

Yakima Valley Libraries

Board of Trustees

Regular Meeting

Monday, September 24, 2012 at 4:00 p.m.

Yakima Central Library Boardroom

I OPENING OF MEETING:

Board Member Present: President James E. Barnhill, Vice-President Melba Fujiura, Secretary Jerry Maggard, Trustee Richard E. Ostrander, *via Skype* Trustee Pamela J. Perryman

Visitors Present: Zonta Club members Danielle Surkatty and Pat Reynolds; Sandi Baird; Amy and Darren Joffs; Grace Joffs; Hannah Joffs; Savannah Kimzey; Tonya Kimzey; Ethan Kimzey; Stuart Petersen; Stacy Rivera; Jean LaFortune, Lisa Sliz; Arla M. Schell; Ashley Garza; Julie Turner; Christy Cox; Lynne Kittelson

Staff Present: Director Kim Hixson, Human Resources Director Darline Charbonneau, Accounting Manager Nancy Heilman-Schott, IT Manager Sergio Razo, Administrative Coordinator Terri Reeder

- a. Call to Order
President Barnhill called the meeting to order at 4:00pm.
- b. Determination of quorum
President Barnhill determined a quorum of the Trustees was present.
- c. Recognition of visitors
- d. Approval of the agenda – Trustee Ostrander requested Executive Session be added to the Agenda under REC 42.30.110(1)(g) – performance of a public employee. President Barnhill recommended that the Open Forum be used to address the concerns of the citizens regarding the Internet Access Policy.
- e. President Barnhill approved the agenda as presented as modified.

II Open Forum

This is an opportunity for any person to speak to the Trustees about any issue on the Agenda. Time per speaker may be limited.

Danille Surkatty: I'm a resident of Yakima and I'm speaking today as the Advocacy Chair for the Zonta Club of Yakima Valley, a local service club dedicated to improving the lives of women. The Zonta Club supports use of filtering software to disallow the viewing of pornography in the library. Legal rulings provide a strong basis for the Board to act in the interest of our community to filter categories of websites and to disallow the viewing of pornography on the computers. Not only is pornography harmful to the individuals involved, it has become the leading cause of human trafficking, in particular domestic minor sex trafficking in the United States. In the packets

I've given you today is a list of articles and book titles on this subject for your review. You may want to consider these books for your Collection. Thank you for allowing me to speak today and for all you do to create a safe environment conducive to the study and acquisition of knowledge in the Yakima Valley Libraries.

Amy Joffs: Our entire family uses the YVL and I feel that a line has been crossed. I believe that pornography has no value and no place in our public libraries where children are present. Libraries should never be forced to use public funds to provide access to pornography. Libraries should be sanctuaries for people of all ages. They should provide an atmosphere of safety and learning for our children. The viewing of pornography changes the atmosphere in the library not only for patrons but for the employees of the library. We must always balance the individual's freedoms with the needs of the entire community. We hope that we can find a solution that will protect all of the patrons of the library from seeing any sexually obscene and/or explicit material. We hope the Board chooses the US Supreme Court ruling that libraries in Washington State could apply their collection development policy to Internet access. Pornography should not be considered a "free flow of information." As an educator of West Valley School District I ask you today, what benefit does pornography provide?

Jean LaFortune: I'm a life-long citizen of Yakima. I used the library extensively as a child – especially summer reading programs. I brought my sons to the library when they were small. It was a safe place. Librarians work hard to purchase printed materials for the library that have redeeming value. They must make certain that all non-text items also have redeeming value. There is no redeeming value in pornography. Library computers need filters installed to screen out pornography. It should not be accessible to anyone. When I was a (school) principal, librarians asked to visit our classrooms each spring to tell children about the summer reading program. I always gave permission and encouraged their visits as this provided another means to promote reading. Today I would have to rethink this decision as my students would not be protected at the library. Thank you for allowing me to speak today.

Darren Joffs: I've been a patron with Yakima Valley Libraries for eight years. I work at Landmark Care Center. I care for many individuals and veterans who have sacrificed themselves for this country. Alex Deccio is also someone who stood for our countries' values. I believe there is no redeeming value through pornography and deem it inappropriate to view through computers. I would ask that the Board embrace this point-of-view and make a statement not to support the viewing of pornography on the library's computers.

Trustee Barnhill interposed the Open Forum to read Resolution #12-006 to the public. He commented to those attending that this is an immediate solution but not a complete solution. The Resolution modifies the Internet Policy to include the language – "Yakima Valley Libraries' Collection Development policies govern access to materials and the Internet."

Sergio Razo: We currently use a filtering system for all minor's accounts. With the revised policy we will now filter for everyone. Our IT department will begin testing for content and not just for pornography. It is important to understand that we cannot resolve this overnight. We will need to breakdown which content to block and what to allow. It will not be a quick solution. We have good people (staff) who want to provide good content and good resources to our patrons.

Darren Joffs: We realize this isn't going to be an easy process. Perhaps Sergio could collaborate with other libraries that have already gone through this modification.

President Barnhill thanked everyone for their statements. He asked if anyone else had further comments. No one came forward.

Director Hixson responded to the public thanking them for sharing their concerns about viewing of adult content in the library. Hixson stated that she believed the purpose of libraries is to reflect the needs of their community and that input from the community is essential to the success of a library. She also stated that it was important to clarify that the event that triggered the media reports was not related to the viewing of pornography. The content being viewed, would not have been filtered as it was not anything close to pornography; however, the appropriate behavior still happened. With the recent ruling by the Eastern Washington Federal District Court in the case of Bradburn, et. al. v. North Central Regional Library District, Washington Libraries may apply the collection development process to Internet Access. Director Hixson has recommended to the Board of Trustees that the Internet Policy be modified to reflect this change. The recommended wording, as noted by President Barnhill will read: "*Yakima Valley Libraries' Collection Development policies govern access to material and the Internet.*" YVL will apply the collection development selection process to all patron accounts. We ask for the public's patience to give us time to work through the process. She confirmed her intent is to keep patrons and staff safe from harm. She spoke on the policy changes adopted by Spokane County Library District and Seattle Library system. Hixson told those in attendance that YVL will soon be implementing a Strategic Plan seeking out what library services people need. The library should reflect the needs of the community. Trustee Ostrander commented that he has worked with various Boards for over 50 years and this is the quickest response to a change in policy he has ever witnessed. Trustee Barnhill informed all attendees that YVL has recently built a new library, remodeled the downtown library, both projects were completed under budget, and we recently held a surplus sale. He said people often don't realize what goes on behind the scenes of a library.

President Barnhill closed the Open Form thanking everyone who attended today and particularly the ladies representing the Zonta Club.

III Consent Agenda

The consent agenda is a grouping of ongoing regular items that are presented to the Trustees for approval. Any of the items can be broken out and questions may be asked at any time regarding any of the items:

- a. Approval of the August 27, 2012 minutes*
- b. Approval of financial statements*
- c. Approval of payroll and benefits*
- d. Approval of expenditure vouchers*

President Barnhill asked if there were any changes or modifications to the Consent Agenda. The Trustees reviewed the list of claim vouchers and asked questions regarding various vendors and expenditures.

MOTION: Trustee Fujiura moved to adopt the Consent Agenda to include the August minutes, August financial statements, August General Fund to include Payroll and Benefits warrants, August Accounts Payable warrants, and the West Valley Building Capital Fund August Accounts Payable warrants. Trustee Ostrander seconded the motion. *Motion unanimously passed.*

General Fund

Payroll Warrants		
319602	to 319610	\$45,484.95
319611	to 319611	1,093.25
319612	to 319623	88,129.46
Direct Deposit ACH Transfer to Key Bank		92,864.75
Direct Deposit ACH Transfer to Key Bank		<u>86,957.95</u>
<i>Total Payroll and Benefits</i>		<u>\$314,530.36</u>

Accounts Payable Warrants		
70619	to 70629	\$7,203.30
70630	to 70640	39,582.94
70641	to 70691	33,996.27
70692	to 70699	11,187.05
70700	to 70734	<u>33,073.06</u>
<i>Total AP Warrants</i>		<u>\$125,042.62</u>

Total Warrants Disbursed **\$439,572.98**

West Valley Building Capital Fund

Accounts Payable Warrants

5062	to 5071	\$13,948.03
5072	to 5081	<u>67,414.39</u>
Total Warrants		<u>\$81,362.42</u>

IV Unfinished Business

a. West Valley

i. *Closing Budget and Expenditures*

Director Hixson referred to the West Valley Community Library Expenditures versus Budget Reconciliation document included in the Board packets. The information drew favorable attention revealing overall costs came in under budget. Trustee Barnhill reminisced saying it was only a year ago that we held the ground breaking. Hixson suggested we might think about bringing artwork into the library. Trustee Barnhill acknowledged the idea but cautioned that we want something tasteful to go with the modern building and layout. Director Hixson relayed architect Sheri Brockway has some suggestions for consideration. Trustee Barnhill added he and his wife have a painting entitled "Yakima's First Christmas" which he offered to bring in for the Trustees to examine. The discussion concluded without a motion.

ii. *Outdoor Security Camera*

Discussion

Trustee Barnhill opened the topic regarding security cameras for the West Valley site. Trustee Ostrander spoke up and relayed an experience he had about ten years ago while he was Director. He said after the

downtown library was freshly painted they found graffiti sprayed on the building the next day. Trustee Maggard's recommended mounting 3 to 4 cameras to the exterior of the building. Director Hixson shared with the Board that YVL currently contracts with a security patrol service which monitors the site several times a night. She will check to determine if any activity has been logged into their reports about West Valley.

b. Yakima Central

i. *Closing Budget and Expenditures*

Director Hixson reviewed the outline of the Closing Budget and Expenditures provided in the Board packet. She noted that removal of the asbestos was a large expense. Trustee Barnhill mentioned other enhancements were costly as well. The Board confirmed the final totals and were pleased the project was completed under budget. The Trustees moved onto the next agenda item without a motion.

ii. *Exterior Changes (2012/2013)*

a. Planter box railing

Discussion

Director Hixson addressed the topic of modifying the planter boxes. She said Key Bank has a similar exterior design which Trustee Maggard proposed at the last meeting. She said she's working with the Facilities Manager to develop a plan for improving the planter boxes to include railings.

b. Paint and exterior

Discussion

The Board agreed to paint and update the exterior of the downtown library. Director Hixson will work with the Facilities Manager to move this decision forward.

iii. *Proposal by Yakima Library Mural Project*

Director Hixson introduced the Yakima Library Mural Project proposal. Trustee Barnhill asked if Historic North Yakima Group representative Lynn Kittelson would like to come forward to the podium. Ms. Kittelson gave a brief background and overview of the proposal. She said the initial idea was to have an artist paint the library's panels; however, it has since developed into a Community Project. We thought it would be intriguing for students who come to study at the library to see murals with quotes on the panels from famous people she explained. We believe the "art project" would be a contribution to the community.

Ms. Kittelson remarked that the work would be applied to the panels with Aerosol paint, a medium comparable to graffiti-style art, currently favored by young people. She motioned toward the Boardroom window and stated that the concept is similar to that of the bakery across the street. Through the guidance of a professional artist this will promote education in art she said, for the youth involved in the project. Ms.

Kittelsohn stated the Arts Commission whole-heartedly approved the idea. She said the kids will feel a sense of ownership with the library after completing the project.

The Arts Commission is planning to host an art event in the downtown area next spring she stated. She also added that the Historic North Yakima Group will meet October 1st and would like to invite anyone willing to come. Trustee Barnhill relayed to Ms. Kittelsohn that the Trustees are responsible for the building and wouldn't put a stamp on something inappropriate. We wouldn't want a lot of artistic freedom on this building without our approval he said. Trustee Barnhill added that the Board's intention is to paint the outside of the library in 2013. Trustee Maggard addressed Ms. Kittelsohn saying the concept would be suitable on a private building, but not on an institution. There would need to be a sealed coating to protect the artwork. Ms. Kittelsohn stated she's done a lot of research about other murals around the country. She confirmed the artwork would be sealed. Trustee Maggard commented that art work can be a form of literacy. Trustee Ostrander replied that this (project) is something we need to review for quite a while. Trustee Barnhill added that the Trustees examine any and all proposals. Trustee Fujiura asked how the panels would be removed if the project were approved. Director Hixson stated that the primary concern is the possibility of asbestos underneath the panels. Ms. Kittelsohn responded that if the panels could be removed, they'd be taken from the site and the artwork would be applied over a span of couple of days. The panels would then be restored to their original location. Trustee Barnhill noted that people have different viewpoints about art. Ms. Kittelsohn acknowledged that the artist Gloria Gonzales Garcia has done numerous murals and offered to bring photographs of her artwork to the Trustees. Trustee Maggard said the Board will offer to view her work. Ms. Kittelsohn told the Trustees that a sample of Aerosol artwork can be found on the website. She said it's important to have community involvement. The Board will further review this proposal. The Trustees did not make a motion at this time.

No action was taken on this issue at the meeting.

c. Strategic Plan

i. *Community Input – Facilitator*

Information

Director Hixson spoke on proceeding forward with the Strategic Plan adopted by the Board in 2011. Curtailed by construction projects over the last year, she announced we can now move ahead with the plan. First, as an essential step, we will conduct public meetings throughout the district to discern the needs of our unique communities. The goal is to listen to their input and build library services to meet that necessity. Hixson added we will follow the Public Library Association's outline for Strategic Planning. She recommended a motion from the Board allowing the selection of a facilitator, JKP Fundraising, who

specializes in assisting libraries with the implementation of this process. The estimated cost for three five-hour community planning sessions is approximately \$3,703.50. Trustee Barnhill relayed his experience as a past airport board member and the benefits gained from hiring a facilitator to develop a Strategic Plan.

Trustee Maggard asked Director Hixson how does this (hiring someone outside of the organization) help the library? Hixson relayed we are trying to build priorities on the needs of the communities. As an example, there is a ninety percent Hispanic population in this community; however, the collection carries only seven percent Spanish materials. We need to begin building services for the needs of that population. She added that an experienced facilitator familiar with library services can pull leaders together to discuss how we can help to establish safe communities through the support of libraries. Trustee Maggard noted he wasn't sure if he was for this or against it. He said he wasn't convinced that for \$3700 we would obtain successful results. Trustee Fujiura commented that we don't really know yet what the facilitator would propose. Hixson said the outcome of a Strategic Plan will help guide staff into seeing the value of specific services and not just doing what they want to do. Trustee Ostrander questioned how it is that staff is choosing to do what they want to do.

Trustee Fujiura implied she felt the facilitator wouldn't be telling Director Hixson what to do concerning library services, it is the community telling her through his research what they want. Hixson added that knowing what is needed by the communities will help us better spend resources on those needs. Trustee Maggard stated that for \$3700 he didn't see the benefit of it and the necessity of three 5-hour meetings. Trustee Perryman cited that having people involved from the community, who are accustomed to our library services, may provide a different viewpoint. Director Hixson relayed the concern is that the Strategic Plan has been delayed for a year. She added we are still going down the same path we have been going. Trustees Maggard and Ostrander conveyed if Director Hixson felt hiring a facilitator would help her they would approve the project. Hixson replied we just don't want to miss what the community wants. Trustee Maggard stated he just didn't want to add someone else to the staff at \$50,000 a year.

Trustee Barnhill commented about a recent survey to the community administered by Yakima City Manager Tony O'Rourke. Hixson remarked about the survey and said she was surprised to find a large component of the questionnaire was about the library. She added that many people replied they aren't using the library. Trustee Maggard responded that perhaps many people don't realize this belongs to them. He then shared a story about distributing handouts for OIC to inform local citizens about the services and job trainings OIC provides. He said a lot of people had never heard of or knew about OIC until that information was handed out. Perhaps that is like the library he said, then added, no one really knows us. Trustee Barnhill

commented that so many people's habits are changing and they rely on the Internet at home now. Maggard stated we need to make sure they know we have the technology here as well. Hixson declared she will regroup and think of ways to connect with the community to ensure that the library is meeting the needs of the community. In closing she stated the first step in meeting our goals is determining how our technology services can best meet the needs of our patrons.

V New Business

a. Staff Enrichment Day – Closure October 12th

Hixson confirmed that the Library District will be closed Friday, October 12th for the annual Staff Enrichment Day.

b. Union Gap

Director Hixson met with Union Gap officials to discuss options involving the library's contract with the City. Due to an extensive mold issue the city's plan is to demolish the current City Hall at the end of the year. The library, located in the same building, will be included in the demolition. Without a library and services, Hixson reported the City will save over \$100,000 which they anticipate will go toward construction of a new City Hall. However, the outcome leaves 350 families without library services in Union Gap who will need to pay Non-Resident Fees. Hixson asked the Board to consider a motion waiving the 90 day termination clause and recommended a motion revising the contract with Union Gap. Trustee Ostrander asked about placement of existing staff once the Union Gap library closes. Hixson stated we will utilize the two full-time employees elsewhere in the district. On a side note, Trustee Maggard asked when the lease expires at the Liberty building. Hixson responded June 2013.

i. Waive 90 day contract termination clause

Motion

Motion: Trustee Ostrander moved that the 90 day notification to terminate the contract with the City of Union Gap be approved. Trustee Maggard seconded. *Motion was unanimously passed.*

ii. Revised contract

Motion

Motion: Trustee Ostrander moved to approve revise the contract with the City of Union Gap for library services without a building. Trustee Maggard seconded. *Motion was unanimously passed.*

c. Non-resident Fee – 2013

Resolution #12-005

Director Hixson asked the Board for consideration to reduce the current non-resident fee from \$75.00 to \$50.00.

Motion: Trustee Fujiura moved to approve Resolution #12-005 in the Matter of Decreasing the Annual Non-Resident Fee in 2013 from \$75.00 to \$50.00 and determines that this annual payment shall entitle everyone residing at the same street address (i.e., house, apartment, or

other type of living unity) to resident library privileges at no additional charge. Trustee Maggard seconded. *Motion was unanimously passed.*

- d. Meeting Room Policy Information
Director Hixson followed up with the discussion pertaining to the Terrace Heights Friendship Tea presented at last month's Board meeting. They ask the Board to allow them to continue using the library for their gatherings as they have done in previous years. It became apparent during the Trustee meeting that the Friendship Tea participants did not want, nor see themselves, as part of a regular library program. Trustee Fujiura proposed a review of the Meeting Room Policy and the Coffee and Light Refreshment Policy which governs the use of the library meetings.

- i. *Determination of Program versus Private Meeting* Motion
Any use of the library by a group that is not an official part of a Yakima Valley Libraries' program are subject to application of the Meeting Room Policies and Coffee and Light Refreshment Policy.

Motion: Trustee Fujiura moved that the Terrace Heights Friendship Tea is not a library program as set under the rules and guidelines of the Meeting Room Use policy and Coffee and Light Refreshment policy. Trustee Ostrander seconded. *Motion was unanimously passed.*

- e. Internet Policy Review Resolution #12-006
Director Hixson relayed the ruling by Washington State Supreme Court in the case Bradburn, et.al., v. North Central Library District that libraries are allowed discretion in selection of appropriate materials for its collection and may apply that criteria to Internet sites. The Board of Trustees heard from local citizens who came forward expressing their concerns about Internet site content by which individuals are accessing on the library's computers.

Motion: Trustee Fujiura moved to approve Resolution #12-006 in the Matter of Review and Revising the Internet Policy to modify the policy to add the language: *Yakima Valley Libraries' collection development policies govern selection of materials and the Internet;* and strike language: *The Yakima Valley Libraries system does not institute electronic mail (e-mail) or news and discussion groups or chat rooms for library customers;* and modify item under computer resources to read: *Use of computer communications facilities in ways that intentionally impede the computing activities of others.* Trustee Ostrander seconded. *Motion was unanimously passed.*

VI Executive Session

Trustee Ostrander asked that the Trustees break for Executive Session under RCW 42.30.110(1)(g) to review the performance of a public employee.

The Regular Meeting was temporarily adjourned at 5:15 p.m. to reconvene at 5:30 p.m.

The Regular Meeting was reconvened at 5:30 p.m. There were no recommendations for any decisions from the Executive Session.

VII Adjourment

President Barnhill adjourned the meeting at 5:35 p.m.

Next meeting will be
Budget Study Session
Tuesday, October 23, 2012 – 3:00 p.m.
Regular Meeting
Tuesday, October 23, 2012 – 4:00 p.m.
Yakima Central Library Boardroom

Respectfully submitted,



H.E. Maggard
Secretary