



**CITY OF FULLERTON  
LIBRARY BOARD OF TRUSTEES  
REGULAR MEETING MINUTES**

**February 28, 2019, 5:00 P.M.**

**Fullerton Public Library**

**Library Conference Center Community Room**

**353 West Commonwealth Avenue**

**Fullerton, California**

**Call to Order**

President Paden called the meeting to order at 5:05 p.m. in the Conference Center Community Room of the Fullerton Public Library.

**Roll Call**

Present: Ballard, Byers, Dale, Mansuri and Paden

Absent:

Staff: Judy Booth, Library Director  
Ken Domer, City Manager  
Ken Homsley, Adult Services Division Manager  
Ruth Leopold, Recording Secretary  
Ann Tower, Library Clerical Assistant

**Public Comments**

There were no public comments.

**Consent Calendar** – *(Items 1 through 4) All matters listed under Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time of voting on the motion unless Trustees of the Trustees, staff, or public request specific items to be discussed and/or removed from the Consent Calendar for separate action.*

**1. Approval of Minutes**

**Recommendation:** Approve January 24, 2019 Library Board of Trustees Regular Meeting Minutes

**2. Warrant Register**

**Recommendation:** Approve February 2019 Warrant Register.

**3. Expenditure Summaries**

**Recommendation:** Approve January 2019 Expenditure Summaries.

**4. Donations**

**Recommendation:** Approve January 2019 Donations.

MOTION made by Secretary Ballard, SECONDED by Trustee Byers to ACCEPT the Consent Calendar. Motion carried 4-0-1, ABSENT: Dale.

MOTION made by President Paden, SECONDED by Trustee Mansuri to move on to Item No. 2 for a teleconference call with Deborah Doyle, President of the California Public Library Advocates (CPLA). Motion carried 4-0-1, ABSENT: Dale.

**Regular Business**

**2. Trustee Tool Kit for Library Leadership Booklet for Use by Library Trustees – Library Director Judy**

## *Booth*

City Manager Domer said since the libraries across the state are set up in many ways, the *Tool Kit* addresses this but not for us here in Fullerton. Can it be used as a resource that we focus on and develop guidelines as to how this Library board of Trustees is set up in Fullerton?

There was discussion about the 20-year-old document being reviewed and the Fullerton Municipal Code (FMC) not being updated in 100 years. California Library Laws 2017 also discussed.

City Manager Domer said after Prop. 13, the funding source set in the FMC was eliminated for our Library system.

Doyle said that Governor Brown eliminated the public library funding that went out from the state and given to local jurisdictions. She said that CPLA has been revising some of the guidelines over the past year. Most of the *Tool Kit* is fairly useful for Boards or Commissions that need training about the concepts. One of the things that needs to be changed is the funding stream across the state. Although some changes are needed, it shouldn't affect the way a Board of Trustees functions in its jurisdiction.

Joshua Dale arrived at 5:13 p.m.

Doyle said in 2014 the *Tool Kit* was reviewed, but at the time it was still working, but now it has been decided it needs to be updated. Many laws have not changed, although some have. City Manager Domer mentioned the AB1234 and AB1853 orientation. He asked if we get direction from the Board to look at something else that applies to them and is more specific to a new trustee?

Vice President Dale said there's not necessarily a consensus on what things are still applicable or not. In his perspective on this the more information an incoming trustee has the better off they are. Last year it was helpful during the budget discussion. He used it as a starting point to make his own research regarding the education code. It needs to be available to the trustees.

President Paden said the *Tool Kit* is helpful and would like to keep it and continue giving it to the new trustees starting off with giving it to new Trustee Mansuri.

MOTION made by President Paden, SECONDED by Trustee Mansuri to ACCEPT and keep the *Trustee Tool Kit for Library Leadership Booklet for Use by Library Trustees*. Motion carried 5-0.

## **Reports**

### **1. Director's Report and December Monthly Activity Report – Library Director Judy Booth**

#### **a. February 2019 City Council Meetings**

February 19 meeting there was nothing to report. At the February 5 meeting, the Library Ad Hoc Committee report was on the city council agenda. Molly McClanahan and Secretary Ballard spoke. The council motioned to approve the fine tune priorities for their RFP during a study session. Motion carried 5-0.

#### **b. Library Security Update – Security Guard/Incidents Report**

There were some revocations made

- “Serving with A Purpose” meeting invitation.
- Library Café sales increased during the rain because the main Library entrance was closed and people were diverted to the entrance near the Café.

- Library Director Booth is working with former Trustee Dr. Kristine Dennehy on the doll project. *Daily Titan* article regarding the doll had discrepancies. It was written by a not-credentialed reporter who wrote the article regarding the doll.

**1. Friends of the Library** – Friends Representative  
Friends Book Sale announced

**2. Library Foundation** – Foundation Representative  
Discussion about the process of notifying neighbors about the Bastanchury property.

Regular Business

**1. Clarification of the Roles of the City and the Library board of Trustees as it Relates to the Selection and Terms of Employment of the Library Director and Other Key Positions in the Library** – *City Manager Ken Domer*

City Manager Domer explained the process regarding the executive agreements. He stated that there are conflicts in the code. It would be good idea to look at them together and try to make sure that going forward we don't have these conflicts. He mentioned one of his concerns with the agreement is that in the event the librarian (library director) would need to be removed from her position, would the trustees have the sole authority to dismiss the librarian (library director) or would the city manager need to agree? This is something that would need to be reviewed and get a new opinion. There was discussion about the trustees following the Education Code in this matter. An attorney-client privileged memo by City Attorney Kim Barlow which was given to the trustees at their August 2018 meeting was mentioned.

City Manager Domer stated he would be willing to talk to the city attorney regarding the memo on governance and take it to city council to release the attorney-client confidentiality, so it can be discussed. City Manager Domer said he would like to continue this item because it's a good discussion to have and bring back the memo to discuss.

Briefly took a break due to interruption by a patron.

MOTION made by Vice President Dale, **SECONDED** by President Paden to continue item to the next Library board meeting to address any comments or responses. Motion carried (5-0).

President Paden said the city manager will try and get the memo released from the City Attorney. It was the memo given to the trustees by City Attorney Kim Barlow regarding the Library board meeting in August 2018. It was prompted by their agenda item requesting that they receive advice from City Attorney as to how they would hire outside counsel. There was some content in the memo that was attorney client privileged information, with the client being the city council. City Attorney Barlow said she could not answer any questions unless the city council would release the memo.

President Paden expressed concern that in light of the representations by City Attorney Ms. Kim Barlow at the July 2018 meeting the contents of that memo were protected by attorney-client privilege. Only the City Council can waive that privilege and we can't discuss that memo.

Vice President Dale suggested to table this item until the city manager and city council come back or we have our joint meeting with the city council. If the city comes back to the Library board with a proposal altering their role, then at that point it would be the time to address this.

Motion was re-clarified. MOTION made by Vice President Dale, **SECONDED** by Secretary Ballard to table this item until such time of joint meeting. Motion carried (5-0).

### **3. Joint Meeting Agenda Items - Library Director Judy Booth**

Library Director Booth reviewed the memo. Secretary Ballard asked if they wanted to discuss the Bastanchury Property. President Paden said yes to explain why the Library board took the course of action it did. He said to move item no. 1 from page 2 to replace item no. 2 on page 1 on the joint meeting agenda items memo.

Regarding item no. 3, Secretary Ballard would like to see more direction from the city council and would like to see them hiring a grant writer and suggesting narrowing the RFP.

Remove item no. 4.

Item no. 5, President Paden said the city has been helpful in this regard. Vice President Dale suggested removing item no. 5 off the list. All were in agreement.

Item no. 6, President Paden said this is the perfect place to slide in the discussion if the city is going to make the changes to the Fullerton Municipal Code (FMC). The library board would like to see any suggested changes. Secretary Ballard said she did not want the FMC to erode any of the library board's responsibilities. She was in agreement in keeping item no. 6.

Item no. 2, Vice President Dale suggested agendaizing it for discussion under the Hunt Library.

MOTION made by Vice President Dale, SECONDED by Secretary Ballard to keep item no. 1 on page 1, drop item 2, keep item 3, drop items 4 and 5 and keep item 6 and 1 and move to second agenda item on revised agenda and incorporate item no. 2 on page 2 with the Hunt Library discussion which is currently listed as Item 3. Motion carried (5-0).

Library Director Booth asked when the board would like the changes to be made on the agenda. President Paden said to keep language for item no. 1, and keep the language on item no 3 and remove all of the Library board names. Add at the end of the sentence "as well as other areas in the city to increase library services". Library Director Booth reiterated the changes to be made. *Hunt Library and the Library Ad Hoc report to council of possible pending RFP as well as increase library service to other areas of the city.* They were all in agreement.

For item no. 6, President Paden suggested the following change: Consult with the trustees any proposed changes to the FMC as it would relate to the operation of the Library.

The trustees would like to know what the city council's fiduciary expectations are for the library board. Library Director Booth clarified that she will create a draft agenda for next month to be finalized. Secretary Ballard clarified that item no. 1 on the second page is very general and very non-specific and item no. 6 is very specific.

### **4. Santiago Library System Grant from the California Library Services Account – Library Director Judy Booth**

MOTION made by Secretary Ballard, SECONDED by Vice President Dale to APPROVE the grant. Motion carried (5-0).

### **5. Project Nominations for Consideration of 2019-20 of CIP Update – Library Director Judy Booth**

MOTION made by Vice President Dale, SECONDED by Secretary Ballard, to receive and file. Motion carried (5-0).

### **6. Code of Conduct – Library Director Judy Booth**

Library Director Booth said she is considering a one-page revocation letter where certain behaviors are checked off and include the code of conduct, appeals letter and self-addressed stamped envelope and revoke them at that time. This letter would go through the city attorney first for review

before being brought to the Library board. Secretary Ballard said she would support it. Adult Services Manager Ken Homsley explained their current process and reasons why staff would like to implement the one-page revocation letter.

MOTION made by President Paden, SECONDED by Secretary Ballard to keep the Code of Conduct, as is, for the less significant violations and have a separate expedited procedure and bring it back to the Library board. Motion carried (5-0).

MOTION made by Vice President Dale, SECONDED by President Paden to AMEND the motion to include additional request from the library director of a staff proposed amended Code of Conduct. Motion carried (5-0).

MOTION made by President Paden, SECONDED by Trustee Mansuri to APPROVE the proposal with the amendment. Motion carried (5-0).

**7. Mission and Vision Statements – Library Director Judy Booth**

MOTION made by Vice President Dale, SECONDED by Trustee Byers to re-affirm the Mission and Vision Statements. Motion carried (5-0).

**8. Fullerton Market Participation – Library Director Judy Booth**

Library Director Booth said there is a city booth that she would like to use more often at the Fullerton Market and have staff and Library board members promote Library programs once or twice per month.

MOTION made by Vice President Dale, SECONDED by Secretary Ballard to APPROVE the Library board to attending dates as coordinated by the library director to participate at the Fullerton Market. Motion carried (5-0)

**Adjournment** – MOTION made by President Paden, SECONDED by Trustee Byers to ADJOURN Meeting at 7:27 p.m. to the next Regular Meeting of the Library Board of Trustees on March 28, 2019, at 5:00 p.m. at the Fullerton Public Library, 353 W. Commonwealth Ave., Fullerton, California. Motion carried (5-0).

Respectfully submitted,

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Ruth Leopold  
Recording Secretary