

**LIBRARY BOARD MEETING MINUTES
TUESDAY, SEPTEMBER 19, 2017; 6:00 PM
GERE BRANCH LIBRARY, 2400 S 56TH STREET
LINCOLN, NEBRASKA**

PRESENT: Herb Friedman, Martha Florence, Donna Marvin, Carol Speicher, Rhonda Seacrest
Absent: Lowell Berg, Lisa Hale, Marcy Baker. A quorum was present.

OTHERS PRESENT: Pat Leach, Library Director; Julee Hammer, Assistant Library Director; Barbara Hansen, Administrative Aide; Paul Jones, Accountant; Julie Beno, Bennett Martin Public Library Public Services Coordinator; Peter Jorgensen, Virtual Services Manager; Brenda Ealey, Gere Branch Manager; Gail McNair, Foundation for Lincoln City Libraries Executive Director; Jeff Kirkpatrick, City Attorney; Denice Pearce, Mayor's Office; Dana Christen, Library Student and form Outreach Worker.

The meeting was called to order at 6 p.m. by President Friedman. It was announced that the Open Meetings Law of the State of Nebraska was posted and available for inspection.

Friedman introduced Rhonda Seacrest, the new Library Board member.

APPROVAL OF AGENDA

Speicher moved to approve the agenda as distributed. Second by Florence. Roll Call Vote: Florence, Friedman, Marvin, Seacrest, Speicher - aye; Berg, Hale - absent. Motion carried 5-0.

PUBLIC COMMENT ON AGENDA ITEMS: None

APPROVAL OF AUGUST 15, 2107, MEETING MINUTES

Marvin moved to approve the minutes of the August 15, 2017, meeting as distributed. Second by Florence. Roll Call Vote: Florence, Friedman, Marvin, Speicher - aye; Seacrest - abstain; Hale, Berg - absent. Motion carried 4-0.

STANDING COMMITTEE REPORTS

Committee on Administration

Committee Authorization to take Central Library Actions - Friedman reported that as the Central Library project moves along, the Mayor would like a quick way to get issues resolved. It is not feasible to have a library board meeting every time a decision needs to be made. Although we are not yet certain what the decisions encompass, Friedman requested the Committee on Administration be authorized to take action as necessary to keep the project moving. Seacrest moved to authorize the Committee on Administration working with the Mayor's office as necessary to keep the Central Library project moving. Second by Marvin.

When asked for examples, it was noted that there were no examples at this time. We do not know what may come up. Kirkpatrick explained that sometimes in the course of construction the Construction Manager may report a last minute problem or an estimate that came in much higher than anticipated. The committee may have to make a decision about alternative design, as an example. It is usually something cost related where tradeoffs may need to be made.

It was noted that the committee membership changes every year, incorporating other board members. The bylaws require that the committee be made up of the president and the two most senior board members based on years of service.

Roll Call Vote: Florence, Friedman, Marvin, Seacrest, Speicher - aye; Berg, Hale - absent.
Motion carried 5-0.

Buildings and Grounds Committee

Renewal of Facility Management Contract. Speicher moved to renew the contract with NAI FMA Realty for property management services in an amount not to exceed \$95,000. Second by Marvin. Leach noted that we have been very happy with their work. This is the third of three allowable renewals. Next year the contract will be put out for bid. Roll Call Vote: Friedman, Marvin, Seacrest, Speicher, Florence - aye; Hale, Berg - absent. Motion carried 5-0.

Committee on Finance

Approval of Recap of Expenditures - Speicher reported on the Recap of Expenditures for August 2017 listing claims in the amount of \$1,057,606.11 from all funds. Speicher moved approval of the report and payment of all claims. Second by Marvin. Roll Call Vote: Marvin, Seacrest, Speicher, Florence, Friedman - aye; Hale, Berg - absent. Motion carried 5-0.

SPECIAL COMMITTEE REPORTS

Foundation for Lincoln City Libraries

Foundation Executive Director Gail McNair reported that preparations have begun for the annual book sale. Setup starts at the Lancaster Event Center on Monday, October 23. The sale begins with a preview on Wednesday, October 25, opening the following morning at no charge and runs through Sunday, October 29. Tear down begins Sunday at 6 p.m. Volunteers are needed throughout the sale; any hours you can donate are appreciated.

The book nooks at Bennett Martin Public Library, Anderson, Bethany, Eiseley, Gere, and Wal Branch Libraries continue to be successful. Since January we have received over \$11,000 from the book nooks. We have added an additional nook at Gere Branch, expanded the nook at Walt Branch, and Eiseley Branch has requested a second nook. The book nooks contain books that are not included in the book sale but are too good to recycle.

The annual membership campaign has resulted in 410 members donating \$55,512. Last year's campaign resulted in 388 members donating \$52,206.

Mark your calendars for next year's Wine and E on April 19, 2018, at the Country Club of Lincoln. Auction items are being solicited.

McNair thanked library staff at all the libraries for everything they do to support the Foundation's work and make successful projects possible.

One Book - One Lincoln

Marvin reported on special events noting that the next event is Fine Dining Á La Metropol on Thursday, September 21, 6:30 PM at Walt Branch Library. Dr. Ajai Ammachathram discusses the experience that is fine dining, sharing the art of pairing wine and food and the role of a maitre'd in ensuring superb service. Marvin encouraged everyone to check the library's website for information on additional events.

NEW BUSINESS:

Approval of Hompes Revenue Allocation

The Hompes Fund is held by the City of Lincoln and currently totals \$763,959.60. The library receives income from the fund on an annual basis. Leach requested authorization to spend income in the amount of \$12,000 on library materials, including items for the Heritage Room of Nebraska Authors and other materials for checkout. Marvin moved to approve authorizing the expenditure of Hompes Funds as requested. Second by Speicher. Roll Call Vote: Marvin, Seacrest, Speicher, Florence, Friedman - aye; Berg, Hale - absent. Motion carried 5-0.

Authorization to Apply to Nebraska Library Commission Youth Grants for Excellence:

Leach requested approval to make application to the Nebraska Library Commission's Youth Grants for Excellence. Funding of our application "Making MAKERS at the Library" would result in "Maker" kits for both preschoolers and teens that will be available for rotation through branch libraries. These will be used for programs at the libraries, supplemented by printed and online information that customers may take home to build on the activities. The preschool kits will focus on Science, Technology, Engineering, and Math (STEM) and the teen kits will focus on arts. These areas were chosen to supplement our current Maker kits, based on our experiences with this kind of programming so far. The funds necessary for the project total just over \$3,500. We are seeking just over \$2,600 from the Library Commission, and must provide a match of nearly \$880, which is available from current library funds.

Florence asked if kits are taken out into the community. Julie Beno, Public Services Coordinator, noted that they have been taken out on a limited basis. We have just begun to receive requests from community organizations for visits with the kits we currently have.

Florence moved to authorizing applying for the Youth Grants for Excellence as requested by staff. Second by Seacrest. Roll Call Vote: Seacrest, Speicher, Florence, Friedman, Marvin - aye. Berg, Hale - absent. Motion carried 5-0.

Central Library Public Comment Opportunities

Marvin requested that during the upcoming year all Board meetings be publicized similar to the way we do for special public input sessions including the distribution of flyers listing all Library Board meeting dates and the community's opportunity to provide input on the Central Library project. This would show that we are open to input and give us a boost when making our case for a successful bond issue for a new library.

Marvin moved to publicize upcoming Library Board meetings documenting that we have 12 more opportunities for public input on the Central Library project. Second by Florence.

Friedman reported that the current agenda already lists two public comment opportunities at each Board meeting. Marvin explained that the agenda would not be affected.

It was asked if the Board hadn't already given the public that opportunity. We have had focus groups as well as public information sessions where information was provided as well as collected. Seacrest noted that we sow the seeds for disappoint if they come and address the Board and don't get what they want. Marvin noted that any public meeting with input would run that risk. Marvin stated we need to document that we are open to public input.

Roll Call Vote: Marvin, Speicher - aye; Berg, Hale - absent; Florence, Friedman, Seacrest - abstain. Motion failed 2-0.

PRESIDENT'S REPORT

Fiscal Year 2017-2018 Committee Appointments

A copy of Friedman's committee appointment list was distributed.

LIBRARY DIRECTOR'S REPORT

Leach reported that the Mayor's State of the City Address is Friday, September 22, at The Graduate. The address is done in collaboration with Leadership Lincoln. Breakfast opens at 7:15 with presentation at 7:45 a.m. Tickets are required for breakfast but you can attend the address at no charge. The initial draft of the Mayor's address does mention the library in terms of the Central Library project as well as the work with Lincoln Public Schools and our wireless seamless transition for students with Chromebooks.

Julee Hammer has been working with Schneidr Electric regarding the energy audit of city buildings which resulted in suggestions that will enhance energy efficiency. The company does the work of the upgrade to the more efficient system and then the savings are used to pay them for the installation. We eventually complete payment with them and then reap the benefits of the lower cost. At Bennett Martin Public Library we will change light fixtures. There will be upgrades at all locations.

There are three public input sessions on the library's Facilities Plan next week: Sunday, September 24th at Walt Branch at 3 p.m.; Tuesday, September 26th at Eiseley Branch at 6 p.m.; and Wednesday, September 27 at Anderson Branch at 6 p.m. The purpose of these sessions is to gather input from library users to update the Facilities Plan as we prepare to include branch upgrades in the potential November 2018 bond election for the new Central Library.

Leach reported that she is one of the designated chair persons of a \$150,000 grant with the Lincoln Community Foundation from the Institute of Museum and Library Services (IMLS) that will support the Read Aloud 15 Minutes a Day program. The Community Foundation is the grant administrator. This falls within our work with Prosper Lincoln and early childhood education.

Regarding the Central Library, work includes developing the Request for Qualifications for design of the new Central Library. Examples from other libraries are being collected and reviewed. This work is done in concert with Bob Walla, City Purchasing Agent. We have also placed a few items on the Central Library Web page including the new AIA awards and the answers to a few questions.

Leach noted that she attended an interesting meeting at the Malone Community Center dealing with addressing systemic racism in a community. It was a well led discussion with a facilitator from Texas.

Herb Friedman was congratulated on receiving the Robert M. Spire Founder Service Award from ACLU Nebraska for his work and continued support.

TRUSTEE DEVELOPMENT

City Attorney Jeff Kirkpatrick addressed the Board on issues with advocating for a new library and Open Meetings Law.

Kirkpatrick's September 5, 2017, memo on actions by city government advocating library bond was distributed to Board members earlier. Kirkpatrick explained that the change in state law allows the board to campaign for the bond election until the city council votes to put it on the ballot. City resources can be used such as Library staff scheduling speaking engagements and library meeting rooms being used.

After the city council votes to put an issue on the ballot, in your official capacity you can provide information only. You cannot say or imply that a person should vote a certain way. Provide facts only. As an American citizen, you as an individual not representing the Library Board, can express your own opinion.

Once the City Council votes to put an issue on the ballot, you cannot use public resources in a political campaign. This can be a gray area. It includes your time on the clock, city office, city phone, library meeting room. Library Board members are public officials by virtue of being appointed to the Board. You are at this meeting today because you are a public official. Attending a meeting means you are on public time. If you are speaking at a meeting that was scheduled by the library, held in the library, or scheduled by library staff, that meeting cannot be used to advocate. You can only educate. Educate, be very factual about where it will be, what it will offer, why the current facility no longer works as a library. Restrict yourself to factual education. Stay out of the gray area because you do not want someone critiquing your involvement in the campaign and call it improper. There are plenty of people who are for the project and will advocate for you. There are also people who will be looking for reasons to criticize the campaign.

Florence asked about committee work. Kirkpatrick stated that the private citizens on the committee can advocate for the library. Anyone who is on the board cannot. Let the community members on the committee advocate for you.

The second item covered was closed sessions and Open Meetings Law. A copy of the law is posted at all meetings. We have to be particularly sensitive to the law. This Board gets very little public attention or attendance at its meetings but we are coming to a time where you are going to get a lot of attention. It is very important that you pay particular attention to public meeting law. The purpose of the law is to make sure that expenditure of public dollars takes place in public. The ways that you stay on the right side of the law are publicizing the meeting and the agenda, and then following that agenda. Votes must be taken by roll call vote, in public session.

There are always exceptions to public discussion, but very few. Exceptions protect the public interest or someone from being held up to public attack. Personnel issues cannot be held in closed session if the person being discussed wants the discussion to take place in public. Protecting public interest includes labor contract issues and real estate negotiations for the purpose of purchasing property. You cannot vote during a closed session. You must vote to go into closed session, stating the reason for the closed session. You cannot discuss anything that was not stated in the motion.

PUBLIC COMMENT

Anyone Wishing to Address the Board on a Matter Not on the Agenda.

No public comment.

CLOSED SESSION

Speicher moved to go into closed session for the purpose of discussing Central Library real estate. Second by Florence. Roll Call Vote: Friedman, Marvin, Seacrest, Speicher, Florence - aye; Berg, Hale - absent. Motion carried 5-0.

At 6:50 p.m. the Board went into closed session for the purpose of discussing real estate.

At 7:17 p.m. Florence moved to return to open session. Second by Seacrest. Roll Call Vote: Marvin, Seacrest, Speicher, Florence, Friedman - aye; Berg, Hale - absent. Motion carried 5-0.

ADJOURNEMENT

There being no further business, the meeting adjourned at 7:19 p.m.