

Berkeley Public Library
Board of Library Trustees

Regular Meeting
December 21, 2005

Minutes
4:10 p.m.

South Berkeley Senior Center
2939 Ellis Street

I. CALL TO ORDER

The regular meeting of December 21, 2005, was called to order at 4:10 p.m.

Present: Trustees Anderson, Kupfer, Lee, Moore, Powell

Absent: None

Also present: Director of Library Services Jackie Griffin, Library Financial Manager Beverli Marshall, Administrative Secretary Yvette Gan

II. PUBLIC EMPLOYEE APPOINTMENT – PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: Deputy Director

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

LIBRARY NEGOTIATOR: JACKIE GRIFFIN, DIRECTOR

CITY NEGOTIATOR UNREPRESENTED EMPLOYEE: DEPUTY DIRECTOR

1. Public comment on public employee appointment

There were no speakers.

2. CLOSED SESSION

The Board went into closed session at 4:11 p.m., and returned to open session at 6:40 p.m. There was no action taken.

3. Possible appointment of public employee

4. Possible action on appointment of Deputy Director

R05-108 Moved by Trustee Powell, seconded by Trustee Moore, to authorize the Chair of the Board to conclude the hiring of the Deputy Director or, if that is not possible, to make an announcement about the need to go out with another search. Motion carried unanimously.

III. PUBLIC COMMENTS

There were 6 speakers.

Trustee Lee noted she would like to follow-up on a comment made by a member of the public about a news article regarding a library book which had been interlibrary-loaned and traced through its RFID tag.

IV. CEREMONIAL MATTERS

Trustee Powell noted that the memo about the resolution for Laura Anderson incorrectly stated that she was Chair of the Board -- it should have said Vice-Chair.

R05-109 Moved by Trustee Lee, seconded by Trustee Powell, to recognize the contributions of

Trustee Laura Anderson and her service to the Board as Chair for the past year, for her strength of purpose, admirable ethics, and dedication to the Berkeley Public Library.
Motion carried unanimously.

V. APPROVAL OF AGENDA

Trustee Powell noted corrections to the agenda, as follows:

- Delete Items VII.7 (Reports recommending specific action) and VII.8 (Reports for discussion and possible action) as they actually refer to the titles of Items VII and VIII.
- "VII. Action Items" should be listed as "VII. Reports Recommending Specific Action"
- "VIII. Reports for Discussion" should be listed as "VIII. Reports for Discussion and Possible Action"

R05-110 Moved by Trustee Powell, seconded by Trustee Kupfer, to approve the agenda as amended. Motion carried unanimously.

VI. CONSENT CALENDAR

R05-111 Moved by Trustee Moore, seconded by Trustee Powell, to move Items VII.1, VII.1.a, VII.1.b (see below R05-113) and VII.2 (see below R05-114) to the Consent Calendar.
Motion approved unanimously.

Trustee Powell asked that the minutes of November 9, 2005, be pulled from the consent calendar and moved to "Reports Recommending Specific Action".

R05-112 Moved by Trustee Moore, seconded by Trustee Lee, to approve the consent calendar items as amended. Motion approved unanimously.

R05-113 Approved rescinding of decision to approve Action Item V.3 from the October 12, 2005, meeting agenda (Adopt recommendations of the Ad Hoc Committee on RFID Forum) based on inadequate notice).

- a. Letter from SuperBOLD dated November 2, 2005 re: Ad Hoc Committee on RFID Forum.
- b. Letter to SuperBOLD dated November 28, 2005 re: Ad Hoc Committee on RFID Forum, confidentiality policy and privacy audit.
- c. Letter to SuperBOLD dated December 2, 2005 re: Ad Hoc Committee on RFID Forum.

R05-114 Approved adoption of recommendations of the Ad Hoc Committee on RFID Forum to develop a confidentiality policy and to conduct a privacy audit.

R05-115 Approved Berkeley Public Library 2006 Holidays

R05-116 Authorized contract with California State Library for grant award: "Reach Out and Read: Literacy Collaboration Field Grant" for \$3,500.

R05-117 Approved modification for BOLT Meeting Schedule for 2006 to third Wednesdays each month.

R05-118 Approved request for sabbatical from Library employee from February 13 through April 12, 2006.

VII. REPORTS RECOMMENDING SPECIFIC ACTION

1. Approval of minutes of regular meeting - November 9, 2005

Trustee Powell noted that she had a list of items that were pending from the last meeting:

- a. information on where agendas are posted at each library location. She asked that this be in writing.
- b. analysis on the American Library Association resolution on Workplace Speech
- c. tracking chart for Board issues
- d. a vision or goals statement for the five-year plan
- e. a list of administrative regulations
- f. a link from the Library's web-page to the City's web-page where the Board agendas and minutes are posted. Director Griffin said that this had already been completed; the link can be found under the "Board of Library Trustees" section on the Library's web-page.

R05-119 Moved by Trustee Powell, seconded by Trustee Lee, to approve minutes of regular meeting of November 9, 2005, with one correction:

Page 3, under Item VI.3 (1st Quarter Financial Report for FY 06): change "Trustees Lee and Powell felt it would be helpful if they could meet briefly with Ms. Marshall to better understand the budget" to "Trustees Lee and Powell felt it would be helpful if a budget workshop could be scheduled to better understand the budget."

2. Procedure to address issues raised in Public Comment

Trustee Powell said that she had not received any comments from other Trustees regarding the proposed procedures for issues raised in public comment.

R05-120 Moved by Trustee Powell, seconded by Trustee Lee, to approve the procedures to address issues raised in public comment. Motion carried unanimously.

Trustee Moore asked that the approved procedures become a policy of the Board. Trustee Powell stated she would draft a statement to that effect.

3. Report of City Council action from their meeting of Nov. 15, 2005, regarding library labor-management committee and consideration of action to be taken

Trustee Powell felt that a facilitated labor-management process would be helpful in creating a dialog around library issues. The Chair of the Board, together with the Director and one representative from the staff, should appoint the members of the ad hoc committee. She hoped that the trustees could reflect items to this committee, and asked that it be convened in January.

Trustee Kupfer asked if this should be a new committee or whether a committee already in existence would be suitable to serve. Trustees Lee and Moore felt that a new committee would be best. Trustee Lee voiced her concern about the cost of yet another committee being appointed to address issues already discussed by other library committees, and also suggested that a trustee be appointed to this new committee.

Director Griffin felt that the organizational diagnosis process had been valuable, as had the Interest-Based Bargaining (IBB) process. She felt that the staff involved in IBB had made headway, and hoped to continue with the process. She asked where this new

committee would fit within the structure of the organization, and its relationship to the Library and to the Board.

The Trustees agreed to table this item till after the Board heard from library employees later in the same meeting.

4. Consideration and discussion of American Library Association (ALA) Resolution on Workplace Speech

Trustee Powell suggested that the labor-management committee that is to be formed should take on the responsibility for reviewing this resolution.

5. Formation of a sub-committee for annual performance review of Library Director

Trustee Kupfer noted that usual procedure for conducting the performance review should take place, i.e. the Chair and Vice-chair form the sub-committee which reviews the performance of the Director, and then shares their findings with the whole Board. This sub-committee will report back to the Board by the February meeting.

R05-121 Moved by Trustee Kupfer, seconded by Trustee Lee, that a sub-committee consisting of the Chair and Vice-Chair of the Board, conduct the annual performance review of the Director. Motion carried unanimously.

VIII. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

1. Follow-up and Carryover Process and Tracking Chart for Board Issues

Director Griffin noted that staff have been working on the tracking chart and plan to make it accessible to the Trustees via the internet. The chart has been created but some technical difficulties have arisen with regard to several staff trying to access it. The trustees asked that a printed copy of the chart be included in the agenda packet.

2. Report on RFID, and possible damage to CD/DVD players by donut tags

Circulation Services Manager Mark Marrow reported that the Library had received four complaints that the donut tags had come off a library CD or DVD. He informed the vendor that of these complaints, and Checkpoint has conducted tests. Checkpoint has also contacted the manufacturer and continues to investigate the matter.

Of the 142,271 CDs/DVDs circulated from August through December, only 4 incidents regarding donut tags were reported. Total number of items circulated from August 25, 2005 through November 21, 2005, using self-check: 191,787. This is about 33% of the total circulation for all locations.

Trustee Moore asked if the Library had fixed or replaced the damaged CD or DVD players. Mr. Marrow replied that the Library does not replace or fix any patron equipment, whether it is cassette, VCR, CD or DVD players. Trustee Moore asked that a disclaimer statement be written to let patrons know, and that it should be reviewed by the City Attorney's office. Trustee Powell asked that it be included in the next Board agenda packet.

The Board thanked Mr. Marrow for his report.

3. Report from Library employees and unions, discussion of process to share staff issues with Board of Library Trustees

Members of SEIU Local 535 spoke to the board. Trustee Lee asked that they present their reports in writing. Trustee Moore will ask the Human Resources department to send a representative to the IBB meetings.

4. Status report on Privacy Audit and Patron Confidentiality Policy Committee

Director Griffin reported that the Privacy Audit Committee had met on November 10, 2005. They will be working on a series of steps, a copy of which will be sent to the Board.

5. Report on Teen Services

Collection Development Manager Francisca Goldsmith was available for questions.

Trustee Lee was concerned about the movement of teen librarians from the branches to Central. Ms. Goldsmith noted that each teen librarian spends 8 - 10 hours a week at each branch. Trustee Lee asked if a teen librarian was in the Teen area at the Central Library, and Ms. Goldsmith confirmed that there was one present every afternoon.

6. Director's Report

- a. Hiring Report
Trustee Moore requested a mid-year budget report for the January meeting.
- b. Costs of special election to be reimbursed to Library
Trustee Lee asked that staff convey in writing to Alameda County the actual staffing costs for the special elections.
- c. Outcomes from Organizational Diagnosis process
- d. Janitorial Contract with Nova Commercial Company, Inc. to continue
- e. Projects funded by the Friends of the Berkeley Public Library for FY 06

7. Outcome of December 1, 2005, hearing of appeal of patron ban

Director Griffin reported that the patron did not show up for the hearing, and after consultation with Trustees Moore and Lee, who had been present for the hearing, it was decided that the ban would be upheld.

8. Library News/Press Releases

There was no discussion.

VII. REPORTS RECOMMENDING SPECIFIC ACTION (cont'd)

3. Report of City Council action from their meeting of Nov. 15, 2005, regarding library labor-management committee and consideration of action to be taken

R05-122 Moved by Trustee Powell, seconded by Trustee Kupfer, that the Chair of the Board of Library Trustees, in consultation with the Library Director and two representatives of the Library staff, appoint an ad hoc committee consisting of the following members of the Library community:

1 library aide, 1 library assistant, 1 library specialist, 1 librarian, 1 manager who deals with general service issues, 1 manager who is the head of a specific library department and the deputy director.

This committee should seek to include representation from all library unions as well as unrepresented employees. Motion carried unanimously.

The charge of the committee is to consider labor-management issues relating to library services to the public. The committee will be appointed within the next two weeks and should first meet in early January and present a brief report at the Jan. 18th Board meeting, and thereafter make written reports monthly to the board. The committee will report quarterly to the Berkeley City Council. Trustee Moore asked that an information item be placed on the City Council's agenda to describe the process. Trustee Kupfer will call a meeting of the appointing body the first week of the New Year.

IX. COMMUNICATIONS - Action cannot be taken on any of these items

1. Letter to Gene Bernardi from City Manager dated October 27, 2005 re: speaker cards
2. Letter from Michael Lissner dated October 28, 2005 re: library problems
3. Letter to Gene Bernardi dated November 1, 2005 re: purchasing rules and regulations
4. E-mail from Peter Teichner dated November 17, 2005, re: RFID. Also a second e-mail re: RFID dated December 6, 2005.
5. Letter from SuperBOLD dated November 21, 2005 re: purchasing rules and regulations
6. Letter to SuperBOLD dated November 28, 2005 re: Ad Hoc Committee on RFID Forum, confidentiality policy and privacy audit
7. Letter to SuperBOLD dated December 2, 2005 re: administrative regulations

X. AGENDA BUILDING

Next meeting: January 18, 2006, 7:00 p.m., North Berkeley Senior Center

XI. ADJOURN

R05-123 Moved by Trustee Kupfer, seconded by Trustee Powell, to adjourn the meeting at 9:25 p.m. Motion carried unanimously.