

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES' MEETING
LAS VEGAS, NEVADA
February 12, 2015
(approved March 12, 2015)

The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Whitney Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, February 12, 2015.

Present:

Board:	K. Crear, Chair	M. Saunders
	R. Ence (via telephone)	Y. Yturralde (via telephone)
	K. Benavidez	S. Bilbray-Axelrod
	S. Moulton	R. Wadley-Munier (via telephone)
	M. Francis Drake	F. Ortiz

Counsel: G. Welt

Absent: None

Staff: Dr. Ronald R. Heezen, Executive Director
Numerous Staff

Guests: Robert and Santiago Williams

K. Crear, Chair, called the meeting to order at 6:10 p.m.

Roll Call and Pledge of Allegiance (Item I.) All members listed above represented a quorum. Trustees Ence, Yturralde and Wadley-Munier attended via telephone. Appendix A. Trustee Benavidez' son, Santiago Williams, led attendees in the Pledge of Allegiance.

Public Comment (Item II.) None.

Agenda (Item III.) Trustee Benavidez moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Approval of Proposed Minutes Regular Session, January 8, 2015. (Item IV.A.) Trustee Benavidez moved to approve the Minutes of the Board of Trustees Meeting held January 8, 2015. There was no opposition and the motion carried.

Chair's Report (Item V.) Chair Crear highlighted Trustee Benavidez' tenure on the Board: Trustee Benavidez has served on the Board for approximately 11 years. She was first appointed to the Board in June 2004 replacing Ricki Barlow. She was reappointed by the City Council for an additional two-four year terms, of which her last is now expiring on March 6.

- Trustee Benavidez was elected to the following Board offices:
 - Chair (two terms of one year each)
 - Vice Chair (two terms of one year each)
 - Secretary (two terms of one year each)
 - Board representative on the Las Vegas Art Museum for three years

- Trustee Benavidez served on various committees including:
 - Executive
 - Risk Management
 - Finance and Audit
 - Several ad-hoc committees and ex-officio member of all committees during her time as Chair
- Trustee Benavidez participated in the selection processes for both Executive Directors Jeanne Goodrich and Dr. Ronald Heezen.
- District accomplishments during Trustee Benavidez' time on the Board include:
 - Opening of the Centennial Hills Library
 - Opening of the Windmill Library and Service Center
 - Expanding of the Mesquite Library
 - Remodeling of the Sunrise Library
 - Remodeling most urban branches to accommodate self-checkout.
 - Introducing the successful prototype of a Homework Help Center at the West Las Vegas Library, which now has expanded to Centennial Hills and Sunrise Libraries
- Trustee Benavidez participated in the ongoing development of several *Strategic Services* plans, including the current framework, READ LEARN ACHIEVE.
- Trustee Benavidez was also an active participant at American Library Association and Public Library Association conferences.
- The District received the following awards during her time on the Board:
 - 2006 – *Best Places to Work – Government* from Southern Nevada Human Resources Association
 - 2014 – *National Medal for Museum and Library Service* from the Institute for Museum and Library Service

Chair Crear profusely thanked Trustee Benavidez for her service on the Board and presented her with a book clock engraved with her name and dates of service. Trustee Benavidez was given a round of applause by attendees.

Each Trustee present then took the opportunity to speak. Trustees thanked Trustee Benavidez for her mentorship on the Board and in other areas, as several know her from her work for the City and the County and with other community groups. Trustees greatly appreciated her professionalism and leadership, especially on several divisive issues, such as the user fees for District meeting rooms and performing art center spaces. Her candor was welcomed, especially due to her knowledge and history due to her long service on the Board. Several Trustees urged her to continue to advocate for the District, perhaps as a member of the Foundation.

Trustee Benavidez thanked the Board and staff for a wonderful experience. She noted that she was single when she began her service

and has met her husband, married and had a son during her time on the Board. She has grown while a Trustee and said she had been through some very tough times during her tenure as chair though she noted that Chair Crear was the one to go to Washington, D.C. to pick up the IMLS award. She plans to continue to advocate for the District, especially as her son enjoys coming to the library as a patron.

Executive Director Dr. Heezen said that while the passion of the staff was part of the reason he was attracted to the position, it was also the passion of the Board that attracted him as well. Trustee Benavidez is a large part of that. Heezen said it was hard to say goodbye after only six months and he is thankful he got to know Benavidez.

Chair Crear then said to Trustee Wadley-Munier that the thoughts and prayers of Trustees and staff were with her as she goes through this challenging time. Crear appreciates Wadley-Munier's work to ensure she pays attention to her Trustee responsibilities, but asks that she take care of herself. Trustee Wadley-Munier thanked Trustees and staff for their concern.

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

Trustee Moulton moved to accept Reports VI.A. 1-7. There was no opposition and the reports were accepted.

Executive Director Dr. Heezen drew Trustees' attention to several items, including the invitation to the opening of the newest show at The Studio @ Sahara West Library, Linda Alterwitz, *While I am Still*. Ms. Alterwitz, a photographer, integrates art, science, and technology to explore the fragility of bodies and human's place in the universe. The opening, on Friday, February 13, is sponsored by the Library District Foundation and he encouraged Trustees to attend. He noted his staff reports, *For the Record*, of January 12 and February 3, had been provided to both the Trustees and staff.

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

No questions.

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

No questions.

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

Trustee Ortiz asked Human Resources Director Jerilyn Gregory about the diversity reporting of staff in her report, wanting to know the difference between the workforce population reported by the U.S. Census Bureau and the actual population reported by the U.S. Census. Ms. Gregory explained that the workforce population is made up of people over 18 years and under 60-65 years and does not include children or those who are retired. These statistics are included in the actual population statistics. The workforce population statistics are used to compare the District's current workforce to the workforce it could have.

When Trustee Ortiz asked whether Ms. Gregory knows of other organizations that do the same type of comparison, Ms. Gregory said

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she has observed this done in every other organization she has worked in as a Human Resources professional.

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

No questions.

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

No questions.

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

No questions.

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

No questions.

**Unfinished Business
(Item VII.)**

None.

**Consent Agenda
Discussion and
possible Board
action regarding
contract awards for
the installation of
new floor finishes at
Whitney Library,
Summerlin Library,
and the West Las
Vegas Library
Theatre.**

Chair Crear asked General Services Director Steve Rice to provide a brief overview of the consent agenda items.

Mr. Rice explained that funds were allocated in the Capital Projects Fund to install new floor finishes at the Whitney Library, Summerlin Library, and the West Las Vegas Library Theatre. The carpeting and resilient flooring at all three facilities are original and approximately 20 years old. All have deteriorated to the point of needing replacement. The replacement floor finishes will include a combination of carpet tiles and rubber flooring.

Invitations to Bid were advertised in the *Review-Journal* and community-based minority newspapers. Additionally, the Invitation to Bid Notices were faxed to minority Chambers of Commerce and to contractors listed in the Clark County and City of Las Vegas MBE, WBE, SBE, and PBE business directories. The bid opening was held on January 23, 2015. A total of three bids were received for each project. The bid results follow:

West Las Vegas Library Theatre - Bid No. 15-03:

<u>Bidder</u>	<u>Total Bid Amount</u>
Freeman's Carpet Service, Inc.	\$79,782.00
STG Enterprises, Inc.	\$92,573.00
Rafael Construction, Inc.	\$115,115.00

The lowest responsive and responsible bidder is Freeman's Carpet Service, Inc.

Summerlin Library - Bid No. 15-04:

<u>Bidder</u>	<u>Total Bid Amount</u>
Freeman's Carpet Service, Inc.	\$152,067.00
STG Enterprises, Inc.	\$186,316.00
Rafael Construction, Inc.	\$210,210.00

**Discussion and
possible Board
action regarding
contract award for
the interior and
exterior painting at
Whitney Library.
(Item VIII.A.1-2.)**

The lowest responsive and responsible bidder is Freeman's Carpet Service, Inc.

Whitney Library Bid - No. 15-05:

<u>Bidder</u>	<u>Total Bid Amount</u>
Freeman's Carpet Service, Inc.	\$131,675.00
STG Enterprises, Inc.	\$176,354.00
Rafael Construction, Inc.	\$185,185.00

The lowest responsive and responsible bidder is Freeman's Carpet Service, Inc.

Trustee Francis Drake asked whether the individual libraries were bid separately and whether a company could have been awarded one but not the other locations. Mr. Rice confirmed that each location was considered a separate job and different bidders could have won different locations, in this case, the same vendor had the lowest bid for all three locations.

Mr. Rice then explained that funds were allocated in the Capital Projects Fund to paint the interior and exterior of the Whitney Library. The interior and exterior paint finishes are approximately 20 years old and need refinishing due to age and wear.

An Invitation to Bid was advertised in the *Review-Journal* and community-based minority newspapers. Additionally, the Invitation to Bid Notice was faxed to minority Chambers of Commerce and to contractors listed in the Clark County and City of Las Vegas MBE, WBE, SBE, and PBE business directories. The bid opening was held on January 27, 2015. A total of six bids were received. The bid results follow:

<u>Bidder</u>	<u>Total Bid Amount</u>
Truly Superb Painting	\$85,251.19
Tony Painting	\$91,750.00
Triple Crown Painting and Drywall	\$97,375.00
Rafael Construction, Inc.	\$98,720.00
All Pro Painters	\$179,899.00
Fix Painting	\$230,990.00

The lowest responsive and responsible bidder is Truly Superb Painting.

Trustee Ortiz noted the approximately \$150,000 difference between the high and low bids and asked Mr. Rice if he felt concern about the wide variation. Mr. Rice said that he paid closer attention to the three lowest bids and felt the two highest bids were unrealistic. Ortiz then asked if the low bidder was a local firm and Rice said it was.

Trustee Moulton then asked if the District had used the low bidder on a project before and Mr. Rice said no, but that all bidders have to meet certain qualifications to bid on public works projects and that all of them have to have bonding so the District is protected if the firm has a problem. Moulton said it was great to have six bids and use a new firm for this project.

Trustee Moulton moved to approve the Consent Agenda in its entirety:

Authorizing staff to award contracts for the installation of new floor finishes at: 1) West Las Vegas Library Theatre in accordance with Bid No. 15-03 to Freeman's Carpet Service, Inc. for the amount of \$79,782.00; 2) Summerlin Library in accordance with Bid No. 15-04 to Freeman's Carpet Service, Inc. for the amount of \$152,067.00; and 3) Whitney Library in accordance with Bid No. 15-05 to Freeman's Carpet Service, Inc. for the amount of \$131,675.00; and to authorize staff to award the contracts to the next lowest responsive and responsible bidder if contractor awarded the contract fails to execute the contract.

Authorizing staff to award a contract for the interior and exterior painting at Whitney Library in accordance with Bid No. 15-06 to Truly Superb Painting for the amount of \$85,251.19; and to authorize staff to award the contract to the next lowest responsive and responsible bidder if the contractor awarded the contract fails to execute the contract.

There was no opposition and the motion carried.

Discussion and possible Board action regarding approval to lease the Las Vegas Library Annex to the City of Las Vegas for use by the Las Vegas Natural History Museum. (Item VIII.B.)

Mr. Rice explained that, in 1991, the City of Las Vegas (CLV) transferred title to the District for space at the Las Vegas Library which was originally constructed for the City's cancelled public transportation system's People Mover Station. In 2008, an internal audit conducted by the CLV revealed that at the time of transfer of title, the NV Energy (formally Nevada Power) account for the electric meter for the People Mover Station was not transferred from the CLV to the District and that the CLV had been erroneously paying the NV Energy invoices for the account since 1991. Since the District was paying approximately \$200,000 per year to NV Energy for electric service to the site, it had no reason to suspect that the NV Energy invoices did not reflect consolidated costs for the library, children's museum and the People Mover Station. The CLV calculated that it had paid approximately \$177,000 to NV Energy over the 17 year period and requested reimbursement from the District. Both Rice and Counsel Welt said that the CLV estimated the amount as they did not have all of the bills, only for some of the years.

In 2010, after a considerable period of negotiations, Mr. Rice explained that the CLV and the District agreed to settle the matter. In the settlement Memorandum of Understanding (MOU), the District agreed to make payment to the CLV in the amount of \$50,000 as well as make available to the CLV use of District facilities up to 8,300 square feet, if so requested by the CLV, and such facility was not needed by the District and was available for use by the CLV. The CLV's use is subject to the requirements of the MOU and the terms and conditions of a subsequent lease agreement. The use would be free of any rental fee but other operating expenses such as utilities and cleaning would be paid by the CLV.

In accordance with the terms of the MOU, the CLV has requested use of a portion of the Las Vegas Library described as the Annex (former People Mover Station space) which totals approximately 8,300 square feet. The CLV will use the space for the Las Vegas Natural History

Museum (Museum). The Museum's use of the space will be limited to the storage of exhibits, research, and collections operations. The requested use is through January 31, 2018, or completion of construction and the District's move to the proposed East Las Vegas Library, whichever occurs first. Mr. Rice added that there is a clause in the proposed agreement that if the transfer agreement between the District and CLV is not concluded, the District can then ask the Museum to vacate the space.

Counsel Welt confirmed with Mr. Rice that the Museum will pay utilities and operating expenses to be negotiated, but no rental fee.

Trustee Ortiz wanted to confirm that:

- The District did not ask for two electrical boxes to be put in?
- The CLV knew that the second electrical box was there?
- The CLV was paying for the second electrical box?
- The District was not using the electricity through the second electrical box?

Mr. Rice explained that the District was indeed using the electricity generated through the second electrical box as staff from the Support Services and Human Resources Departments occupied the Annex space once the CLV transferred it to the District. Rice emphasized that the District was paying a substantial amount already and had no idea about the second box. The settlement payment of \$50,000 and the MOU was to resolve the issue.

Trustee Ortiz then asked District staff to ensure that the situation is not duplicated elsewhere in the District and Mr. Rice assured him staff did so at the time of the settlement.

Trustee Saunders asked if the proposed East Las Vegas property was a factor in terms of the settlement. Mr. Rice said that the MOU to settle the utility cost was completely separate from the transfer of property. Rice added that, when the MOU was signed, the CLV was in the process of vacating a number of properties and no intention of a land transfer was in process. The situation has changed in the last few years and Rice said that the District would probably work with the CLV to accommodate the Museum even if no property transfer was pending.

Trustee Saunders asked about reviewing the final lease agreement and Mr. Rice and Counsel Welt said that if the Board approved this agreement tonight, since it was only an interim lease, the intention would be to go ahead and finalize it based upon the points in the item with no further action required by the Trustees.

Trustee Ortiz requested that, as part of the final negotiations, the cost of security services be placed in the contract. Mr. Rice reminded Ortiz that the space to be used by the Museum would not be open to the public and the agreement included language that the Museum would be responsible for their internal security. Ortiz was concerned about damage to the space, due to its location and wanted to ensure that the Museum paid that cost. Counsel Welt commented that the District should evaluate the security costs in terms of the land transfer agreement also being negotiated.

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Trustee Yturralde noted that this request has been in the pipeline for a while. She then moved to authorize staff to enter into a lease agreement with the City of Las Vegas for the Las Vegas Library Annex for use by the Las Vegas Natural History Museum through January 31, 2018, or completion of construction and the District's move to the proposed East Las Vegas Library, whichever occurs first; subject to final review of lease agreement by Counsel. There was no opposition and the motion carried.

**Announcements
(Item IX.)**

The next Board Meeting will be held Thursday, March 12, 2015, in the Summerlin Library at 6:00 p.m.

Chair Crear also encouraged Trustees to attend the exhibit opening on Friday, February 13th at The Studio @ Sahara West Library of Linda Alterwitz's exhibit, *While I Am Still*.

**Public Comment
(Item X.)**

None.

**Executive Session
(Item XI.)**

Removed from Agenda.

**Adjournment
(Item XII.)**

Chair Crear adjourned the meeting at 6:44 p.m.

Respectfully submitted,

Randy Ence, Secretary

2015 ATTENDANCE

Appendix A

February 12, 2015 Regular Board Meeting

2015		January 8 Regular Board Mtg	February 12 Regular Board Mtg										
Benavidez	Kelly	P	P										
Bilbray-Axelrod	Shannon	P	P										
Crear	Keiba	P	P										
Drake	Marilyn	P	P										
Ence	Randy	P	P										
Moulton	Sheila	P	P										
Ortiz	Felipe	P	P										
Saunders	Michael	P	P										
Wadley-Munier	Robin	A-E	P										
Yturralde	Ydoleena	P	P										

attended Committee meeting but not a member

- A-E Excused Absence
- A-U Unexcused Absence

as of February 16, 2015