

**PUEBLO CITY-COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES  
MINUTES FOR THE REGULAR MEETING**

**January 24, 2013**

**I. CALL TO ORDER AND ROLL CALL**

Following an Employee Recognition Event, the regular session of the Pueblo City-County Library District Board of Trustees was called to order at the Rawlings Library at 5:30 p.m. by Vice President Marlene Bregar.

Board Members Present: Marlene Bregar, Vice President; Lyndell Gairaud; Philip Mancha; Roy Miltner; Fredrick Quintana; Jim Stuart

Attorney Present: Nicholas Gradisar

Staff Present: Jon Walker, Executive Director; Chris Brogan, Chief Financial Officer; Midori Clark, Community Relations Director; Sara Rose, Human Resources Director; Jane Palmer, Public Services Director; Michael Cox, Youth Services Manager; Todd Smith, Information Technology; others not recorded

Others Present: Michael Voute, Friends of the Library President; Sherry Nash

**II. CORRECTIONS AND MODIFICATIONS TO ADENDA**

Mr. Walker suggested adding an Executive Session at item VII.B.5 for the purpose of discussing the purchase of property and matters that may be subject to negotiations, development of strategy for negotiations and instruction to negotiators pursuant to C.R.S. 24-6-402(4)(a) and (e).

**III. APPROVAL OF THE MINUTES**

Ms. Bregar said the Minutes of the Library Board Work Session held on December 11, 2012 and Minutes of the Regular Library Board meeting held on December 13, 2012 were provided to Board members prior to the meeting.

Dr. Mancha made a Motion, seconded by Mr. Quintana, to approve the Minutes of the Library Board Work Session held on December 11, 2012. The minutes were approved by unanimous consent.

Mr. Stuart made a Motion, seconded by Mr. Miltner, to approve the Minutes of the Regular Board meeting held on December 13, 2012. The minutes were approved by unanimous consent.

**IV. REPORTS**

**A. Executive Director Report**

Mr. Walker invited Midori Clark to discuss fundraising and the Pueblo Library Foundation. Ms. Clark announced that the Pueblo Library Foundation met on January 9 and reviewed three different ideas that were presented to launch a capital campaign, and the Foundation selected "Libraries for Life" as the theme. Ms. Clark showed the logo that had been designed by Justin Morenz, Marketing Coordinator, and noted the three pages of the book in the logo represent the three new libraries. "Libraries for Life" encompasses lifelong learning and many other concepts for the life of libraries.

Ms. Clark distributed the Capital Campaign timeline which will start with an employee kick-off on Staff Development Day on February 18. Ms. Clark reviewed the rest of the timeline which included point of entry events, groundbreaking events, and sneak previews which will be held across several months to maximize the media potential and will enable each library

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to shine and celebrate in its own community. Ms. Clark reviewed Capital Campaign goals which included an employee and Board goal of \$25,000, individual and business goal of \$60,000, Black Tie Ball and Art Soiree (2012-2015) of \$65,000, and grants of \$250,000. Total funds raised to date are \$367,010.

Ms. Clark reviewed plans for grants and the numbers worked out with Chris Brogan and Amber Pepin, Fundraising Manager. Ms. Clark encouraged Board members to contact her if there are other grant opportunities that had not been included. Ms. Clark then offered to respond to any questions.

Mr. Stuart suggested Ms. Clark explain “point of entry.” Ms. Clark explained that it is a mission based fundraising model that allows people to connect with the library’s mission. The first stage is an introduction where people are given information about what the library does, then those who are interested are invited back to talk about the new libraries and what is being planned, and finally an “ask” event when they are asked to make an investment in the libraries.

Dr. Mancha asked about the difference in the figures between “ask” and “budget.” Ms. Clark said the “ask” is the amount the library will request based on the grant-maker’s abilities, but the budget amount is a more realistic estimate of what the library may actually receive.

Ms. Clark said the library has received the preliminary floor plans for each of the libraries, and they will be coming back to the Board in February with a plan for naming opportunities. Ms. Clark said the naming opportunities will help the library find investors for the new libraries.

Ms. Clark concluded that the library is off to a great start with more to come.

Mr. Walker distributed information from the Colorado Association of Libraries (CAL) which presents Board members with some opportunities for library advocacy. Mr. Walker explained that there has been some legislation proposed in the current legislative session, and CAL believes there is potential for a commitment of \$1 per capita from the State of Colorado to fund all publicly supported libraries which would amount to a little over \$5 million. Mr. Walker said the per capita provision exists in state law, but it had not been allocated in recent years because of budget shortfalls. Things have improved, and there is a push to ask the legislature to again fund this. Mr. Walker said this includes information about how to approach local legislators to encourage support for legislation that could ultimately benefit PCCLD. There was additional discussion of links for additional information and whether the amount was sufficient.

Mr. Walker said the renovations are going along at a rapid pace as Board members have probably noticed at Rawlings. Pueblo West is in a more finished state. Mr. Walker expects Barkman and Lamb to be opening in mid-February with the new service model to be unveiled in a soft opening. Mr. Walker commended the staff for the effort, and he had been pleased with the willingness of staff to be flexible and collaborate. They have been working with Studiotrope and H.W. Houston, and some of the behind-the-scenes work has included training of staff to become familiar with the new service model.

### **B. Friends of the Library Report**

Mr. Voute announced the Friends are planning a Volunteer Appreciation Luncheon on February 19, and the Annual Meeting will have a “typical western theme” on April 19 in the Ryals Room. Mr. Voute said at the end of 2012, the Friends had 931 members. The Friends also decided to postpone the project selection process until July. The Financial Report was positive, and Mr. Voute explained the Friends have a fiscal year which ends in April, but Books Again’s fiscal year ends on December 31. In 2012, Books Again transferred \$55,000 to the Friends of the Library. The total sales since Books Again opened

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have been \$701,000, and the total given to the Friends of the Library since the opening has been \$362,629. Mr. Voute said the publicity committee has a number of plans which he would like to feature in a newsletter article. The Friends Board approved Gregory Clark to the Friends Board, and he has finance and accounting skills that will be helpful when it is time to find a successor for Mary Simmons.

Mr. Voute encouraged those present to visit Books Again from 4:00-8:00 p.m. on the First Friday Art Walks when refreshments will be offered. There will also be a sale for Friends members on February 16 when books will be sold at half price. Mr. Voute also encouraged Board members to make nominations for Friend of the Year, and application forms are available at Books Again.

Mr. Voute announced that due to health issues, he has arranged to step down as President of the Friends, and Judy Wodishek will take over as President Pro Tem until the next year's slate of officers are selected. Mr. Voute will continue as a volunteer on the Friends Board as well as the Foundation Board.

Ms. Bregar said the Library Board will miss Mr. Voute and thanked him for his hard work.

### **C. Pueblo Library Foundation Report**

Mr. Stuart said the Foundation Board is still working to get an additional member, but Ms. Clark's presentation covered the Foundation's report.

### **D. Attorney's Report**

Mr. Gradisar provided an update on the litigation with Colorado City Improvement Corporation. The judge denied the defendants' Motion for Summary Judgment, so the case will proceed to trial, which is a victory for the library. Mr. Gradisar expects to conclude discovery with depositions proceeding. Mr. Gradisar explained that the 10<sup>th</sup> Judicial District had been redistributing the work load, and the case will be sent from Judge Reyes to Judge Crockenburg from this point forward which could impact the trial date currently scheduled for April 9. Mr. Gradisar added that the trial will be held in Pueblo. The trial will be open to the public so Board members are welcome to attend but are not required to be there.

### **E. Financial Report**

Ms. Bregar announced the Board is asked to ratify the December 2012 bills and accept the December 2012 Fund Statements. Chris Brogan, Chief Financial Officer, provided a detailed report.

Ms. Brogan emphasized that the report is preliminary and unaudited, and Finance staff are adhering to an accrual method of accounting to close out 2012 and prepare for the audit which is scheduled to begin on March 25.

There was nothing unusual to report on the Combined Balance sheet. In the General Fund, total revenues were at 98% but are expected to come closer to 100%. Property taxes exceeded what was budgeted, but not what was appropriated. Photocopier fees and fines both exceeded budget and were adjusted in the 2013 budget. Total expenditures were at 90% spent. Personnel was 94% spent but is expected to come closer to 100% with one payroll period to be allocated back to December. Materials were 87% spent, but there are a number of materials invoices to be allocated to the prior year which will bring it closer but may still be under spent. Facilities was 78% spent but tracking as expected with savings from the Lease/Purchase of Buildings which will be transferred to the 2013 Capital Project fund for expenditures on the new libraries. Operating was 89% spent and Information Technology 98% spent, both tracking as anticipated. IT is expected to finish at 100%.

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In the Capital Project Fund revenues were 55% collected, an improvement over 12% reported in November. The \$100,000 shown in Grants/Gifts was actually a transfer from the General Fund for the Library Replacement fund which had not been transferred the past couple of years. Two additional checks were received which will bring revenue close to 100% and included \$50,000 from El Pomar and \$54,745 from the City of Pueblo reflecting half of its contribution to purchase land for the East Side Library. The remainder will be paid after construction is completed. Expenditures were made for the building projects which were mostly engineering and legal fees. There was a small expense for the InfoZone, and \$34,088 for RFID expenses and mostly for exterior security cameras. Ms. Brogan said there was also a payment for arbitrage reporting for the COPs required by the IRS. Total expenditures were 53% spent, and she expects the final to increase that percentage. There was also a donation received which will be allocated back to 2012.

In the Check Summary Report, Ms. Brogan pointed out the payment to the Colorado Special District which included annual insurance for property and casualty as well as Workers Compensation which were approved by the Board in December. There is also a payment to Ebsco for the annual subscription renewal for magazines for all the libraries. There was also a payment to SirsiDynix for the 2013 annual maintenance contract for the entire year which will be seen on the 2013 financial statements in IT Contracts.

Ms. Brogan concluded that total expenditures for the Board's approval include ACH payments of \$109,205.68, Payables of \$543,201.81, and Payroll of \$203,183.29, for a total of \$855,590.78.

Mr. Stuart made a Motion, seconded by Mr. Quintana, that the Board approve the December 2012 bills and accept the December 2012 Fund Statement as contained in the January 24, 2012 Board materials. There being no further discussion, MOTION CARRIED 5-0.

### III. PUBLIC COMMENT None

### VI. OLD BUSINESS None.

### VII. NEW BUSINESS

#### A. Announcements

- Ms. Bregar introduced Lyndell Gairaud who had been appointed to a five-year term as a member of the library district Board of Trustees effective January 2013 through December 2017. Ms. Bregar said Rhonda Gonzales resigned from the Library Board, and the County is seeking applicants to fill her term which expires in December 2013.
- The Library will be closed on Monday, February 18, 2013 for the Presidents Day holiday which will be used for staff development.
- The next regular Work Session is tentatively scheduled for Tuesday, February 19, at 3:00 p.m. in the Ryals Room at the Rawlings Library.
- The next regular Board meeting is tentatively scheduled on Thursday, February 28 at 5:30 p.m. at the Rawlings Library.

#### B. Action/Discussion Items

##### 1. Election of Officers

Ms. Bregar said the Bylaws provide "The annual meeting shall be held at the time of the regular meeting in January. Officers shall be elected at the annual meeting."

Ms. Bregar then opened the floor for nominations for President. Mr. Quintana nominated Marlene Bregar as President, seconded by Ms. Gairaud. There being no

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further nominations, Mr. Stuart made a Motion, seconded by Mr. Miltner, to close the floor to nominations. Mr. Miltner made a Motion, seconded by Dr. Mancha, that a white ballot be cast and Marlene Bregar be elected President. MOTION CARRIED 5-0.

Ms. Bregar then opened the floor for nominations for Vice President. Mr. Stuart nominated Fredrick Quintana as Vice President, seconded by Dr. Mancha. There being no further nominations, Mr. Stuart made a Motion, seconded by Mr. Miltner, to close the floor to nominations. Mr. Miltner made a Motion, seconded by Ms. Gairaud, that a white ballot be cast and Fredrick Quintana be elected Vice President. MOTION CARRIED 5-0.

### **2. Selection of 2013 Board Meeting Dates, Times and Locations**

Ms. Bregar said the Bylaws provide that “The date, hour and location of the meetings shall be set by the Board at its annual meeting.” Recommendations have been discussed at prior Trustee work sessions.

Mr. Stuart made a Motion, seconded by Mr. Quintana, that the Library Board approve the recommended dates, times and locations for the 2013 regular Board meetings and work sessions. There being no further discussion, MOTION CARRIED 5-0.

### **3. Affirmation of Ethics Statement**

Ms. Bregar said the Board approved an Ethics Statement and suggested all Board members formally agree to the statement annually. Ms. Bregar said the Ethics Statements had been provided to the Board Secretary, and no further Board action was required.

### **4. Public Computers and Other Equipment Use Policy**

Ms. Bregar said the Library Board adopted this policy on June 23, 2011 in preparation for the circulation of iPads, laptops and e-readers and requested a review by December 31, 2012. The Board reviewed the policy at the December Work Session, and the Executive Director presented recommended changes which were discussed at the January 15, 2013 Work Session.

Mr. Walker pointed out the change to the policy that had been discussed to include laptops, tablets and e-readers.

Mr. Stuart made a Motion, seconded by Dr. Mancha, to approve revisions to the Public Computers and Other Equipment Use policy. There being no further discussion, MOTION CARRIED 5-0.

### **5. Executive Session**

Mr. Miltner made a Motion, seconded by Ms. Gairaud, that the Trustees enter into Executive Session for the purpose of discussing purchase of property and matters that may be subject to negotiations, development of strategy for negotiations and instruction to negotiators pursuant to C.R.S. 24-6-402(4)(a) and (e). Mr. Gradisar added that the record should reflect that this appears to be an item in which he may have a potential conflict of interest, and he would depart the meeting at that time. There being no further discussion, MOTION CARRIED 5-0. The public was excused at approximately 6:30 p.m.

The Board reconvened in public at 6:44 p.m. upon Motion made by Mr. Stuart, seconded by Mr. Miltner, and MOTION CARRIED 5-0.

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Ms. Bregar opened the floor for any business to be undertaken as a result of the discussion held in Executive Session.

Mr. Stuart made a Motion, seconded by Dr. Mancha, that the Board authorize the Executive Director to spend up to \$2,700 to finish negotiations on the contract for the St. Charles Mesa property. There being no further discussion, MOTION CARRIED 5-0.

### **6. Addendum to Extend Contract for St. Charles Mesa Library Property**

Ms. Bregar said the Library District currently has a contract to purchase approximately 11.5 acres of land on the St. Charles Mesa for the purpose of developing a library site. The current deadline for closing on this property is January 31, 2013. This contract is contingent upon a number of provisions to insure the library's ability to successfully build a new library on the site. The process is progressing satisfactorily; however, the final approvals are not expected until April 2013.

Mr. Miltner made a Motion, seconded by Mr. Quintana, that the Board of Trustees authorize the Executive Director to approve an addendum to the contract extending the deadline for closing until June 30, 2013. There being no further discussion, MOTION CARRIED 5-0.

### **7. All Pueblo Reads – Distinguished Author Contract**

Ms. Bregar said the Library District had negotiated a contract with this year's distinguished author for appearances in November 2013 in support of All Pueblo Reads. The cost of this contract is expected to be up to \$40,000 for the appearance, fee, travel, lodging and miscellaneous expenses. This has been budgeted, but requires Board approval since the amount exceeds \$25,000.

Mr. Quintana made a Motion, seconded by Mr. Stuart, that the Board of Trustees approve a contract for the All Pueblo Reads distinguished author in an amount not to exceed \$40,000. Mr. Miltner noted that when Ms. Clark spoke about this at the Work Session, he understood the appearance included the author as well as the director of the film. Mr. Walker said that was correct, and the contract is for both.

Mr. Quintana withdrew his original Motion, which was accepted by Mr. Stuart.

Mr. Quintana amended the Motion, seconded by Dr. Mancha, that the Board of Trustees approve a contract for the All Pueblo Reads appearances of the author and the director of the film in an amount not to exceed \$40,000. There being no further discussion, MOTION CARRIED 5-0.

**VIII. ADJOURNMENT** There being no further business, Mr. Quintana made a Motion to adjourn the meeting at 6:49 p.m.

Respectfully submitted,

Jane Carlsen  
Secretary