

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES' MEETING
LAS VEGAS, NEVADA
March 8, 2018
(approved May 24, 2018)

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, March 8, 2018.

Present: Board: R. Ence, Chair S. Moulton
Y. Yturralde S. Bilbray-Axelrod
R. Wadley-Munier M. Francis Drake
F. Ortiz J. Melendrez
K. Benavidez E. Foyt

Counsel: G. Welt

Absent:

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

Guests: Liz Kiley, Diligent Corporation

R. Ence, Chair, called the meeting to order at 6:01 p.m. and showed off his "#GetCarded" t-shirt and his new library card!

Roll Call and Pledge of Allegiance (Item I.) All members listed above represent a quorum. Trustees Yturralde and Bilbray-Axelrod attended via phone. Trustee Yturralde arrived in person at approximately 6:14 p.m. Appendix A.
Trustee Benavidez 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.

Presentation of new Board packet technology, Diligent Boards, by Diligent Corporation's Regional Sales Director Liz Kiley (Item IV.) Executive Assistant Allison Boyer explained that the Board of Trustees is required to follow the Nevada Open Meeting Law, NRS 241, which includes the following provisions

- The Agenda must be posted in at least four different places within the entity's jurisdiction as well as on the entity's website if it has one.
- There also needs to be a link to an entity's website on the Nevada Secretary of State's website <https://notice.nv.gov/> or information about a contact at the entity.
- One public copy must be available at the meeting which includes supporting material. That is the only paper copy required.

Currently, the Executive Assistant posts the agenda at six libraries, three in the city of Las Vegas, three in Clark County, as well as on the District's website, places a link to the District's website on the Secretary of State's website, and put most of the supporting material on the District's intranet, Voyager for staff use. The Executive Assistant makes 23 paper copies of the Board or Committee packet for

each meeting for use by the Trustees, Counsel, Executive Director, Executive Council members, Public Relations Director, File, Media copies, and the Executive Assistant. The District's agenda contains contact information for providing supporting material to the public. Other public entities around the state have varying ways to make their information, aside from the agenda, available to their Trustees/Directors and to the public.

Staff time (the Executive Assistant) to handle the paper end of the process runs about six hours a month. There are other costs involved such as paper, copying costs, toner, and courier fees. In 2017, this conservatively cost \$4,410. With the changing nature of the position, staff has investigated several solutions over the past year or so to reduce staff time and eliminate paper Board packets. In addition, staff believes that the ability to post the entire Board packet online will lead to greater transparency and information about the District for its service area. This will allow the entire packet to be available online without requiring paper copies or additional effort by staff. The Trustee Handbook, which currently runs 269 pages and is given to each Trustee once appointed, will also be online.

Over the last several years, Executive Assistant Allison Boyer has spoken to several of the state's public entities as several different providers. SIRE, which is the product used by the city of North Las Vegas, the city of Las Vegas, Clark County, and city of Mesquite, quoted Boyer approximately \$25-30K to start the process. IT Director/CIO, Al Prendergast, looked for different solutions online. The product staff has chosen, Diligent Boards, is from Diligent Corporation.

Diligent Boards is the flagship product of Diligent Corporation, which was founded in 2001 and headquartered in New York City. Diligent has offices in 13 countries and more than 300 employees worldwide. As of 2017, Diligent holds one of the highest client retention rates in the board portal industry – 98% and is in use by more than 140,000 board members, executives and administrative teams at more than 4,700 organizations. Staff has chosen this product due to its ease of use; security; access via iPad, laptop, or smartphone; ability to easily make the packet available for the public via the District's website, and price.

All Board packet material will be hosted on Diligent servers. It will also allow Trustees to view everything online, on their own or on District provided devices, such as an iPad, laptop, or smartphone. This solution will also improve public access by allowing a PDF of the entire Board packet to be accessed online via the District's website, increasing accountability and transparency to the District's customers and taxpayers.

Security

Diligent Boards will allow Trustees secure, password-protected access to Board documents and the Trustee Manual at any time and allow them to make their own digital notes (which NO ONE else can access) for their use during meetings. The same thing goes for the Administrator's access.

Training

Product - Diligent staff will train each individual on how to use the product either online or in person (we would set something up at the District if Trustees prefer). Ongoing support for the product would be provided 24/7/365 by Diligent staff at a call center.

District-provided iPads - District staff would work with Trustees who need instruction on an iPad. iPads for Trustees who do not currently have them will be provided by the District during their term of office.

Last year, Ms. Boyer and Mr. Prendergast asked several Trustees to attend a demonstration of the Diligent product. Staff wanted to get Trustees' impression on how easy it is to use the item and Boyer and Prendergast were encouraged by the favorable reaction from Trustees Ence, Francis Drake, and Moulton.

Cost

The Diligent Boards product is an annual subscription. The cost for the first year is \$20,600, which includes a one-time setup fee of \$2,500. Annual renewals will cost \$18,100. This includes access points for 12 Board members (10 Trustees plus the Executive Director and Counsel), two Administrator access points (Ms. Boyer and Administrative Assistant Lynn Lucuara), plus access points for nine visitors (the Executive Council which consists of Deputy Director/CFO Fred James, Library Operations Director Jennifer Schember, Human Relations Director James Bean, General Services Director Steve Rice, IT Director/CIO Al Prendergast, Development and Planning Director Danielle Milam, Branding and Marketing Director Betsy Ward, and Community Engagement Director Matt McNally). Visitors will have a password to read the packet and review their submissions.

The District would be notified of any increases to the annual subscription, no later than 60 days prior to the commencement of the contract renewal date. iPads will be provided by the District at a cost of approximately \$750 per item. These items were included in the approved Fiscal Year 2017-2018 Budget, approved by the Board of Trustees on May 18, 2017.

Ms. Boyer then introduced Liz Kiley, Diligent Regional Sales Director. Ms. Kiley then walked through the March Board Meeting packet material using the Diligent application on an iPad to demonstrate the product features. She showed Trustees how to access the Board materials and how to move around the materials as well as how to make notes and reminders. She showed the other resources that would be available, such as the Trustee Handbook as well as contacts and calendar functions.

Trustees Ortiz, Wadley-Munier, and Moulton expressed their concerns about the notes function on the Diligent application. Were there requirements about retaining them and who would have access to them? As city of Las Vegas employees, both Ortiz and Wadley-Munier noted that emails are not private, remain on the system and could be accessed if an entity was sued. Counsel Welt believed that notes are different from emails, and were not public, as they are not shared

among the Trustees. He will check further but it has not been his experience that the public entity must keep personal notes, whether written or on paper. Email is part of the process of doing business and is different. Ms. Kiley emphasized that personal notes on Diligent could only be accessed by the Trustees, not by the Administrators, or any other Trustee and they could retain or delete them. Ortiz emphasized that Trustees do not want to hide anything, but he commented that notes, when seen out of context, can be misinterpreted.

Trustee Yturralde asked about the current secured drive used to access Board meeting material online and whether it would remain active. Ms. Boyer advised Yturralde that the current link would remain active until the archived board material was moved to the Diligent system.

Counsel Welt requested that the Nevada Open Meeting Law Manual be a part of the resources. Ms. Boyer advised him that it was part of the Trustee Manual and would continue to be available.

Trustee Bilbray-Axelrod understood the reason for digital access and appreciated the due diligence required, but she is shocked at the expense and concerned with the costs associated with the Diligent system.

Counsel Welt commented that, currently, if Trustees, staff, or the public needed to access the Board meeting material, Ms. Boyer would have to look through paper. This, with the search function, would reduce the time required for that for Ms. Boyer or any other staff member.

Trustee Francis Drake asked if there would be a change with the new system to when Trustees would be able to access the material. Ms. Boyer said that the paper packets were available usually Friday afternoon or Saturday, or in the case of Trustee Ence, Monday. The Trustees who accessed their material digitally received theirs on Friday afternoon and that would not change. Boyer would email Trustees to let them know the material was available.

Trustee Ortiz wanted to make sure there was a tickler system to remind staff of the material deadlines so that materials were available as early as possible. He was encouraged that this system would allow for easier access of information for staff.

Trustee Ortiz asked if Diligent was to go out of business, would the District's information held on their servers be able to be transferred. Ms. Kiley said the material would be returned to District. Ortiz then asked about technology updates and whether Diligent staff regularly did so. Kiley said that the Diligent Boards product was compatible with Microsoft, Apple, Android, and other systems and that, as soon as those companies issued an upgrade, Diligent usually followed suit. This process was usually seamless for Trustees. The Administrators would usually be the only users who would notice.

Trustee Ortiz asked how the product would improve transparency. Ms. Boyer said that it was faster and easier for Trustees to review documents, and for EC members to access information. In addition, once the Board packet was completed, there will be a way to convert

the entire Board packet into a PDF document which Boyer would then place on the District's website.

Counsel Welt asked if the District was running a separate backup. Ms. Boyer explained that the backup would be the PDF conversion placed on the District's website.

Trustee Benavidez asked if the Diligent Boards product was a technology tool solely to replace the paper, for example, Trustees would not be able to email directly from the product. Ms. Kiley and Ms. Boyer said the product would save time and paper plus simplify the process of accessing information, but Trustees would not be able to email directly. Ms. Benavidez said she is not a big lover of technology but this product makes accessing the Board material easy.

Trustee Moulton asked if Trustees would still be able to print material from the Diligent product and Ms. Kiley said that would still be available.

Trustee Wadley-Munier said she did find this product quite easy to use, but it sounds like a lot of money to spend to read the Board packet. She will still have to contact Dr. Heezen or staff to get her questions answered. Ms. Boyer agreed that it is a tool to read the Board packet, as well as a way to easier access information. It will save time and materials. In addition, the District has paper records dating back to 1965. Depending on the availability of help to do this, she plans to digitize these paper records to make it easier for staff to search out information about actions taken in years past.

Trustee Yturralde commented that, when she was in the City Clerk's office, they took on the project of digitizing the paper material held in the office. It was a lot of work and effort to complete, but the ease of access and the results bear out the costs.

This item was for discussion only.

**Approval of
Proposed Minutes
Regular Session,
June 8, 2017 and
Special Board
Meeting, October
26, 2017.
(Item V.A-B.)**

Trustee Benavidez moved to approve in one motion the Minutes of the Board of Trustees Meeting held June 8, 2017 and the Minutes of the Special Board Meeting, October 26, 2017. There was no opposition and the motion carried.

**Chair's Report
(Item VI.)**

Chair Ence appreciated all the thoughts and prayers sent while he was sick.

On his way to Las Vegas today, Chair Ence stopped at the Mesquite Library and was very excited to see that the building construction is moving towards the May 31st opening. He also drove by the East Las Vegas Library and was so impressed with all the construction activity.

**Library Reports
(Item VII.)**

Trustee Yturralde moved to accept Reports VII.A.1-3. There was no opposition and the reports were accepted.

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

Dr. Ron Heezen, in addition to his written report, touched upon several areas.

Dr. Heezen thanked Trustee Yturralde for her help in obtaining the services of the Property Brothers for the video promoting #GetCarded on the District's website.

Dr. Heezen then asked all women in the audience to rise. As it is International Women's Day today, he wanted thanked all women for their work and achievements.

Dr. Heezen then thanked technicians Brian Zawistowski (TPS) and Ezra Fowler (TPS), Marci Chiarandini (SPS) and Executive Assistant Allison Boyer for their work on producing the Board Meeting.

Dr. Heezen then directed Trustees' attention to the new *Highlights* magazine which has been updated with design and format changes from the previous version. Heezen thanked Branding and Marketing Director Betsy Ward and her team for this addition to the District publications. He then said that comments are welcome on this new format.

Dr. Heezen is continuing to make more or less regular visits to branches, recently visiting Searchlight and its new Branch Associate Rebecca Williams. He is trying to make these on a more regular basis.

Dr. Heezen then told Trustees that the District is holding the Community Engagement Meeting on Wednesday, March 14th at Clark County as part of the Facilities Master Plan process.

Library Operations, Security Reports and Monthly Statistics (Item VII.A.1.a.)

No questions.

Branding and Marketing Report and Electronic Resources Statistics (Item VII.A.2.a.)

Trustee Moulton complimented Branding and Marketing staff on the new Highlights, calling it wonderful and easy to read.

Community Engagement Report and Monthly Statistics (Item VII.A.2.b.)

Trustee Moulton thanked the District, through Youth Services Manager Shana Harrington, for participating in the community-wide, *Each One Read One* program, bringing author Shane Peacock, who wrote, **The Artist in Me**, to speak to 100 children at a local elementary school.

Trustee Moulton was also impressed how staff are networking with the Clark County School District regarding STEAM programs.

Trustee Benavidez said that she was at the Fashion Show Mall last Saturday and noticed that the District had a table with information and t-shirts, and sponsored Elmo. Elmo was on stage talking about the District and the new cards. She was pleased to see this.

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Development and Planning Report (Item VII.A.2.c.)	No questions.
Information Technology Report (Item VII.A.2.d.)	No questions.
Financial Services Report (Item VII.A.3.a.)	No questions.
General Services Report (Item VII.A.3.b.)	Trustee Ortiz thanked General Services Director Steve Rice for including the annual OSHA report in his monthly report. Ortiz always thinks it is important to see it, commenting that Trustees owe staff equipment in working order and a safe environment in which to work.
Human Resources Report (Item VII.A.3.c.)	<p>Trustee Benavidez complimented HR Director James Bean on his work and said that she was very impressed with the class he offered to staff on working with the homeless, "Librarians Guide to Homelessness" and asked him to talk about the class to her fellow Trustees.</p> <p>Mr. Bean, thanking Library Operations Director Jenn Sember and Development and Planning Director Danielle Milam for their assistance in arranging for this course, said that he felt this class, four hours long, helped library staff provide tools to help the homeless patrons, especially in the District's urban areas. Bean said that library staff are very compassionate and this provided them with the tools to assist these customers, such as helping de-escalate situations while providing practical assistance.</p>
Unfinished Business (Item VIII.)	None.
Discussion and possible Board action regarding authorization to extend the appointment of the District's current auditor, Piercy Bowler Taylor & Kern, for one year, for the fiscal year ending June 30, 2018. (Item IX.A.)	<p>Deputy Director/CFO Fred James explained that Nevada Revised Statutes (NRS 354.624) require the Board of Trustees to designate its auditor or firm no later than three months before the close of the fiscal year for which the audit is to be made. In March 2013, the Board approved Piercy Bowler Taylor & Kern (PBTk) as the District's auditors. The Request for Proposal (RFP) called for an initial appointment for auditing services for the year ending June 30, 2013, with four one-year renewal options.</p> <p>Mr. James explained that staff wishes to extend the appointment of PBTk for one additional year, to audit the District's June 30, 2018 financial statements, due to new Governmental Accounting Standards and two New Markets Tax Credits (NMTC) programs, which require the LVCCLD Foundation and both NMTC companies to become component units of the District. PBTk has experience with New Markets Tax Credits programs, which are new to the Library District. James said that this will involve a lot of work such as revamping the financial statements to incorporate the NMTC companies and the Foundation. It is not,</p>

therefore, not a good time for a change in auditors. He plans to put out an RFP next year.

Piercy Bowler Taylor & Kern's fees for the fiscal year ending June 30, 2018, are \$50,000 for audits and GFOA assistance for the District with the added component units; \$21,000 (\$7,000 each) for the three required individual component unit audits; and \$4,000 for any required Federal Financial Assistance Audit reports and procedures. The fees for the fiscal year ended June 30, 2017 were \$36,600 for audits and GFOA assistance and \$3,600 for required Federal Financial Assistance Audit reports and procedures.

In response to a question from Trustee Moulton, Mr. James clarified the different costs involved and the difference in price for the audits. Moulton then commented that the decision to utilize the NMTC structure, as with any decision, involved some consequences that affected the budget.

Trustee Ortiz wanted to clarify that the cost of the audit could run up to \$75,000 for the FYE June 30, 2018. Mr. James agreed.

Trustee Yturralde moved to authorize staff to appoint Piercy Bowler Taylor & Kern for auditing services for the fiscal year ending June 30, 2018. There was no opposition and the motion carried.

Announcements
(Item X.)

The next Finance and Audit Committee Meeting will be held Thursday, April 12, 2018 at 6:00 p.m. in the Rainbow Library, 3150 N. Buffalo Drive, Las Vegas, Nevada 89128.

The next Board Meeting will be held Thursday, April 12, 2018, at 6:15 p.m. in the Rainbow Library, 3150 N. Buffalo Drive, Las Vegas, Nevada 89128.

Public Comment
(Item XI.)

None.

Executive Session
(Item XII.)

Removed from Agenda.

Adjournment
(Item XIII.)

Chair Ence adjourned the meeting at 7:08 p.m.

Respectfully submitted,

Shannon Bilbray-Axelrod, Secretary

2018 ATTENDANCE

Appendix A

March 8 Regular Board Meeting

		2018									
		JANUARY	February 8 Regular Board Mtg	March 8 Regular Board Mtg							
Benavidez	Kelly	NO MEETING	P	P							
Bilbray-Axelrod	Shannon		P	P							
Drake	Marilyn		P	P							
Ence	Randy		A-E	P							
Foyt	Elizabeth		P	P							
Melendrez	Jose		P	P							
Moulton	Sheila		P	P							
Ortiz	Felipe		P	P							
Wadley-Munier	Robin		P	P							
Yturralde	Ydoleena		P	P							

attended Committee meeting but not a member

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

as of March 8, 2018