

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES' MEETING
LAS VEGAS, NEVADA
January 13, 2011
(approved February 10, 2011)

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the West Charleston Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, January 13, 2011.

Present:

| | | |
|--------|-----------------------------------|-------------|
| Board: | A. Aguirre, Chair (via telephone) | F. Barron |
| | V. Davis-Hoggard | R. Kirsh |
| | K. Benavidez (via telephone) | K. Crear |
| | L. Carrasco | M. Saunders |
| | C. Reese | R. Ence |

Counsel: G. Welt

Absent:

Staff: Jeanne Goodrich, Executive Director
Numerous Staff

Guests:

Due to Chair Aguirre's and Vice-Chair Benavidez' participation by phone, R. Kirsh, Secretary, called the meeting to order at 6:00 p.m. and served as Chair through the entire meeting

Roll Call and Pledge of Allegiance (Item I.) All members listed above represent a quorum. Trustees Aguirre and Benavidez attended via phone. Due to an uneven cell phone connection due to driving between California and Las Vegas, Trustee Aguirre periodically would be cut off and would call back into the meeting. Trustee Benavidez was on the call for approximately one hour but was cut off prior to the end of Item VIII. Appendix A.

Trustee Crear led attendees in the Pledge of Allegiance.

Agenda (Item II.) Chair Kirsh advised attendees that Trustees will hear public comment on Item VIII during discussion of that item, and not wait to hear from the public on that item until the usual public comment period later in the meeting. Those wishing to speak in public comment must be signed up on the sheet provided for that purpose.

Trustee Davis-Hoggard moved to approve the Agenda as modified. There was no opposition and the motion carried.

West Charleston Library branch presentation (Item III.) Chair Kirsh said that holding meetings at different District libraries allowed Trustees to learn about the different branches and asked West Charleston Library Branch Manager Florence Jakus to speak about the branch. Ms. Jakus welcomed Trustees and staff to the West Charleston Library. She introduced herself and each Department Head: Sam Kushner, Assistant Branch Manager; Tracie Josephson, Young People's Library Department Head; Firouzeh Forouzmand, Performing Arts Center Coordinator and Carlos Sanchez, Circulation Department Head.

Ms. Jakus explained that when the West Charleston Library was built in 1993, its location was described as being on the far west side of the valley. Now, the branch is considered centrally located in an urban neighborhood. The branch has 23 market segments and staff provides

services to a diverse population. The largest groups of users are the segments labeled by CivicTech as (1) Cozy and Comfortable, (2) Inner City, and (3) Main Street USA. Over 25% of branch patrons speak Spanish. Popular DVDs are the largest portion of checkouts at this location, followed by Adult and Juvenile print material. Staff is beginning to use the CivicTech data to determine how patrons utilize the library and how staff can reach the underserved populations.

Ms. Jakus continued to say that the West Charleston Library was designed by the architectural firm Welles-Pugsley and has 38,900 square feet of space, including a 276 seat Lecture Hall, a Gallery, Conference Room, Health Science Library, and the Young People's Library. The branch opened on January 18, 1993, adjacent to the College of Southern Nevada's West Charleston Campus. In 2009, the Circulation Department was completely remodeled. Carpet and flooring was replaced in the branch and the gallery was enclosed.

Ms. Jakus emphasized that the branch's goals are to provide a safe and comfortable learning environment for its community and to provide excellent customer service as staff implements the basic core services outlined in *Forward to Basics*.

Since Mr. Kushner's transfer six months ago, he has taken on the responsibility of supervising the Reference Department, the Health Science Library and the public computers. The West Charleston staff is cross trained so they are able to work at all of the service desks. With over 3,600 sessions per month, the fifteen one hour public computers at the branch are heavily utilized by patrons to prepare resumes, locate jobs, and complete applications.

When West Charleston was built the District entered into a contract with the Board of Regents to support the college's health profession programs by providing the Health Science Library specialty collection. The contract was amended December 2, 2008 and the branch now provides supplemental support for the health programs. The primary goal of the Health Science Library collection is to provide reliable health information to patrons. A variety of books, journals, databases, and Internet resources are utilized to obtain information that varies from consumer to professional level. Patrons from across the valley are referred to this special collection.

Ms. Josephson and the Young People's Library staff plans and offers seven weekly storytimes to children and caregivers. These programs enhance reading readiness for children and family literacy. They also provide two programs per month aimed at teens. In addition, they provide homework assistance by offering access to public computers and database resources to assist children and young adults.

Mr. Sanchez has been Circulation Department head for the past six months. His background in circulation and support services has enabled him to reorganize departmental procedures for more efficient operation so the staff can provide personalized customer service to patrons.

Ms. Forouzmand and her programming staff actively work with community groups, organizations and government agencies to provide

Minutes - Board of Trustees' Meeting

January 13, 2011

Page 3

programs in the library's meeting rooms. Branch users tell staff that they utilize meeting spaces at the West Charleston Library due to its central location and the exceptional customer service provided by staff. Recently co-sponsored programs have included Conversations about Managing Your Diabetes, offered in English and Spanish by the Southern Nevada Health District, the Princeton Review series for students, and an alternative medicine lecture series. The branch also provides space for the ESL classes on a year-round basis in the conference room and coordinates multi-cultural programs for the diverse community around the branch.

Ms. Jakus welcomed questions and invited Trustees to tour the branch with staff following the meeting.

On behalf of the Board, Chair Kirsh thanked Ms. Jakus for her presentation and hospitality.

Executive Session (Item IV.)

Removed from Agenda.

Approval of Proposed Minutes: Ad-Hoc Conference Room/PAC Use Committee Meeting, November 9, 2010 and Regular Session, November 10, 2010. (Item V.A-B.)

Trustee Saunders moved to approve the Minutes of the Ad-Hoc Conference Room/PAC Use Committee Meeting held November 9, 2010. There was no opposition from Committee members and the motion carried.

Trustee Barron moved to approve the Minutes of the Board of Trustees Meeting held November 10, 2010. There was no opposition and the motion carried.

Chair's Report (Item VI.)

No report.

Executive Director's Report (Item VII.A.)

In response to Chair Kirsh's request to Trustees on whether to discuss any of the staff reports aside from the Executive Director's report, there were no requests to pull individual reports. Several Trustees had comments.

Trustee Saunders, noting Executive Director Goodrich's meeting with Three Square staff that was included in her report, commented that he felt it was vital to develop relationships and outreach programs with other community organizations as he believed the partnerships will, in turn, lead to greater knowledge about the District. Ms. Goodrich agreed, saying that further meetings were planned between the District and Three Square and she felt that several programs and projects would come out of the discussions.

Trustee Crear requested that in the Human Resources report, the monthly report category of resignations/terminations be split so that these items are listed separately. Ms. Goodrich said that staff should be able to break this down.

Trustee Davis-Hoggard moved to accept Reports VI.A. 1-7. There was no opposition and the reports were accepted. Chair Kirsh asked that

Ms. Goodrich provide some information from her report.

Ms. Goodrich reiterated that the next fiscal year, FY 2011-2012, will involve another demanding budget preparation process. She reminded Trustees that property taxes provide a significant percentage (71% in the current FY 2010-2011 budget) of the District's operating budget. There have been declines in the assessed value of property within the District for the last two fiscal years and additional declines are projected for the coming fiscal year.

Ms. Goodrich said that, while staff will not receive information about estimated property tax revenues until February 15, 2011, initial estimates show a possible 10-15% decline in property tax revenue (approximately \$4.3 million to \$6.6 million). Staff will provide more information on the District's budget structure at the Finance and Audit Committee meeting on January 27, 2011.

Ms. Goodrich noted that the declines in property tax valuation are caused by the many foreclosures and downward reassessments seen in Southern Nevada. The impact for next fiscal year reflects continued declines in residential property value as well as major declines in commercial property values.

Ms. Goodrich said she proposed shifting the District's budget to a program style budget to show clearly how various services and supporting programs cost the District. At the Finance and Audit Committee meeting, Ms. Goodrich planned to show an example of what this type of budget would look like. She also planned to have more discussion of the serious ramifications of this type of drop in District revenue.

On a happier note, Ms. Goodrich talked about an example of one of the District's partnerships with a local community group. Goodrich explained that the District Foundation and Youth Services Coordinator Mary Nelson Brown have implemented an important pilot partnership with Family to Family-West, which will distribute 300 Books for Babies packets to parents, many of whom are "at risk." These packets, 100 of which are in Spanish, provide information to parents on the importance of sharing books with babies and include a board book and bib, as well as the latest District *Highlights for Kids* and *A Parent's Guide to Using the Library*. Ms. Goodrich showed off one of the packets to Trustees.

Trustee Davis-Hoggard commented that, at the advocacy workshop she attended at the recent American Library Association Midwinter meeting, one of the items discussed was the importance of introducing libraries to children when infants. Davis-Hoggard was happy to see District staff actively pursuing this practice.

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

Approved.

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

Approved.

Minutes - Board of Trustees' Meeting

January 13, 2011

Page 5

Human Resources Report (Item VII.A.3.) Approved.

Technology Report (Item VII.A.4.) Approved.

General Services Report (Item VII.A.5.) Approved.

Marketing Report (Item VII.A.6.) Approved.

Development Report (Item VII.A.7.) Approved.

Unfinished Business Discussion and possible Board action regarding the policies governing conference rooms and Performing Art Centers use and fees. (Item VIII.A.)

Chair Kirsh explained that, after staff remarks, those in attendance who have signed up for Public Comment on this item would be allowed to speak for three minutes per person. Trustees would not be able to answer any questions, but would be there to listen. Kirsh directed the Executive Assistant to call out those who had signed up to confirm who would be speaking.

Deputy Director Robb Morss provided background for the conference room/PAC use policies and fees. He noted that in April 2010, staff brought up for discussion the possibility of revising the meeting room and Performing Arts Center use policy and fees which have been in effect and unchanged since 1994.

Mr. Morss shared with trustees that not only has the current policy caused confusion for both staff and room users, but the overhead costs associated with running these spaces have far outpaced the 1994 fees that the District charges users for renting the spaces and for security and technical assistance.

In May 2010, staff included a memo in the Board packet outlining the types and number of groups who use District meeting spaces, whether they are free uses or rentals as well as a sampling of the different groups who have been long-time users of District meeting spaces and theaters.

In September 2010, staff brought back the item with additional suggestions and options. At this meeting trustees also shared some possible options to consider. Chair Aguirre suggested that an Ad-Hoc Committee chaired by Trustee Crear be established to investigate the possible options, with the committee bringing back a recommendation for the full Board to consider for adoption.

As noted in the agenda item the Ad-Hoc Committee met on November 9, 2010, and based on information and options presented by staff have recommended the following which would take effect if approved starting March 1, 2011:

- No free use for any groups for conference rooms and PACs

Minutes - Board of Trustees' Meeting

January 13, 2011

Page 6

- Meeting room fees will be based on the size of the space with those under 700 sq. ft. having a rate of \$15.00 per hour and those over 700 sq. ft. having a fee of \$25.00 per hour. The District currently has 12 spaces under and 11 spaces over 700 sq. ft.
- All PACs would have a rate of \$50.00 per hour for all users.
- Tech fees would be \$25.00 per hour for uses of 8 hours or less and \$50.00 per hour after 8 hours of use.
- Security fees would be \$15.00 per hour and \$25.00 per hour for uses with less than 72 hours' notice.
- Dark day and storage fees would be \$100.00 per day for all runs over 2 weeks.

Staff is also recommending that, as the District experiences increases in overhead costs for tech and security fees, staff adjust those fees accordingly and report future adjustments to trustees in the Public Services Activity report or the Executive Director's report.

The District is proposing to honor all contracts entered into before March 1, 2011, using the current rates as well as honoring use by those entities that were previously able to use the spaces for free.

Mr. Morss said that staff realizes that raising fees during these challenging economic times is not something that staff and trustees take lightly. He was grateful that for the past 17 years the District has been able to subsidize the costs for meeting room and PAC users. He continued to say that, unfortunately, as is the case for so many organizations, this is no longer possible due to the District's budget challenges. He thought it important to point out to the Board that the District, though not at the high level as in the past, will still in part continue to subsidize the costs associated with operating the meeting spaces and PACs. The fee structure the Ad-Hoc Committee is recommending will still not cover 100% of the costs of providing these facilities to the public, but will come closer to recovering the District's out of pocket costs.

Trustee Aguirre reported on a meeting he and Ms. Goodrich had with State Senator Mo Denis earlier in the week regarding the issue. Senator Denis had contacted the District, as several of his constituents had expressed concerns about the proposed changes. Trustee Aguirre reiterated the District's commitment to honor contracts already signed at the current rates.

Don O'Neil – 5515 Azure Ridge Drive, 89130

Mr. O'Neil is the Treasurer and Technical Director for the program Broadway in the Hood. The group has used the facilities at the West Las Vegas Library for two productions which have been free and open to the public. Group appreciates the staff and support and understands the need to raise fees. They are concerned about the changes to not allow any free use for the spaces. The group does not make money from these productions and is concerned that they, and other groups like them that have specific missions like them, will not be able to continue using the space without the ability for free use.

Marcia Blake – 1804 Firefly Ranch Lane, 89081

Ms. Blake is the Executive Director of the James Seastrand Helping Hands of North Las Vegas, Inc., a citizens' group that provides services to seniors 60 and over who live in Clark County. For the last 12 years the organization has produced a Broadway musical as their fundraiser; the last 7 years the event has been held at the Summerlin Library. All parts are taken by volunteers – most that audition are given parts – from the director to the actors, musicians, stagehands and ushers. All funds raised go to help seniors in North Las Vegas. Currently the group's rental costs have been running around \$4,500 out of a total production cost of \$20,000 and they usually raise about \$2,000-3,000. They believe the proposed changes to the rates would increase their rental costs to about \$13,000. Ticket prices would need to be raised enormously. This would limit the ability of families to bring their children and expose them to the arts. Group understands the rates must be increased but requested that the District involve the user groups and together perhaps everyone can think of solutions such as creating a non-profit entity for the purpose of applying for arts grants. Ms. Blake requested a delay for District staff to work together with groups to provide a solution.

Kerri Maxey, Esq. – 637 Valley View Circle, Henderson 89002

Ms. Maxey is a choreographer for the Seastrand group. She noted that community theater is an endangered species and the District's facilities, which contain the facilities used by community theater groups, are the watering holes. The proposed rate increases would dry up the watering holes required by the endangered species to survive. Eliminating community theater reduces the arts programs in the community as well as the extra-curricular activities available for children.

Karl M. Larsen – 3255 N. Mustang, Las Vegas, 89108

Mr. Larson is the president of Signature Productions, a group that has been providing performances at the Summerlin Library since 1995. The group usually puts on four productions a year, totaling about 35 shows, using the current fee structure. Larson believed the proposed rate increases amount to a 330% increase, which will require Signature to double ticket prices from their current high level of \$25 to \$50 to cover their expenses. He feels the proposed increases are too much and would force community theater groups such as Signature out of the library as the higher ticket prices they would be forced to charge would mean that people would not be able to come to their shows. Larson understands that fees must be raised and that the current economy is tough on everyone, but he does not want his group and others to be forced out. He would like to talk about different arrangements. Signature likes the Summerlin location as it is ideal for their audience and appreciates the work of the library staff and technicians who work on their shows.

Senator Mo Denis – 3204 Osage Avenue, Las Vegas, 89101

State Senator Denis represents District 2 and is also a former Library District Trustee. Since he was a Trustee last time the issue came up, he cannot believe that no action has been taken since that time, but he understands this is a tough issue. He appreciated the opportunity to

talk to Chair Aguirre and Executive Director Goodrich about the situation earlier in the week. Senator Denis spoke of library services he utilized prior to his service as a Trustee which enabled him to find a career in computers, which is still his profession. He spoke on proposed changes which eliminated free use by groups in the conference rooms and meeting spaces. These groups, like the computer group he discovered at the library, did not charge much at that time. He felt charging for room use would reduce the numbers of these types of groups to use the facilities and hopes Trustees would reconsider. Reflecting on the real costs of operating these space, which was a major part of the discussion the last time the Trustees reviewed this, Denis felt some type of subsidy of these groups needs to occur as this might be the only way some patrons use the library and that's why the free use came into play.

Debbie Earl – 8333 Granite Mountain, Las Vegas 89129

Ms. Earl is a member of the Board of Directors of Signature Productions. She noted that everyone is an unpaid volunteer and the proposed rate increase of over 300% is too drastic, too soon. Ms. Earl guaranteed that most, if not all, community theater groups will not be able to use the library. Signature is able to provide quality productions by holding ticket costs to \$15-\$25. The proposed rate increase would require increases that would price most of Signature patrons out of the shows. Ms. Earl proposed a gradual rate increase and felt that the current proposal would be considered by most reasonable people to be too drastic. She urged the Trustees to consider a more gradual increase.

Lance Earl – 8333 Granite Mountain, Las Vegas, 89129

Mr. Earl is also involved with Signature Productions. He knows the Trustees understand the concern felt by community groups about the proposed fee increase. Referring to a previous experience with another organization, raising rates decreased the usage of the service provided. He said that raising fees to this level would reduce the ability of patrons with young families and senior citizens to attend as they are simply not in a position to pay more. Signature has looked at other locations and has held to lower prices to keep these patrons. If Signature is forced to raise its prices, audiences that run 200 at a performance will be reduced to 50 or less at a performance. Most of Signatures shows break even and some even lose money and their revenue is primarily from ticket sales. By raising rates as proposed, groups such as Signature will be forced into positions where their economic risk is such that they will not be able to do that. Mr. Earl is not sure the library board intends the theaters to be dark simply because the costs are brought up to the level that has been proposed.

After the comments from the public, Trustees extensively discussed this item. Trustees strongly desired to continue to provide the community with meeting and performing space but noted the need to recover more of the costs associated with providing these community meeting spaces. Trustees commented on and greatly appreciated the great interest in this topic in the community and several wanted more

input from different groups. Several Trustees noted a lack of solutions offered by user groups affected by the change.

Trustees also commented on the changes in the 17 years that have gone by since rates and policies were reviewed and how that has impacted staff and user groups. Also noted was the difference between the types of users of the conference rooms and the performing arts centers. In addition, the financial challenges facing the District in the current economy were highlighted by Ms. Goodrich's comment that the use of these spaces costs the District approximately \$1.5 million during the course of a year, but user groups only cover of 10% of the cost.

As the discussion progressed, several Trustees commented on wanting further specific user and cost information prior to making a decision.

Trustee Barron moved to table the discussion and have the Ad-Hoc Committee on Conference Room/PAC Use meet with interested groups and report back at the February or March Board meeting.

Discussion ensued about the meeting format, with Counsel Welt noting the NRS requirements for an open meeting, since the Committee falls under those rules. Several Trustees wanted all user groups included, several wanted those who had shown up at this meeting and previous meetings included in a round-table format while other were concerned that the format would be unwieldy or still exclude some of the groups.

Trustee Barron revised her motion to simply table the item for further discussion. Trustees Aguirre, Barron, Carrasco, Crear, Ence, Kirsh and Saunders voted yes. Trustee Davis-Hoggard voted no. The motion carried. Trustee Benavidez had been cut off prior to the end of discussion on this item.

Ms. Goodrich said she would work with Committee Chair Crear to schedule a meeting of the Committee and determine the participation of user groups. The item would be brought back to the Board at the March 10, 2011 meeting. Several Trustees commented on what information they would like to have prior to making a decision.

New Business

Consent Agenda

Discussion and possible Board action to increase the mileage rate from \$0.50 cents per mile to \$0.51 for employee reimbursed mileage. (Item IX.A.1.)

Trustees Crear, Reese, Davis-Hoggard and Barron had several questions about use of District vehicles, how the mileage is recorded for reimbursement, who sets the reimbursement rate and how the reimbursements are distributed.

CFO Fred James, speaking for Human Resources Director Jerilyn Gregory, explained that, while the District had a small number of vehicles, it was not large enough for the number of staff having to travel between branches. The reimbursement is for staff using their personal cars to travel between branches. There is a schedule that shows the mileage between District branches and the IRS sets the reimbursement rate. Staff records their mileage on a log which also documents the reason for the trip and reimbursements are distributed in staff paychecks after taxes have been taken out of an individual's pay.

In response to Trustee Davis-Hoggard's follow-up question about how the move to the Windmill Service Center will impact the amount, Ms.

Goodrich explained that the consolidation of support services at the Windmill location will reduce the amount paid out in mileage reimbursements.

In response to a further question from Trustee Crear, Mr. James will include the amount of mileage reimbursements paid out on his monthly report.

Trustee Barron moved to increase the District mileage rate to \$0.51 cents per mile in accordance with the IRS published mileage reimbursement rates. There was no opposition and the motion carried.

Discussion and possible Board action to update and amend the *Library Rules of Conduct* first established on February 12, 1991. (Item IX.B.)

Deputy Director Robb Morss explained that staff is asking for Board approval to update and amend the *Library Rules of Conduct*. Trustees received in their packet a copy of the current rules as well as a proposed revision.

An updated revision has been provided to each Trustee at this meeting. Staff is presenting the update as it had been determined earlier in the week that Rule Number 13 dealing with offensive body odor and personal hygiene was established over 20 years ago by the former administration and attorneys representing a coalition of homeless individuals. The language was established and memorialized through a court mandate. Thus at this point staff is proposing leaving the original language though staff currently cannot follow it and has not for many years as the appointed representatives that are mentioned are no longer around. Staff will investigate ways that the court mandate can be reversed and language developed for future revisions to the rules of conduct.

Most of the changes being proposed are just clarification or simplification in language. New rules dealing with materials in rest rooms, firearms in the branches, loss of personal items in the library, and the right to inspect an individual's belongings when possible theft or a safety issue is suspected have been added.

Mr. Morss concluded his presentation by welcoming questions from Trustees.

Trustee Carrasco expressed concern with the proposed wording of proposed Rule Number 16, thinking it was too broad and left the District open to being able to search patrons for no reason. Mr. Morss explained that this particular rule has been posted at each District location, and came about after the events of September 11, 2001, when a bomb scare was called into one of the branches. For several months thereafter, security checked every person coming into District branches. Currently District staff generally checks only those patrons who set off the detectors when they leave the branch.

Counsel Welt added that the District has one of the most lenient entrance policies as a government agency. Welt emphasized that the proposed rule has a broad scope in order to ensure staff can safeguard the health and safety of District staff and buildings, while also not leaving the District open to discrimination issues should this be written more narrowly.

Trustee Reese said she had the same concern for the rule and wanted to clarify that the intent behind the proposed rule was to deal with problems staff had had in the past. Both Mr. Morss and Ms. Goodrich confirmed that intent.

Trustee Carrasco also wanted staff to define "normal" public library activities, as per proposed Rule Number 1. Mr. Morss said reading a book or a magazine, using a computer, using the library for its intended purpose. Ms. Goodrich noted that bathing in the restrooms and engaging in sexual conduct are examples of what is NOT considered a normal activity, and it is these types of activities that staff are attempting to prevent on District property.

Trustee Saunders moved to amend the *Library Rules of Conduct* as discussed. There was no opposition and the motion carried.

The updated Library Rules of Conduct, as approved January 13, 2011:

It is our intention to provide library visitors with good service in a pleasant atmosphere. In addition to obeying all applicable federal, state and local laws, each of you can help by observing the following rules of conduct.

1. *Library patrons shall be engaged in normal activities associated with the use of a public library. Conduct that disturbs library users or staff, or that hinders others from using the library or library materials is prohibited.*
2. *Damage, destruction or theft of library property is prohibited. Parents are liable for all acts of minors. (Nevada Revised Statute 379.160)*
3. *Firearms are prohibited as outlined in NRS 202.3673.*
4. *Use of all types of tobacco is prohibited in the library.*
5. *Food or beverages are prohibited in the library except for pre-approved events or in specified areas.*
6. *Sleeping is prohibited on library property.*
7. *Talking on cell phones or through other electronic devices is prohibited.*
8. *Selling or solicitation is prohibited on library property, except to gather signatures for petitions as outlined in NRS 293.127565 or in accordance with the District's meeting room use agreements.*
9. *Animals, except service animals, are prohibited on library property.*
10. *Shoes and shirts must be worn in the library.*

11. *All children under the age of 10 must be supervised by an adult who assumes responsibility. Adult patrons must monitor all activities and behavior of their children on library property. Anyone under the age of 18 who does not follow the Library Rules of Conduct, has an emergency or is left at closing, will be subject to staff contacting a caregiver. If a caregiver cannot be contacted, staff will notify the police.*
12. *Patrons are not permitted to bring any large bags or shopping carts into the library.*
13. *Any person creating or emanating an odor that can be detected from six feet away will be asked to leave the library until the situation can be corrected. Before ejecting any patron who creates such a disturbance, the acting librarian shall contact by telephone appointed representatives to act in an advisory capacity. If the representative determines that the person is not making a disturbance, the patron shall not be ejected. In the event the representative does not arrive within 30 minutes, the patron can be evicted.*
14. *Library materials may not be taken into restrooms.*
15. *The library is not responsible for personal items that are lost, stolen or damaged on library property.*
16. *The Library District reserves the right to inspect an individual's personal belongings to prevent unauthorized removal of library materials and equipment or for the health and safety of staff and other patrons.*

Depending on the seriousness of the infraction, any patron who violates any of these Rules of Conduct may be trespassed from the Library District for a period of up to one year. Any patron who is trespassed is prohibited from use of all Las Vegas-Clark County Library District facilities and services. Trespassed patrons returning to a Las Vegas-Clark County Library District branch during a period of trespass will be issued a new one-year trespass.

A patron who has been trespassed may have the decision reviewed by appealing via written request to the Library Director within fourteen (14) days of when the trespass was issued.

Adopted by the Las Vegas-Clark County Library District Board of Trustees on February 12, 1991. Revised and adopted December 10, 1991; October 10, 1996; October 9, 1997; September 9, 2004; May 16, 2006; April 10, 2008 and January 13, 2011.

Staff briefing and possible discussion on excess space potentially available for lease.

Facilities Director Steve Rice explained that consolidation of District-wide support departments into the new Service Center and the loss of the former Las Vegas Art Museum at the Sahara West Library leave space available for alternative uses at various District locations. Depending on the location, size of the space, and its adjacency to other uses within the location, potential uses include enhancement of existing

(Item IX.C.)

public services, new services, and leasing space to outside entities. There will be smaller spaces conducive to internal use at the Clark County Library and the Rainbow Library and larger spaces conducive to leasing to outside entities at the Sahara West Library (17,503 square feet – the former Las Vegas Art Museum space) and at the Las Vegas Library (49,458 square feet of which 32,104 square feet consists of the Lied Children's Museum space). With the exception of the Lied Children's Museum space, the District is setting a date of July 1, 2011, as the date the spaces will be available as the move to the Windmill Library and Service Center will be completed by that time.

Mr. Rice then explained several challenges associated with leasing District spaces. Both the Sahara West Library and Las Vegas Library are located within the City of Las Vegas and have Civic (C-V) zoning. C-V zoning limits the types of entities that will be able to lease the space. For example, there is no commercial leasing permitted for this zoning designation. C-V zoning provides for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, C-V zoning may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

In addition to zoning, other potential constraints to leasing space include:

- 1) Limited parking;
- 2) Limited ability to separate the space internally to ensure security between District and tenant space; and
- 3) Design of building mechanical and electrical systems do not allow for separate metering of utilities.

Entities eligible to lease the space would have to work within the constraints to the extent the constraints cannot be overcome through alternative design which could be accomplished as part of any necessary tenant improvements.

Mr. Rice then discussed some marketing issues that must be considered as, currently, the high commercial vacancy rate (approximately 24% at the end of 2010) in the Las Vegas area provides many options for entities seeking lease space. To be able to secure tenants, the District may have to offer more favorable lease terms.

Mr. Rice noted that it is unlikely the District will be in a financial position to contribute to the cost of tenant improvements. Additionally, to be financially viable for the District, tenants will have to be self-sustaining financially to ensure payment of rental fees and operating expenses since the District is not in a position to subsidize either. The most likely users, government or non-profits seeking office space, will have the same challenges facing the District. The rental income potential will depend on many factors and ultimately on the lease package negotiated.

Historically, the District has not generated square footage rental income from its leased spaces. The current lease with the Lied Discovery Children's Museum generates approximately \$130,000 in revenue annually from reimbursement of a proportionate share of the operating expenses, not from a square footage rental fee. The Lied Discovery Children's Museum anticipates moving to their new location in approximately two years, making their space available for lease at that time (approximately January 1, 2013).

The lease with the former Las Vegas Art Museum generated approximately \$48,000 in revenue annually from reimbursement of a proportionate share of the operating expenses, not from a square footage rental fee.

A cursory review of current commercial lease rates in the area revealed that there is a wide variance (\$1-\$2.50 per square foot) in cost per square foot depending on the type of space, location, size, etc. It is difficult to estimate the rental rate the District's space will bring. Mr. Rice said that he and Ms. Goodrich intend to consult with a local commercial realtor on the market value and lease potential of the space as well as potential marketing strategies.

Mr. Rice said that the next steps will include establishing guidelines for the types of tenants in terms of conformance to zoning and compatibility with District use to guide a tenant search. The use of an advertised Request for Proposals (RFP) may be the best approach to identify potential tenants. Unsolicited inquiries have been received from various entities that may be interested in the available space and will be followed up on as part of the process. Since the District is not in the landlord business, it will be preferable that the available space at any one location be leased to the fewest number of tenants possible.

A recommendation regarding approval of leasing, guidelines for tenant types and marketing approach will be presented to the Board of Trustees for consideration at a future meeting.

Chair Kirsh asked if the process would take up staff time, or did staff anticipate using a broker to handle the task. Mr. Rice said that if staff issue an RFP, that would involve staff time and noted that the City of Las Vegas is going through a similar process with their surplus space, which includes Reed Whipple Center. Initially, staff thought the District would be able to partner with the City in this RFP, but the City has completely vacated their surplus property and rezoned these spaces to commercial categories which has opened up the market for these spaces. The District will still have the branches at the Sahara West and Las Vegas Libraries and will not be able to rezone this real estate.

Trustee Davis-Hoggard asked about the inquiries regarding the vacant space. Mr. Rice said the District has been contacted by a number of organizations including Catholic Charities, a group interested in starting a dance organization, and a group associated with the Clark County School District, among others. Trustee Davis-Hoggard noted some lease rates being offered to some organizations she is involved with which led to comments about the wide disparity in pricing on different types of commercial space due to the current economy and the need

for the staff to understand what the District would be able to charge for the vacant space. Mr. Welt and Trustee Ence commented on the constraints due to building construction and zoning which will impact the types of tenants and types of activities allowed in these spaces.

Mr. Rice commented that he favors using an RFP once certain guidelines are set in order to ensure that the District explains the limitations and provides an opportunity for any interested organization that meets these guidelines to provide their proposal. Trustee Aguirre wanted to ensure that the District was very cautious in evaluating these organizations and felt an outside group should not be involved and wanted to make sure guidelines were written to protect the District. Mr. Rice agreed, stating that writing these guidelines would be one of the next steps to ensure any tenants would be compatible with the current zoning and District activities.

Chair Kirsh suggested that signage directions should be a part of any guidelines. Mr. Rice noted that the Las Vegas Library replacement sign would now be required to include neon.

This item is for discussion only.

**Board discussion
and possible action
regarding trustee
attendance at Board
meetings and
scheduling and
times of committee
meetings. Agenda
item submitted by
Trustee Davis-
Hoggard.
(Item. IX.D.)**

Trustee Davis-Hoggard said that her intent on asking Ms. Goodrich to include this item about Trustee attendance and meeting times on the agenda was to reiterate her strong feeling that it was the responsibility of Trustees to attend all meetings. Trustee Davis-Hoggard asked that District staff ensure or communicate to the appointing board that prospective Trustees be made aware of the time commitment that is required. She noted that when she was working, she was a member of several local and national boards and was always able to get time off for these meetings.

Trustee Davis-Hoggard also believed that attendance at meetings via telephone was not as helpful as attendance in person would be, though she did understand extenuating circumstances did exist.

In response to a question from Trustee Carrasco, Trustee Davis-Hoggard said she was expressing her opinion, not proposing changes to the current attendance policy.

Trustee Reese said, in regards to meeting attendance, that she was a teacher and not able to make meetings at certain times. She felt that usually a meeting could be scheduled to meet the needs of those Trustees required to attend. Her preference was for meetings after 3:00 p.m. on weekdays and she also suggested weekends.

Trustee Crear said that she hoped that a balance of meeting times and dates could come about providing the recent scheduling of several Finance and Audit Committee meetings as an example. Her preference is for day, rather than evening meetings.

Trustee Barron spoke of her experience on several Boards, noting that attendance by telephone was an accepted practice. She welcomed the technology. Trustees Saunders and Ence concurred with Trustee Barron, with Trustee Ence noting the distances he usually needed to

drive and the time required. Using the telephone allows him the option to be able to respond to other issues and not miss a meeting.

Trustee Aguirre also favored attendance by telephone, especially at this meeting, since he was driving back from California as he was speaking. He strongly believed that all of the Trustees were aware of their attendance responsibilities and held great passion and respect for their position as Trustees. He also advised caution on directing members of appointing bodies on their responsibilities, feeling that the District should not put itself in a position to dictate their choices. Trustee Aguirre illustrated some of the drawbacks to the use of telephones when he was cut off during his remarks.

Chair Kirsh commented about his meeting with staff after his appointment as a Trustee, saying the attendance requirements were strongly emphasized. He believed that all Trustees know that this is a job and do not have to be reminded. If a Trustee cannot fulfill the requirements, they can resign.

This item was for discussion only.

Announcements
(Item X.)

The next Finance and Audit Committee Meeting will be held Thursday, January 27, 2011 in the Las Vegas Library Boardroom.

The next Board Meeting will be held Thursday, February 10, 2011 in the Whitney Library at 6:00 p.m.

Chair Kirsh noted the recent "State of the City" speech, the last such event for Las Vegas Mayor Goodman and Mayor Pro-Tem Gary Reese, Trustee Carol Reese's husband. Chair Kirsh congratulated Trustee Reese and her family on Councilman's Reese fourteen years as a Las Vegas Councilman and wished them the best.

Public Comment
(Item XI.)

Joseph Dabrowski – 616 Barite Canyon Drive, North Las Vegas 89081

Mr. Dabrowski is the president of James Seastrand Helping Hands of North Las Vegas. He thanked Trustees for taking the time to listen to the public on the conference room and performing art centers item. He is aware situations involving money are always touchy and appreciated their action to allow groups to participate in further meetings.

Adjournment
(Item XII.)

Chair Kirsh adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Ron Kirsh, Secretary

2011 ATTENDANCE

APPENDIX A JANUARY 13 REGULAR BOARD MEETING

| | | 2011 | January 13 Regular Board Mtg | | | | | | | | | | | |
|---------------|------------|------|---|--|--|--|--|--|--|--|--|--|--|--|
| Aguirre | Aldo | P | | | | | | | | | | | | |
| Barron | M. Frances | P | | | | | | | | | | | | |
| Benavidez | Kelly | P | | | | | | | | | | | | |
| Carrasco | Liz | P | | | | | | | | | | | | |
| Crear | Keiba | P | | | | | | | | | | | | |
| Davis-Hoggard | Verlia | P | | | | | | | | | | | | |
| Ence | Randy | P | | | | | | | | | | | | |
| Kirsh | Ron | P | | | | | | | | | | | | |
| Reese | Carol | P | | | | | | | | | | | | |
| Saunders | Michael | P | | | | | | | | | | | | |
| | | | attended Committee meeting but not a member | | | | | | | | | | | |

A-E Excused absence
 A-U Unexcused absence
 as January 14, 2011