Regular Meeting of the
Board Law Library Trustees

ACTING LIBRARY DIRECTOR: Laurie Vaala-Olsen

COUNTY OF MARIN

BOARD OF TRUSTEES:

Laurie Vaala-Olsen

Monday, August 24, 2015, at 5:15 p.m.

Present: Steven Schoonover, Elliot Bien, Alexandria Quam, Denise Bashline, and Laurie Vaala-Olsen, Acting Secretary.

Also Present: Sheila Lichtblau, Bill Hale, and Susan Windman.

Call to Order

Steven Schoonover called the meeting to order at 5:20 p.m., and thereafter presided.

Upon Ms. Lichtblau's arrival, the board prepared to go into closed session. However, before convening the closed session, Steven turned the floor over to Bill Hale for a comment. In regard to the legal action, Bill stated that at the last board meeting he suggested that there be consideration of Jason's returning, perfecting the petition, but the board didn't want to do that. Bill stated it is irresponsible of the board not to provide for the possibility that he will be returning, not that Jason could reapply. Then the Board can "go after him in the light of day." He further stated if the Board moves to appoint a new Director that he plans to file for an injunction if Jason is not given the chance to return and the petition is resolved-perfected.

Susan Windman stated that it is her understanding that the trustees have fiduciary responsibilities for the Law Library, including the responsibility for how the money is spent. In regard to the pending litigation and out of concern for the Law Library's expenditures, she thinks the Law Library must wait to hire a new permanent Director until the lawsuit related to this same issue is resolved, or it could cost the Law Library a lot more money in the long run to clean things up.

1. Closed Session: (Gov. Code SS 54950 — 54963)
   1.1 Conference with legal counsel - Existing litigation
      California Government Code section 54956.9(d)(1 )
Following the public comments, the board went into closed session. At approximately 6:06 p.m., Steven reconvened the open session and announced that there was no action taken in closed session.

2. **Approval of the Minutes**

2.1 The July 20, 2015 Minutes were circulated and reviewed.

Bill objected to paragraph 4 of page 4 because it excluded a comment made by Sam Ware. Bill stated that Sam had made some additional comments about Elliot's idea of a closed session. Aside from including Bill's objection in the Minutes of this meeting, no change will be made to the July 2015 Minutes.

Susan Windman stated that item 6.2 on page 4, at sentence 6 misinterpreted her comments about the patron rules. Her concerns were not what is stated in that sentence. She was speaking about the importance of systematizing the consequences of violating various patron rules so that consequences are uniformly applied regardless of which staff member imposes the consequence. Elliot requested that she write down what she said so it could be reviewed and addressed at a later point in the meeting, and he could make a motion about correcting it at a later time.

Alexandria moved to approve the Minutes with suggested corrections, which will be made at a later time, and Elliot seconded. The motion passed, with 4 Ayes, 0 Noes and 0 Abstentions.

3. **Open Forum**

Bill Hale stated that guidelines are missing from the patron rules, such that a patron knows exactly what consequence will result for violating a given rule. He suggested the board review the San Francisco Patron Rules Guidelines as an example. He also requested that the board reconsider the possibility of inviting retired Supreme Court Justice Sandra Day O'Connor to speak in the area, which might provide an opportunity for the Law Library to raise some funds.

4. **Financial Report**

4.1 **Revised June 2015 Fiscal Report**

Laurie presented the Revised June Fiscal Report and the Revised July to June Year End Fiscal Report. It is necessitated by a change in the County Department of Finance's Year End Accounting Practices. While the majority of the Law Library's July Warrants are for charges and/or services incurred in June, in the past they have been routinely "booked" in Period 1 of the following fiscal year (the month of July). This practice will no longer be followed. As of Fiscal Year 2015-16, the Law Library is required to book the charges and services incurred in June of Fiscal Year 2014-15 in "Period 13" of that fiscal year. There was no advance notice that this change would be made this year, and it has resulted in payments for two months' worth of services and
charges being recorded in the month of June. That is reflected on the revised fiscal reports. There was no increase in revenue, only an increase in the expenditures in the amount of $15,125.78. Basically, we are paying for one month of warrants a month early.

4.2 July 2015 Fiscal Report

Laurie presented the July 2015 Fiscal Report, which she had prepared in a new format. The Unrestricted Fund Balance on July 1, 2015 was $46,393.13. The filing fee revenue was $13,394.41, slightly below what we had budgeted. The expenses were less than we had anticipated because the majority of the July Warrants were booked in FY 2014-2015. The Unrestricted Fund Balance as of July 31, 2015 was $52,947.28. The Unrestricted Fund Balance as of August 24, 2015 was $67,053.45. Laurie stated that the Law Library is doing okay financially. Elliot pointed out that we have numerous legal publications that are not being updated, so the situation is not really okay.

4.3 Warrants

Laurie presented the August Warrants, noting that the two warrants payable to Ingram are for the Nolo Press publications that the board authorized a couple of months ago, the $50 reimbursement to Laurie is for a gift card she purchased at Peet's for Suzan Sharples, who worked Laurie's hours on a volunteer basis during Laurie's vacation in July, and the $1,075 payment to 3M Security Systems is for installation of the first used security gate that the Law Library obtained from the County's warehouse. 3M installed the second used security gate at no charge to the Law Library. The remaining warrants are primarily for standard monthly invoices. There was an inquiry regarding whether there had been any communication from Inland regarding the monthly payment to them; there has not. In addition, Inland did not send the Law Library an invoice in July. Alexandria moved to approve the warrants as presented, and Denise seconded. The motion passed with 4 Ayes, 0 Noes, and 0 Abstentions.

5. Librarian's Report

5.1 Change in Year-end Accounting Practice Effective for FY 2014-15

Laurie reported that recent changes at the County Department of Finance, due to an audit they have been undergoing prior to the changeover to a new accounting system, has resulted in them paying closer attention to the financial accounts for the special districts. As part of the County, special districts are required to adhere to the County's accounting practices. Effective Fiscal Year 2014-2015, we must change the way we process our fiscal year-end accounting. In the past, the Law Library has paid its bills on a system with a one month lag time between the period in which the expenses are incurred and the date the invoices are paid. This is no longer acceptable. We must now "match revenues and expenses," or book the expenses incurred in June in that same month. Essentially, this means that most of the July 2015 Warrants had to be booked in June 2015, the last month of the 2014-2015 fiscal year. From a practical standpoint, this has resulted in "double-charges" for the month of June. Laurie prepared revised fiscal reports for June 2015 and July to June 2014-2015 to reflect this change in
accounting practices. However, because the Law Library received no advance warning that this change would be required, the 2014-2015 budget was not prepared with these additional expenses in mind. There were insufficient funds in General Ledger Account No. 5220810, Collection Upkeep (legal publication subscriptions), to pay for the additional expenses. Laurie requested that the board appropriate $16,180.67 from General Operating Fund 70120 to General Ledger Account No. 5220810, Collection Upkeep, to cover the additional expenses. As of today, August 24, 2015, the Unrestricted Fund Balance is $67,053.45.

Laurie recently attended a Marin County Legal Professionals Association dinner meeting, where she met James Kim, the new Administrative Officer of the Marin Superior Court. She briefly discussed with him a desire for better collaboration between the Law Library and the Clerk's Office to improve our ability to assist patrons in preparing their legal documents for filing with the Court.

CEB has launched a partner program with CCCLL to raise money for California County Law Libraries. Ten percent of the proceeds from orders for particular publications will be credited to the respective Law Library's CEB account, as long as the attorney or law firm placing the order uses the Law Library's priority code number. The Marin County Law Library's priority code number is 9649A.

The Card Catalog project is proceeding. Library volunteer Michael Stocker recently completed the inventory of our current collection in Excel. Tim Allison, the volunteer who worked on the card catalog project last summer, is back in the area and available to continue his work on the project.

SB 711 was approved in the Assembly Appropriations Committee this week, and will be moving through the Assembly and the Senate, with the expectation that it will land on the Governor's Desk in early October. If Governor Brown signs it, it will go into effect in January 2016.

6. Unfinished Business: None.

7. New Business

7.1 Discussion and Action Item: Review and Approve Retroactive Increase to G/L Account 5220810, Collection Upkeep (Subscriptions), for June 2015 Fiscal Report Pursuant to Change in County Fiscal Year End Accounting Practices

This item was discussed under Agenda Item 4.1 and 5.1. The board requested assurance that the increased expenses were not due to any errors on the Law Library's part, which Laurie confirmed. Thereafter, Alexandria moved, and Denise seconded, the transfer of $16,180.67 from the Law Library's General Operating Fund 70120 to General Ledger Account No. 5220810, Collection Upkeep. The motion passed with 4 Ayes, 0 Noes and 0 Abstentions.
7.2 Discussion and Action Item: Discuss and Approve Resolution to Write-off $134.02 in Petty Cash Receipts for Fiscal Year 2014-15

Laurie reported that the Law Library has to reconcile the Petty Cash Fund as part of its year-end accounting procedures. The money in the Petty Cash Fund was already depleted when Laurie stepped in as Acting Director following Jason's resignation last October 2014. Unfortunately, some of the receipts for the expenses went missing during the transition from Jason's leadership to Laurie's. Laurie reported that there are receipts for $165.88 of the $299.90 budgeted for General Ledger Account No. 5220146, Postage/Petty Cash. There are no receipts for the remaining balance of $134.02, which must be written off. Resolution 2015-5 approves the write-off of $134.02. Laurie prepared a statement describing the reason for the write-off in a Memorandum to the Board dated August 24, 2015. The Board discussed the reason for the write-off and what steps are in place to insure that the same problem will not happen again this fiscal year. Elliot moved, and Alexandria seconded, approval of Resolution 2015-5 to write-off $134.02 in petty cash, with recommended changes to be made in Laurie's statement describing the reason for the $134.02 write-off, pursuant to Alexandria's request for more specificity. The motion passed with 4 Ayes, O Noes and O Abstentions.

7.3 Discussion Item: Discuss Annual Report to Board of Supervisors

Laurie reported that she is using Jason's Annual Report for Fiscal Year 2013-2014 and Hal's Annual Report for Fiscal Year 2012-2013, because it follows more closely the content requirements for the report as set forth in the Statute, as templates for the Annual Report for Fiscal Year 2014-2015. She will provide a draft of the Fiscal Year 2014-2015 Annual Report to the board in one week. That will give the board time to review the Annual Report prior to voting on it at the September Board Meeting. The Annual Report is due October 15, 2015.

Prior to the end of the meeting, and pursuant to an earlier suggestion by Elliot, Susan provided to Elliot a written statement regarding what she said at the July Board Meeting about the Law Library's Patron Rules of Conduct because she felt that Laurie had not accurately reported her statements in the July Minutes. The statement she provided to Elliot is exactly what she meant to say. Discussion ensued. While Susan's statement was noted, it was decided not to amend the July Minutes.

8. Adjournment

All business before the Board having been considered, Elliot moved to adjourn the meeting, and Alexandria seconded. The meeting was adjourned at 7:05 p.m. The next meeting of the Marin County Law Library Board of Trustees will be held on Monday, September 21, 2015, at 5:15 p.m.

Respectfully submitted,

Steven Schoonover, President
Laurie Vaala-Olsen, Acting Secretary