of its fully registered, negotiable General Obligation (limited tax) Medium-Term Bonds, Series 2009; providing the form, terms and conditions of the bonds and providing for the sale thereof; providing other details concerning the bonds; ratifying action previously taken and pertaining to the foregoing by the District and its officers; and providing the effective date hereof.**  
**(Item VIII.B.)**

As instructed by the Board, Mr. James said that all related materials were forwarded by staff to the Executive Director of the Department of Taxation of the State of Nevada for review and approval. As of November 3, 2008, the District received the Department of Taxation authorization to proceed with the issuance of medium-term bonds.

Mr. James said that the next and final step for the Board is to adopt Resolution 2009-03 ratifying action previously taken at the October 13, 2008 Board meeting. Upon Board approval, the District will be on schedule for a bond sale in early 2009.

Trustee Carter moved to adopt Resolution 2009-03. There was no opposition and the motion carried.

The Department of Taxation letter is attached to the minutes as Appendix B.

**Approval of Proposed Minutes Regular Session, October 13, 2008.**  
**(Item IV.A.)**

Chair Barron apologized for skipping Item IV.A., Approval of Proposed Minutes. Trustee Aguirre asked that the Minutes of the Regular Session on October 13, 2008 be corrected on page 2 to change Dr. Aguirre to Trustee Aguirre.

Trustee Davis-Hoggard moved to approve the Minutes of the Board of Trustees Meeting held October 13, 2008 as amended. There was no opposition and the motion carried.

**Discussion and possible Board action regarding the Finance & Audit Committee's recommendation to approve the audit performed by Piercy Bowler Taylor & Kern for the year ending June 30, 2008.**  
**(Item VIII.C.)**

Mr. James introduced Martha Ford of Piercy Bowler Taylor & Kern (PBTK) to report on the audit for the year ending June 30, 2008. Ms. Ford said that the audit was completed and PBTK has issued an unqualified opinion. There are no findings required to be reported under NRS.

Finance and Audit Committee Chair Aguirre reported that the Committee met with Ms. Ford on November 5, 2008, and recommended adoption of the report.

Trustee Aguirre moved to approve the 2007-2008 audit report as presented by Piercy Bowler Taylor & Kern and to incorporate the Opinion Letter into the official minutes of the Board of Trustees November 13, 2008 Meeting. The Opinion Letter is attached to the minutes as Appendix C.

**Executive Director's  
Report  
(Item VI.A.)**

Chair Barron asked Executive Director Walters to go over his report, provided to Trustees at the Board meeting. Barron said Trustees would then vote on accepting all the Library Reports with the exception of the General Services Report. Barron requested that General Services Director Steve Rice update Trustees on the Centennial Hills Library construction and grand opening.

Mr. Walters reported for the record on the activity on the Friends of Southern Nevada Libraries (FOSNL) litigation and the EMRB appeal.

Friends of Southern Nevada Libraries Litigation: The District's motion for summary judgment on the Appeal by the FOSNL of District Court Denton's ruling that all Friends' funds could only be used for normal operating purposes and support of the LVCCLD was heard on November 3<sup>rd</sup>. General Counsel Welt and Mr. Walters also joined Special Counsel Todd Touton of Lionel Sawyer & Collins for a Supreme Court mandatory mediation session with FOSNL representatives on November 7<sup>th</sup>.

District Prevails in EMRB Appeal: On November 6, 2008, Mr. Walters received a copy of the *Notice of Entry and attached Findings of Fact, Decision and Order* entered by District Court, Department XXI of Judge Valerie Adair regarding the District's Appeal of the Employee Management Relations Board.

This is a critical finding that "the right to hire, transfer and assign employees necessarily encompasses the methodologies and procedures by which an employer makes such decisions. Placing limitations on what order a local government must consider applicants or what criteria must be satisfied infringes upon the rights reserved to the local government employer to hire, transfer and assign employees and contravenes both the language and purpose of NRS 288.150 (3)(a). The Order states that

"Petitioner Las Vegas-Clark County Library District's Petition for Judicial Review is GRANTED. The March 13, 2007 Findings of Fact, Conclusions of Law and Declaratory Order of the Local Government Employee-Management Relations Board is REVERSED as violating statutory law, specifically NRS 288.150. inasmuch as the subjects designated as "Order of Filling Vacancies" and "Selection" are reserved to the local government employer without negotiation pursuant to NRS 288.150 (3)(a)."

Mr. Walters also congratulated Enterprise Branch Manager Salvador Avila on his new book published by Libraries Unlimited, *Crash Course in Serving Spanish Speakers*. Walters noted that Mr. Avila has been a leader in the District's development of services to the Latino community and advised collection staff on the initial collections acquired for targeted services to our District's residents who speak Spanish as their primary language. Avila has also been recognized nationally for his expertise through the many presentations and consulting services he

has provided to libraries and library organizations across the country. Walters led a round of applause for Mr. Avila, who was in the audience.

Trustee Aguirre referred to information in the Technology Report on an ALA survey asking the age of the District's Public Internet Access Computers and asked how long the District kept computer equipment before it must upgrade. Al Prendergast, IT Director, replied that the industry standard to replace computers is three years, but the District is on a five year replacement cycle to stretch the budget.

Trustee Aguirre asked if the ad for the Executive Director position ran in a national publication, as was discussed at the October Board meeting.

Mr. Walters said that the ad has run in several publications and advised Aguirre that there would be a report under Unfinished Business, Item VII.

Trustee Aguirre thanked Human Resources Director Jerilyn Gregory for thoroughly answering his questions at the October Board meeting regarding the District's exit interview procedures and the data that was collected.

Trustee Aguirre moved to approve Reports VI.A.1-4 and 6. There was no opposition and the motion carried.

**Public Services and  
Security Report  
(Item VI.A.1.)**

Accepted.

**Business Office  
Report  
(Item VI.A.2.)**

Accepted.

**Human Resources  
Report  
(Item VI.A.3.)**

Accepted.

**Technology Report  
(Item VI.A.4.)**

Accepted.

**Marketing Report  
(Item VI.A.6.)**

Accepted.

**General Services  
Report  
(Item VI.A.5.)**

General Services Director Steve Rice updated Trustees on the Centennial Hills Library construction.

Mr. Rice noted that work is proceeding, two months away from the scheduled opening date of January 10, 2009. The contractor's schedule is currently showing that he is approximately twenty-eight days behind schedule as of October 27, 2008, due primarily to site work, delay in delivery of the louvered windows, and installation of power, with a projected completion date of December 30, 2008. The contracted date for substantial completion is December 2, 2008.

Mr. Rice said that the work is still on track, reporting that District staff met with the contractor the previous day. Construction is proceeding on an accelerated completion schedule which allows portions of the building to be completed in the right sequence to allow the District to take delivery of the library shelving which is scheduled to arrive on December 3, 2008, and is expected to take three weeks to install. The furniture is scheduled to arrive beginning December 15, 2008, with the installation expected to be completed by December 23, 2008. Rice felt confident that deadline would be met. He said that the library materials are scheduled to be moved from the Green Valley Library to the Centennial Hills Library during the week between Christmas and New Year's.

Mr. Rice continued to say that, although the schedule shows that the contractor is twenty-eight days behind schedule, that includes time to flush out the building due to the LEED requirements, as well as to complete a punch list. He said that District staff is cautiously optimistic that the project will be completed by the scheduled January 10, 2009 opening date. Rice said, however, that staff would like to schedule an alternative opening date, just in case the building is not completed by the January date. He said staff have set February 7, 2009 as the alternative date. Chair Barron asked that all Trustees keep both dates on their calendars.

Trustee Kirsh asked about Trustee responsibilities at the opening and wanted to know what types of festivities were being planned. Mr. Walters said that the plans were to invite representatives from both the City and County and emphasized that the opening was expected to be a major event, due to the amount of anticipation by the area residents for new services.

Mr. Walters added that the completion and opening of the Centennial Hills Library would be a huge achievement for the District as no additional taxes were required for the construction and staffing. Opening on the eve of a legislative session, Walters said that District staff planned to emphasize that point. He said that the alternative February date was chosen so it wouldn't interfere with the ALA Midwinter Meeting, the Inauguration, Valentine's Day and the MLK weekend. Walters wanted a high level of participation that is commensurate with the high profile of the District's achievement.

Mr. Rice then updated Trustees on the progress of the efficiency remodels on the Sunrise, Summerlin, Spring Valley and Clark County libraries. The bid opening for the Sunrise and Summerlin libraries took place as scheduled on November 3, 2008. In what Rice described as a sign of the economic times, there were 16 bids submitted for one project and 19 bids for the other.

Mr. Rice noted that the large number of bids sounds good, but that there is a "problematic side" as the low bid for the Sunrise Library came in at less than half of the estimated cost. The low bid on the Summerlin Library came in at 60% of the estimated cost. Staff has elected to take

extra time to evaluate the bids and qualify the contractors to the extent possible before presenting the recommendations for contract awards to the Trustees at the December meeting, instead of the November meeting as Mr. Rice's report stated.

Mr. Rice also reported that the bid advertisement for the Clark County and Spring Valley Library remodels has been delayed until November 16, 2008, with contracts to then be awarded at the January 8, 2009, Board of Trustees meeting. It is anticipated that construction will begin the end of January 2009 and be completed the end of May. Rice explained that the reasons for the delay in bidding are:

- 1) The scope of the Clark County Library remodel is requiring more time by District and URS staff to review the final drawings.
- 2) The electrical engineer is still evaluating whether additional power service will be needed at Spring Valley Library. The 30-day metering load study will not be completed until the first part of November.
- 3) It will be more manageable to start the Clark County and Spring Valley construction in February instead of the end of December. In December and early January the Enterprise, Sahara West, Rainbow and Las Vegas remodels should be completed, the Summerlin and Sunrise Library remodels should start, and staff will be transitioning into the Centennial Hills Library.

Mr. Rice said he still anticipated that all of the remodels would be completed by the end of the fiscal year.

Trustee Arthurholtz moved to accept Item VI.A.5. General Services Report. There was no opposition and the report was accepted.

**Report from  
Cameron Stuart of  
Clarity, Inc.  
regarding executive  
search services.  
(Item VII.)**

Chair Barron asked Cameron Stuart of Clarity, Inc. to update Trustees on the ongoing executive search process.

Mr. Stuart said that now that the job description has been approved, he could now provide potential candidates with the specific position requirements. The job description will be posted on the District's website. He also intends to use the position description to formulate questions for the candidates to use in qualifying their eligibility.

In response to Trustee Aguirre's earlier question, Mr. Stuart then discussed where the ads have been placed for the position.

National Journals:

- |  |                    |
|--|--------------------|
| • <b><i>Library Journal</i></b>          | November issue     |
| • <b><i>Library Hotline</i></b>          | Week of October 20 |
| • <b><i>American Libraries</i></b> (ALA) | December issue     |

On-line lists in which the District routinely advertises:

- ALA – American Library Association
- BCALA – Black Caucus of the ALA
- CLA – California Library Assoc
- LIB – List serve for Libraries

- LIBJOBS – also a forum to list Library jobs
- PUBLIB – Public Library Association
- REFORMA – Hispanic Library Association

Mr. Stuart also commented that during his research for appropriate non-industry publications within which to publicize the position, he had priced a one-time ad in a publication such as the *Wall Street Journal* and it would cost the District between \$8,000-\$9,000. Trustee Sanchez suggested placing an ad on [Monster.com](http://Monster.com) as it had been very beneficial for her employer. She said her understanding is the price for advertising a position is very competitive. Sanchez felt that the site has a wide variety of categories so that the site receives many hits from career-minded individuals.

Mr. Stuart said he had compiled a list of approximately 137 individuals using the ULC directory and sent emails to each individual on the list to ask them if they are interested in the position as well as to ask them to recommend candidates for the position as well. So far, Stuart said, he has identified nine potential candidates, who are in various stages of submitting information. These individuals have also recommended individuals they think might be qualified as well. Stuart commented that he found it very interesting that people who are considering the position as executive director are willing to recommend and compete against what they think are the best candidates.

Mr. Stuart said he also was offering the executive staff the opportunity to suggest core competencies that they would expect of the successful candidate. He is asking that they suggest questions to be put to the candidates that would cover those areas they identify.

Trustee Davis-Hoggard asked if the executive staff would have the opportunity to interview some of the candidates. Mr. Stuart replied that there would be two opportunities for staff to question candidates. There would be informal opportunities at the ALA meeting and a formal structured opportunity during the final candidates' visit to the District.

Mr. Stuart said he anticipated that each final candidate would participate in a three day visit which would include a tour of District facilities and various interview stages. During the tour, staff would be able to ask questions of the candidate. He also anticipated that executive staff would have an opportunity to interview candidates as part of the visit. The interview with the executive staff would be facilitated by Stuart, at which time both he and the executive staff would ask questions. Trustees would have the opportunity to attend and listen, but would not be able to participate, due to Open Meeting Law constraints, Stuart said he would confirm this with Counsel Welt. Mr. Stuart would get staff input after the tours and interview.

Mr. Stuart said that one of the important things that take place during a visit with this dynamic was to assess not only what each candidate says in their answer, but also how the candidates answer the question. He said that chemistry is important, in that each candidate's attitude about the questions and the questioner would be an important tool for the

Trustees to determine, in the short amount of time that they have, who is the best candidate.

Trustee Kirsh asked whether they will know in December how many people they may be meeting at the ALA Midwinter meeting in January. Mr. Stuart advised Trustees that he can give them some idea of a number prior to the midwinter meeting, but that it may not be a comprehensive list. Some candidates may not want to identify themselves yet and potential candidates may approach Trustees directly at the meeting. Stuart said that is one of the reasons why there is no closing date on the ad. He does not want to limit interest at this time, though Trustees can decide to close whenever they feel they a good pool of qualified candidates.

Trustee Davis-Hoggard questioned the strategy of not indicating a closing date in the ad as she was concerned that the new Executive Director will not be in place prior to the departure of the current Executive Director. Counsel Welt and Mr. Stuart clarified for Trustees that while there is no published closing date, there is an internal date past which Mr. Stuart will not consider more candidates due to the time required to conduct background checks, schedule the final candidates' visits to the District and deal with the contract negotiations and notice with the successful candidate. Mr. Stuart said he would not be entertaining new candidates in April 2009 for that reason.

Mr. Welt told Trustees that they can always decide that there is a point at which they do not want to accept more applications. Mr. Welt confirmed that Mr. Stuart felt confident that the process in place would result in enough qualified candidates so that a new Executive Director would be in place by June 1, 2009.

No action required on the item.

**Discussion and possible Board action to revise the *Book Disposal Policy* and to authorize staff to use funds generated through District bookstores, book sales, and offsite vendor sales to be used to supplement District sponsored programming initiatives for adults and children. (Item VIII.D.)**

Deputy Director Robb Morss explained that the item regarding the *Book Disposal Policy* required two motions to approve. The first motion will cover approval of an updated *Book Disposal Policy* and the second motion will allow the District to use the revenues generated to fund District-sponsored programs for both adults and children.

Mr. Morss said that in January 1995, the Board developed a *Book Disposal Policy* which allowed staff to send discarded and donated materials to the Friends of the Southern Nevada Libraries (FOSNL).

In April 2008, District staff assumed all operations of the bookstore spaces located in the branches and the District collected and retained all receipts from bookstore sales. Since taking over the bookstores in the branches, Morss said the District had generated over \$130,000 in revenue from sales, and funds have accrued to the General Fund rather than be transferred to the FOSNL.

Since the District is no longer sending discarded and donated materials to FOSNL, an alternative solution was implemented so that materials that are not sold in the branch bookstores are now sent to vendors that

specialize in selling discarded library materials. Since September 2008 the District is currently working with B-Logistics and Better World Books to sell these materials to online book vendors. Because the District is using other sources to handle the disposal and sale of discarded materials, the current *Book Disposal Policy* needs to be revised.

Mr. Morss said that the revenue generated previously by FOSNL was used to help support library-sponsored programs for adults and children including author visits, storytellers, heritage month programming, Reading Las Vegas Adult Reading Program and the District's annual Summer Reading Program for children.

Mr. Morss said that staff recommended that revenues generated through District bookstores, book sales, and offsite vendor sales be used to supplement District-sponsored programming initiatives for adults and children such as those listed above. Morss noted that projected revenue from all sales of discarded and donated materials is estimated to be around \$300,000 by the end of the 2008-2009FY.

Trustee Carter moved to approve the revised *Book Disposal Policy* last updated on January 12, 1995. There was no opposition and the motion carried.

Trustee Carter moved to authorize staff to use funds generated through District bookstores, book sales, and offsite vendor sales to be used to supplement District sponsored programming initiatives for adults and children. There was no opposition and the motion carried.

Trustee Arthurholtz thanked Mr. Morss for his response to her request for books for the Indian Springs prison, originating from another group that she is involved in. Arthurholtz said that she was told that that it generated a lot of excitement when the books arrived. The inmates were thrilled and overjoyed with the selection that was provided.

**Discussion and possible Board action regarding extending the employment contract of Daniel L. Walters to provide for continued services and approval of additional five "bonus" days of leave.  
(Item VIII.E.)**

Chair Barron introduced the item and explained that the Executive Director's employment contract expired November 9, 2008. Mr. Walters had advised the Board that he is amenable to continue his employment through on or about May 31, 2009 in order to assist with oversight of current projects in design and development including bidding and review of the Southwest Library and Service Center; the transition of the Green Valley Library collection and reassignment of branch staff and opening of the new Centennial Hills Library; final stages of implementing the new RFID self-check and central sort project; planning and oversight of the fiscal year 2009-2010 budget; and assistance with representing the Board during the 2009 Legislative Session.

Chair Barron said she discussed the contract extension with the Executive Director and Mr. Walters agreed to continue employment under the terms of his existing contract with the provision that he be granted an additional five bonus days leave to be taken prior to the completion of the proposed contract extension. Chair Barron recommended approval of the contract extension and noted that

Counsel Welt reviewed the proposed terms.

Chair Barron emphasized that Mr. Walters had agreed to stay at least through May 31, 2009 or later if the Chair requests he do so.

Trustee Davis-Hoggard had an issue with wording in the proposed motion that only requires the Chair's approval to extend the contract date beyond May 31, 2009. She said she felt Trustees should be advised if there would be an extension as it appeared to Davis-Hoggard that an extension should come back before the Board.

Trustee Davis-Hoggard also said she favored granting Mr. Walters an additional five bonus days leave, for a total of ten bonus days.

Counsel Welt advised Trustees that he had proposed the wording in order to make a smooth transition, anticipating a situation in which, for example, the new Executive Director could not start work until June 15, 2009 or if there is something going on with the Southwest Library. He acknowledged that the Chair can bring the extension to the Trustees for approval, if that is what is desired.

Mr. Walters said the issue is that there could be an extraordinary legislative session, which might mean an extension into June. In that case the Chair would have the authority administratively to extend the departure date. If there was clearly any substantive change in duration, he thought Counsel had suggested it would come back to the Board.

Trustee Davis-Hoggard moved to approve extending the Executive Director's employment contract through at least May 31, 2009 or later, if approved by the Board, as necessary to assure transition with the new Executive Director, subject to the existing terms with the provision that Mr. Walters be granted ten additional "bonus days" of leave. There was no opposition and the motion carried.

Mr. Walters thanked the Board.

**Announcements  
(Item IX.)**

The Design Review Committee Meeting will be held on December 11, 2008 in the Clark County Library at 4:00 p.m.

The next Board Meeting will be held Thursday, December 11, 2008 in the Clark County Library at 6:00 p.m.

Trustee Aguirre congratulated District staff on receiving the Employer of the Year Award from the Work Enhancement Employment Team. He also thanked all the hard-working staff who took time to help during the recent voting in partnership with the Clark County Election Department.

**Public Comment  
(Item X.)**

None.

**Adjournment**

Chair Barron adjourned the meeting at 7:57 p.m.

**(Item XI.)**

Respectfully submitted,

Andrea Arthurholtz, Secretary

P B T K

PIERCY BOWLER TAYLOR & KERN

Certified Public Accountants • Business Advisors

**LAS VEGAS CLARK COUNTY LIBRARY DISTRICT**

**REQUIRED  
COMMUNICATIONS  
LETTER**

**TO THE  
AUDIT COMMITTEE AND BOARD OF TRUSTEES**

**JUNE 30, 2008**

**LAS VEGAS CLARK COUNTY LIBRARY DISTRICT**  
**REQUIRED COMMUNICATIONS LETTER**

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P B T K

**PIERCY BOWLER TAYLOR & KERN**

Certified Public Accountants • Business Advisors

Audit Committee and Board of Trustees  
Las Vegas Clark County Library District  
833 North Las Vegas Boulevard  
Las Vegas, Nevada 89101

RE: Required Communications

Ladies and gentlemen:

As part of our engagement to audit the basic financial statements of Las Vegas Clark County Library District (the District) as of June 30, 2008 and for the year then ended, we are required under applicable auditing standards to communicate certain matters to those charged with governance responsibilities for the District for the purpose of assisting them in meeting their responsibilities with regard to the financial reporting process. This report contains those required communications.

The matters reported herein were considered in forming our opinion on the District's basic financial statements contained in our report dated November 3, 2008, and these matters do not change that report.

This communication is intended solely for the confidential information and use of those charged with governance and management responsibilities for the District and others identified below, either receiving a copy or being approved to receive a copy from management. It is not intended to be and should not be used by anyone other than these specified parties.

*Piercy Bowler Taylor & Kern*

November 3, 2008

Copies provided to:

Daniel L. Walters, Executive Director

Fred James, CPA, Deputy Director, Chief Financial Officer

Las Vegas Clark County Library District  
Required Communications  
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### **SIGNIFICANT AUDIT ADJUSTMENTS**

Our audit resulted in no significant adjustments to the basic financial statements. However, there were several financial statement adjustments given to us by your accounting staff after we began field work.

### **DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT**

Management cooperated fully, and no significant difficulties were encountered in completing the June 30, 2008, audit.

### **MATTERS INVOLVING INTERNAL CONTROL**

We planned and performed our audit of the basic financial statements of the District as of June 30, 2008 and for the year then ended, in accordance with auditing standards generally accepted in the United States.

Accordingly, we considered the District's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the basic financial statements.

Such procedures were not performed for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

The principal objectives of effective internal control are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, and that all transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of basic financial statements in accordance with accounting principles generally accepted in the United States. The concept of reasonable assurance requires that management, in fulfilling its responsibility, make estimates and judgments to assess the expected benefit and related costs of control procedures. Because of inherent limitations in any internal control, errors or fraudulent acts, particularly when involving forgery and collusion, may occur and not be detected. In addition, there is a risk that procedures may become inadequate in future periods because of changes in conditions and the degree of compliance with the procedures may deteriorate.

### **Definitions**

A *control deficiency* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the District's ability to initiate, authorize, record, process, or report financial data reliably in accordance with accounting principles generally accepted in the United States such that there is more than a remote likelihood that a misstatement of the District's financial statements that is more than inconsequential will not be prevented or detected by the District's internal control. A *material weakness* is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District's internal control. Our consideration of internal control would

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not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses.

#### Findings

Our procedures did not identify any internal control deficiencies that we consider to be a material weakness.

#### OTHER GOVERNANCE MATTERS

**Auditors' responsibility under auditing standards generally accepted in the United States.** As stated in the first paragraph of our report on the District's basic financial statements, our responsibility as independent auditors, under auditing standards generally accepted in the United States, is to express an opinion, based on our audit, on the basic financial statements, which are the responsibility of the District's management. Our responsibilities, as contrasted with management's, are spelled out more fully in our letter of engagement.

Despite any limited assistance we may have provided to management in its preparation, our responsibility for information accompanying the basic financial statements is limited to (1) reading such information to ascertain that it is materially consistent with information presented in the District's audited basic financial statements (2) considering whether any statements contained therein may appear to be materially misstated, and (3) assuring the satisfactory resolution of our concerns, if any. In this instance, we performed the required procedures, and any changes requested by us in this process were satisfactorily made and all questions satisfactorily resolved.

In considering the matters reported herein, you should be cognizant of your responsibility for oversight of the financial reporting process and management's responsibilities for establishing and maintaining an effective internal control subject to regulatory and ownership approval, and for the basic financial statements.

**Significant accounting policies.** The significant accounting policies employed by the District are disclosed in the notes to the basic financial statements and are essentially as prescribed, recommended or permitted under applicable authoritative literature for, or commonly used by, other entities in your industry. The accounting policies have been consistently applied and are not controversial.

**Significant estimates.** The basic financial statements do not contain any significant management estimates, except for the useful lives of the District's capital assets.

**Compliance with laws, regulations, contracts and grants.** Compliance with laws, regulations, contracts and grants applicable to the District is the responsibility of the District's management. As part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we performed tests of the District's compliance with certain provisions of laws, regulations, contracts and grants. However, our objective was not to provide an opinion on overall compliance with such provisions.

Material instances of noncompliance are failures to follow requirements or violations of prohibitions contained in laws, regulations, contracts and grants, that when aggregated, in our judgment, are material

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to the basic financial statements. The results of our tests of compliance did not disclose material instances of noncompliance.

In accordance with *Government Auditing Standards*, we have issued our report dated November 3, 2008, on our consideration of the the District's internal control over financial reporting and on our tests of the District's compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. This report is an integral part of an audit performed in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and should be considered in assessing the results of our audit.

## APPENDIX B



JIM GIBBONS  
Governor  
THOMAS R. SHEETS  
Chair, Nevada Tax Commission  
DINO DICIANNO  
Executive Director

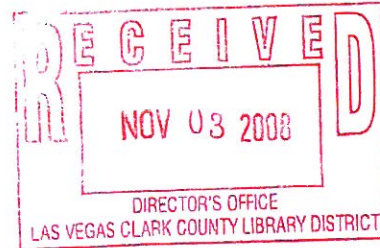
### STATE OF NEVADA DEPARTMENT OF TAXATION

Web Site: <http://tax.state.nv.us>  
1550 College Parkway, Suite 115  
Carson City, Nevada 89706-7937  
Phone: (775) 684-2000 Fax: (775) 684-2020

LAS VEGAS OFFICE  
Grant Sawyer Office Building, Suite 1300  
555 E. Washington Avenue  
Las Vegas, Nevada, 89101  
Phone: (702) 486-2300 Fax: (702) 486-2373

RENO OFFICE  
4600 Kietzke Lane  
Building L, Suite 235  
Reno, Nevada 89502  
Phone: (775) 688-1295  
Fax: (775) 688-1303

HENDERSON OFFICE  
2550 Paseo Verde Parkway Suite 180  
Henderson, Nevada 89074  
Phone: (702) 486-2300  
Fax: (702) 486-3377



November 3, 2008

Mr. Frederick J. James, Chief Financial Officer  
Las Vegas-Clark County Library District  
833 Las Vegas Boulevard North  
Las Vegas, NV 89101

Dear Mr. James:

The request of the Board of Trustees of the Las Vegas-Clark County Library District for the approval of a medium-term obligation has been received. The purpose of the obligation is to fund the cost of acquiring, improving, constructing and equipping library projects, in an amount not to exceed \$ 50,000,000. The request has been reviewed as required by NRS 350.089 and is **approved**.

Pursuant to NRS 350.089, this approval must be recorded in the minutes of the governing board. You are reminded the financing must be secured within eighteen months of receipt of this approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Dino DiCianno".

Dino DiCianno  
Executive Director

DD:wra

# APPENDIX A

2008		Jan 9 Board Mtg	Feb 12 Bylaws	Feb 14 Exec Com	Feb 14 Board Mtg	Mar 5 F & A Com	Mar 13 Board Mtg	April 10 F & A Com	April 10 Board Mtg	May 15 Board Mtg	June 12 Nominating Cmte	June 12 Board Mtg	July 3 Ad-Hoc Retreat Prop	July 10 Risk Mgmt Cmte	July 10-11 Board Retreat	August 8 F&A Committee	August 12 Board Mtg	September 9 Design Review Cmte	September 11 Board Mtg	October 13 Board Mtg	November 5 F&A Committee	November 13 Board Mtg
Aguire	Aldo	P		P	P	P	P	P	P	P	P	P		A-E	P	P	P	P	P	P	P	
Arthurholz	Andrea	P	P		A	A	P	P	P	P	P	P	P	P	P	P	P	P	A-E	P	P	
Benavidez	Kelly	P		A	A	P	P	P	P	P		A		P	P	P	A-E		P	P	A-E	P
Carter	Ken	P			A		P	P	P	P				A-E	A-E	P	P	P	P	P	P	
Costello*	Jamie	P			P	P	P	P	P	P		P		P	P	P	P		P	X	X	
Davis-Hogard	Verlia	P	P	P	P	P	P	P	P	P		P			P	P	P		P	X	X	
Harala**	Larry	P	A		A	A	A	X	X	X	X	X	X		X	X	X	X	X	X	X	
Kirsh***	Ron	X	X	X	X	X	X	X	X	X		A			P	P	P	P	P	P	P	
Overstreet****	E. Louis	P	P		P	P	P	P	P	P		P			P	A-E	P	X	X	X	X	
Sanchez	Elaine	P			P	P	P	P	P	P		P			A-E	P	P	P	P	P	A-E	P
Barron	M. Frances	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	P	P	P	
Creal*****	Keiba K.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		P	P	P	

attended committee meeting but not a member

\* resigned as of October 9, 2008

\*\* resigned as of April 3, 2008

\*\*\* appointed May 21, 2008

\*\*\*\* resigned as of August 13, 2008

\*\*\*\*\* appointed September 2, 2008