

February 3, 2014 BLT Agenda Item Comments

Comments on the Newport Beach Board of Library Trustees (BLT) agenda items, submitted by:

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Item 4. Approval of Minutes

Changes to the passages from the draft minutes shown in *italics* are suggested in **strikeout underline** format.

January 6, 2014, Regular Meeting

1. On page 2, line 2 under Item 8 (“PUBLIC COMMENTS”): “... *and stated that it would be useful for the public to know in a little more detail ~~on~~ what happened at the assessment center, ...*”
2. On page 2, under Item 9 (“APPROVAL OF MINUTES”), in two places: “*It was moved, seconded [insert moved/seconded names here] and passed **by all Trustees present** ...*”
[reason: A recent change to the Brown Act – specifically California Government Code [Subsection 54953\(c\)\(2\)](#) – requires, as is already done elsewhere in the minutes, that the record clearly reflect the position taken by each member (yes, no or abstain) on every [action taken](#). Merely saying “It was moved, seconded and passed” is insufficient for the public who was not present to know if all Trustees agreed.]
3. On page 3, under Item B.2, sentence 2: “*The most frequently used database services are those that track family ancestry, **maintain monitor** stock portfolio health and **sock stock company** finances.*” [note: use of the word “maintain” suggests use of the database would ensure against losses, which I don’t think it does.]
4. On page 3, under Item B.2, sentence 3: “... *while Morningstar and **Reference USA ReferenceUSA** (Business) accumulated 4,353 and 3,969 respectively.*” [note: in addition to the suggested spelling correction, the phrasing suggests ReferenceUSA is used to monitor investments. It is actually an electronic Yellow Pages like database used to find contacts and develop sales leads, and possibly locate parent companies. When last I checked, the only financial or investment information it contained was a rough estimate of number of employees and annual sales at the listed location.]
5. On page 4, under Item C.1, sentence 1: “*Acting Library Services Director Hetherton reported now that the holiday season is through we are in the budget season. ~~he~~ **He** would like to petition ...*” [separate run-on sentences]

January 14, 2014, Special Meeting

1. On page 2, in the last paragraph before Item 5: “*Board of Library **Trustees** Vice-Chair King, City Arts Commissioner Vice-Chair Arlene Greer, and Friends of the Library Historian/Publicity Virginia Hayter all noted how pleased they are in this selection.*”

Item 5.A.1. Customer Comments

With regard to Comment 2, about what the patron seems to see as inadequate adult seating at the Mariners Branch, I was surprised the response did not remind the patron of the large area of lighted tables and chairs in the southwest corner of the main reading room (perhaps he or she thought they were for laptop use only?), or of the fact the similar reading opportunities in the “Teen Area” is restricted to teens only during certain hours. The patron seems focused exclusively on the stuffed lounge-type chairs, of which there are a smaller number; although it is true there were a couple of solitary chairs of this type in the entry area facing the parking lot, where the clever monthly book recommendations are currently displayed, that were removed a year or two ago for unknown reasons. They seemed well used, and could perhaps be restored? Also, although it does not seem to be the normal practice, it might be helpful to clarify if adults are welcome to use the seating in the Children’s Room, even if not accompanied by a child?

Item 5.A.2. Library Activities

Regarding the mention of “Lynda.com” at the bottom of page 1 and top of page 2 of the Director’s report, I was unable to tell if the list of “new courses” being offered supplements some earlier list, or is the complete list. Using the “*Site Search – GO>*” function in the upper right of the Library webpages in an effort to learn more about “Lynda” or “Lynda.com” came up blank, although I found a temporary ad for the service on the [Computers and Wi-Fi](#) and [Media Center](#) pages. Although the ad says “Lynda.com offers online training for all different types of software including Photoshop, Flash and more!” it does not link to anything providing more information, and oddly, the [What Can You Do In the Media Center?](#) page does not mention it. It might be helpful to have a comprehensive list of the Lynda.com courses offered more readily available.

In the second paragraph from the end of page 2, I believe “Victor Jorgenson room” should read “[Vincent Jorgensen Room](#).”

On page 6, with regard to the holiday closure decisions that the Board agonizes over each year, the “*Customers Served in the Library*” chart would seem to belie the idea that December is a slow month, at least in terms of customers passing through the facilities. In that regard, I wonder if the customer counts now include City employees (and others) passing through the Central Library on their way from the City Hall Plaza to the Corona del Mar Plaza shopping center, and back?

Item 5.A.4. Board of Library Trustees Monitoring List

If the meeting date change proposed in Item 5.B.3 is adopted, the dates listed in the Monitoring List will obviously need to be revised to reflect that.

Item 5.B.1. Downloadable Services Update

1. A year since the last review, integration of eBook availability into the library catalog, and even within Overdrive, still seems spotty. As an example, a patron searching our Millenium catalog in an effort to remotely access an eBook version of [Huckleberry Finn](#) is told we have none. But contradicting this, if the patron went to the Library's [Downloadable Library](#) page and took the initiative to visit our [Overdrive site](#), they would learn we have a single licensed copy of a "Duke Classics" [eBook edition](#), but it is "checked out." Only if they happened to explore the "*Additional eBooks Always Available*" ad that seems to pop up at random times on the Overdrive site would they discover they can download at least two complete ePub versions of *Huckleberry Finn* (and various chapter sections) at anytime, without the rigmarole of checking out and checking in. And even then, they are not told that if they visited the Project Gutenberg site (which Overdrive is linking to for its public domain selections) directly, they could freely read the book in a variety of other digital formats.
2. The opening page of the Overdrive/Southern California Digital Library page carries what seems to me the rather ominous warning that "*Digital books are **not available for download from participating Library computers**. Downloads are only available to your **personal PC, laptop, or PDA**."* If it is true that the titles available through Overdrive are not accessible on library computers, this would seem to me to disenfranchise exactly the segment of society that public libraries are supposed to be most dedicated to serving: namely, those who do not have, or cannot afford, a personal device of their own. In my view, the library should ensure that all patrons can access all digital materials without additional equipment of their own. Towards that end, I am curious:
 - a. Are the library's public workstations adequately set up with software for reading digital books where they are freely available?
 - b. Does the "Overdrive Read" function work for patrons using public workstations?
 - c. Does the library need to do anything to make additional titles more readily available to the print disabled in the community through the [Bookshare](#)/Overdrive Library eBook Accessibility Program ([LEAP](#)) program?
3. Since the last review, I am very pleased to see the Library's [Downloadable Library](#) page has added a link to a page of our own creation explaining [Public Domain eBooks](#), and pointing patrons to some notable internet collections and interfaces to them.
 - a. The list is missing what to me is one of the key free digital book resources, the [Open Library](#) project of the [Internet Archive](#) (IA), which provides an Overdrive-like interface to the book portion the IA's huge collection of public domain books (currently over 1,000,000 titles according to the Open Library home page), documents and media, but also, in cooperation with the California State Library, to a free Overdrive-like lending library with 200,000 copyrighted titles that can be read on-screen or borrowed (if they are not already "checked out"), as well as a far more extensive lending list available to print disabled readers in Daisy format (similar to but separate from the Overdrive LEAP effort?).

- b. Since keeping lists of internet resources up to date is a daunting effort, and will always be incomplete, a link to Wikipedia's constantly evolving (but also always incomplete) [List of digital library projects](#) would seem helpful to patrons. Some of the projects listed there that seem particularly significant to local general readers include:
 - i. The relatively recent [Digital Public Library of America](#), whose "Bookshelf" feature brings together several of the other resources, including the [HathiTrust](#) and various university collections that may be outside Google Books and the Internet Archive.
 - ii. Certain aspects of the University of California's [California Digital Library](#), such as its [Online Archive of California](#) (which raises the question of whether better access to the remainder of this public resource could not be provided through the library?).
 - iii. [Wikisource](#)
4. A somewhat similar comment for popular books would be to remind patrons that anyone who lives in Newport Beach is eligible for a free card to the [Orange County Public Library System](#), which seems to have an [Overdrive account](#) separate from the NBPL's membership in the Southern California Digital Library (SCDL), and hence may have different titles available, and may have copies available when those at SCDL are "checked out." Likewise, I don't know if other public libraries for which Newport Beach residents could obtain free cards, have different titles or copies of titles available through the SCDL?
5. Finally, with regard to promoting literacy and empowerment through eBooks, did the Library make any effort to get the [Overdrive Digital Bookmobile](#) to stop in Newport Beach during its trip through Orange County this month?

Item 5.B.2. Annual Budget Update

From the Monitoring List, it appears this may be the only public discussion by the Board of the Library's proposed FY2014-15 Budget, and even then, it is unclear from the agenda if the Board will be taking any action to form a recommendation, or merely hearing a presentation.

If the preceding is all that will happen, I do not view this as adequate to fulfill the Board's responsibility under [City Charter Section 708\(c\)](#) to "*Consider the annual budget for library purposes during the process of its preparation and make recommendations with respect thereto to the City Council and City Manager.*"

I can assure the Board that the City Council does not get into detail as to how the individual department budgets are allocated, which is presumably why, in part, the people wanted a separate citizen's Library Board to give this department's budget that extra attention. My reading of the Charter provision is that the Board is expected to carefully deliberate the allocation of funds, and supply a written (or at least formal) recommendation to the City Manager, who in turn passes it on to the Council in his budget presentation. Only then can the

City Council be confident that the Library Department's budget has had the extra citizen scrutiny the Charter demands.

It might be noted that the Parks, Beaches and Recreation Commission was formerly expected by the people to exercise similar scrutiny over the PB&R budget (with a similar mandatory requirement for a budget recommendation in Section 709), but they allowed the function to wither away, and the City Council, with the City Manager's encouragement, removed it entirely as part of the voter-approved [Measure EE](#) in 2012.

Based on my observations, the Newport Beach Library Foundation and the Friends of the Library, as well as Library staff, seem to have more influence than the Board over the library budget allocations. I do not think that is correct, since the former are supposed to be solely fundraising conduits, and not policy making bodies. As to the latter, as a small example, the recently announced "Concierge Service" at the OASIS Center may be a commendable service, but it must require a certain diversion of resources from other programs, and I do not recall the Board ever discussing or approving it, even though the Board is ostensibly in charge of the administration of the library system.

Item 5.B.3. Board of Library Trustees By-Laws

1. I favor changing the regular meeting date from the first Monday of the month to the third. I am not sure why staff is recommending the change not take effect until May 19, 2014. It would seem like it could start immediately (that is, with the March meeting).
2. A cursory review of the By-laws suggests they would merit a more extensive review than simply changing the meeting date. Some random observations:
 - a. A considerable portion is devoted to quoting or paraphrasing restrictions imposed on the Board by the [City Charter](#). Many other those passages may no longer be consistent with the Charter due to the extensive changes to the latter made with [Measure EE](#) in November 2012 (effective January 9, 2013).
 - b. As I have previously pointed out to the Board, the order of business listed in Article IV, Section 3, is not the one the Board currently follows.
 - c. In Article IV, Section 10, following the League of California Cities' Institute for Local Government recommendation, I might suggest that "[Rosenberg's Rules of Order](#)" might be a more practical guide for conduct of the meetings than "Roberts Rules of Order" (which I have never seen consulted).
 - d. Article IV would also seem to be the appropriate place for the Board to articulate its policy regarding the handling of public comment at its meetings. Pursuant to California Government Code [Subsection 54954.3\(b\)](#), public comment can only be restricted by reasonable regulations adopted for the purpose of ensuring each person who wishes to do so has an opportunity to address the Board. I do not recall the BLT ever voting to create such regulations, or if it did, where they were recorded.

- e. Article V, Section 2.5, perhaps through inept phrasing, suggests the Board approves the budget (which it does not have the power to do), when perhaps it means only the Board approves the Library Director's expenditures within the Council-approved budget.
- f. As with many boards and commissions, it is difficult for the public to keep track of how many committees of the Board exist at any particular moment, and since there is no standing agenda item for it, the Board may (or may not?) have forgotten Article VII, Section 2, which requires each committee to make a report at each Board meeting.

Item 5.B.4. Library Gift and Donor Policy Revisions

1. In the first attachment highlighting the section proposed for revision:
 - a. In the second sentence under "LIBRARY GIFTS," the word "also" in "Gifts to the Library are **also** tax deductible" seems superfluous, and I would suggest it be deleted.
 - b. I do not agree with the concept that gifts of any size can be accepted by the Library Director subject only to a requirement to report them to the Board. The [Section 708\(c\)](#) of the City Charter is clear that the people have given the acceptance power to the Board, and the people had intended the Board to delegate that function, I think they would have said so. I feel the policy should say the Director can *tentatively* accept gifts subject to Board approval. The Director is free to consolidate these into a monthly or quarterly report, but I feel Board *approval*, not just receipt of a report, is essential.
 - c. In clause "B" (proposed to be renumbered "C" and also repeated as clause "D" under "Foundation Gifts"), I find the wording "Gifts to fund specific collections or areas of the Library ..." ambiguous. Is this intended to mean "subject areas" (for example, for book purchases) or "physical areas" (for example, a lounge area) or both?
2. I think the question of naming physical areas of the libraries in return for donations needs to be addressed more clearly than it has. The existing "City Council" [Policy I-4](#) appears to suggest the only recognition for Foundation Gifts is on the various Donor Walls, and that each plan to name a room or physical area would be an exception from policy requiring Board consideration of each such request. Instead the Board seems to have passed naming authority on to the Foundation in a way not made clear in any written policy I am aware of.
3. It is similarly less than clear how the existing [Policy I-5](#) interacts with [Policy I-4](#). I-4 could be read to say that the Board has to accept all gifts independent of what I-5 might say. Shouldn't the two be combined?

Item 5.C.3. Library Foundation Liaison Report

The on-line agenda packet includes two documents related to this report.

[Attachment 1](#) appears to be a Foundation publication.

1. On page 3 it makes the interesting statement that only 12% of the materials purchased for the libraries in Newport Beach are funded by the City, and the remainder is funded by the Foundation. I don't know if that is true, or not.
2. On page 6, assuming "*Then*" refers to when the present Foundation was created in 1989, I seem to recall the range of services offered by the Library was larger than that indicated.
3. On page 11, when a number is quoted for the number of people who "walk through" the Central Library, I have the same question as in connection with Item 5.A.2: does the number now include people who are indeed walking through and don't stop?

Without further explanation it is difficult to determine if [Attachment 2](#) ("2012-2013 LIBRARY FACTS & FIGURES") is a Library production (available on the Library website or by hand-out at the branches?) or is a Foundation publication. In any event, this looks like something that *should* be produced by Library staff to ensure its accuracy and wide availability.