

WEBER COUNTY LIBRARY

BOARD OF TRUSTEES

MINUTES

Date: December 3, 2013

Board Members
in Attendance:

Marie Irvine
Kathleen Herndon
Eric Jacobson
Commissioner Jan Zogmaister

Board Members
Excused:

Scott Spencer
Spencer Stokes
Tom Taylor

Others in
Attendance:

John Bond, Weber County Treasurer
Monette Hurtado, Deputy Weber County Attorney
Marcia Harris, Development Board
Evelyn Bertilson, Friends of the Library
Jay Lems, Prescott Muir Architects
Prescott Muir, Prescott Muir Architects
Lynnda Wangsgard, Library Director
Karen Burton, Associate Library Director
Scott Jones, Assistant Library Director
Sarah Lovato, Southwest Branch Manager
Loretta Shupe, Standard-Examiner
Sylvia Salisbury

Call to Order and Approval of Minutes:

Irvine called the meeting to order at 5:00 p.m.

Herndon moved acceptance of minutes of the November 5, 2013 meeting with a requested change, noting Marcia Harris should be listed as being in attendance. Jacobson seconded the motion, and all voted in the affirmative.

Director's Report:

Wangsgard presented the financial report, current as of November 26, 2013. The spreadsheet illustrated over-expenditures of \$443 in bank charges; \$197 in controlled assets; and \$62,609 in equipment. Transfers from other line items that were under expended had been made to accommodate these additional costs.

The over expenditure in bank charges was due to increased fees charged to process payments of

finances and fees via credit cards. The over expenditure in controlled assets, although less than \$200, was being addressed with a transfer of funds because additional purchases from this line item may be required in order to complete an upgrade to the cooling equipment serving the Main Library data center. The over expenditure in the equipment line item was due to the untimely failure of a controller in the data center that overheated when cooling systems at the Main Library failed. Despite the transfers needed to cover shortfalls in the three line items, operational adjustments were being made to complete the year within overall budget parameters.

The books and materials line item was still in flux, reflecting the large volume of items purchased for the Headquarters Library but not yet received. Publisher discounts and product availability will determine the final status of this line item. Any shortfall will be covered by under expending in other line items.

In the interest of time, and in deference to special presentations to follow later during the meeting, an abbreviated service metrics report was presented highlighting the more than 209,000 items borrowed/used by the public during November. Although the year-to-date (January – October) number of eMedia materials borrowed had increased by 27% over the previous year, this format accounted for only 41,500 total circulations during the first 10 months of the year, an insignificant number of the 1,878,700 items used by the public as of October 31st. In addition to materials borrowed, use of public meeting rooms and program attendance statistics were also significantly higher than those for the previous year.

Permission to Close Libraries at 5 p.m., December 24th & 31st:

Jacobsen moved permission to close all County libraries at 5 p.m. on December 24th and 31st. Herndon seconded the motion, and all Board members voted in the affirmative.

The annual holiday open house will be held from 1-4 p.m., on December 24th.

2014 Holiday Schedule:

Zogmaister presented, and Herndon seconded, a motion to adopt the following 2014 holiday schedule, all voting in favor.

New Year's Day	January 1 st , Wednesday	Library Closed
Martin Luther King, Jr. Day	January 20 th , Monday	Library Open
President's Day	February 17 th , Monday	Library Open
Memorial Day	May 26 th , Monday	Library Closed
Independence Day	July 4 th , Friday	Library Closed
Pioneer Day	July 24 th , Thursday	Library Closed
Labor Day	September 1 st , Monday	Library Closed
Columbus Day	October 13 th , Monday	Library Open
Veteran's Day	November 11 th , Tuesday (Staff Development Day)*	Library Closed
Thanksgiving Day	November 27 th , Thursday	Library Closed
	November 28 th , Friday	Library Open**
Christmas Day	December 25 th , Thursday	Library Closed

Note: * All employees will be scheduled for mandatory training from 12-9 p.m. on Staff Development Day. Training will be held at the Pleasant Valley Branch Library.

** The November 28th holiday is a personal preference day, granted by the County Commissioners. Schedule this time with your supervisor as you would any other holiday, November 28 – December 15, 2014. Time not used by December 15th will be forfeited.

Social Media Policy:

After completing required County sexual harassment training, employees had requested written boundaries and more detailed direction in relation to their responsibilities in overseeing use of social media. Hurtado met with Library managers and offered clarifications, suggesting applicable laws and best practices be coherently summarized and stated in policy.

Lovato identified and engaged a consultant, Randy Dryer, Professor of Law, University of Utah, to work with the managers and administrators in developing a draft social media policy and terms of use statement. Dryer was selected to guide development of these documents because of his expertise and experience in this specialized and rapidly changing area of the law.

Jacobsen asked if the proposed policies created a proper balance between responsibility for appropriate use and oversight of social media while also protecting employees' rights to free speech.

Wangsgard noted the goal was not to limit speech but rather give employees fair warning of what is happening in the world of social media, while encouraging them to think about the liability certain actions may create for the County, the Library, and for themselves. The intent was not to "bridle" speech, but to fulfill a management obligation to help employees understand a civil integration of social media can be challenging in the workplace. Employees deserve to know that "friending" and sharing too much personal information can have work related consequences. "Employees are free to do whatever they choose outside of the job," Wangsgard said, "but when the results of their actions spill over into the workplace, the employer has to deal with it, and we will."

Hurtado noted the draft is an educational tool, not just a policy, that is meant to school those who may not fully understand the level of transparency and the legal issues that are endemic to social media, as well as the harm that can come from improper use. "Social media is not private," she advised, "don't put something on a site that you will regret at a later date." Slander and liable are issues that, if they become public, may be actionable. Individuals who do not understand the transparency of the Internet or social media sites can create problems for themselves and others.

Irvine expressed concern that there is currently no warning when the public leaves the Library Web site and ventures to a commercial or other area of the Web where they may not have the same level of confidentiality provided by the Library. Jones was asked if it is possible to put up a billboard to inform people they are leaving the Library site and going to unprotected area of the Web; that is having it made obvious by something more than the destination not opening in the current page and being launched in new window or browser? Jones responded that this level of programming and maintenance was not within the scope of most organizations, including the Library. It is contrary to the manner in which the Web operates.

A question about the definition of "commercial use" of the Library social media site was addressed by Lovato, who explained that the acceptable use policy was focused on those trolling

for business. Under the terms of acceptable use, such activity on a Library sponsored site could be grounds for taking the advertisement/statement down. The prohibition of commercial use of a Library (government) sponsored Web sites was consistent with the Board policy on the use of Library meeting rooms being open and free only to those seeking access for non-commercial purposes.

After a broad ranging discussion, it was determined that Mr. Dryer will be invited to the January 7, 2014 Board meeting to enhance a more nuanced discussion of the issues.

Capital Projects Update - Bond Rating & First Sale of Bonds:

The County Finance Committee members, Jan Zogmaister, Commissioner; John Bond, Treasurer; Ricky Hatch, Auditor; and Dan Olsen, Comptroller; were prepared to oversee selling bonds the following Thursday to secure the funding needed to finance the Library Board's five-year capital plan. Bond presented an abbreviated overview of the Finance Committee's work in seeking a bond rating, which is an important step in the process of selling the general obligation bonds.

The Committee had invested substantial effort in timing the sale of the bonds in an attempt to take advantage of the lowest possible interest rates. Working from a cash flow summary prepared by the Library administration, they had to decide when to sale bonds in order to maximize value for County residents while also providing the funding needed to pay invoices as they are submitted.

Major variables that weighed heavily on the decision-making process included a possible change in the Federal Reserve Board's strategy of infusing money into the economy to encourage growth, a change that could destabilize bond market. If Congress is unable to reach agreement on a Federal budget, or creates gridlock over increasing Federal-spending limits, the resulting chaos could also cause interest rates to go up. The worst case, another government shutdown that is possible after the first of the year, could raise havoc with the markets.

With the help of the County's financial advisors at Zion's Bank, the Finance Committee decided to take advantage of current low interest rates and a stable economy by completing the first sale of bonds before the end of the year. The goal was to obtain enough money in two separate bond issues to support the timeline for the capital projects while creating as little burden for taxpayers as possible. The first general obligation bond issue for the Library projects will be the largest (\$34,000,000), since it is anticipated that interest rates will continue to rise as the economy continues to improve. All of the funding cannot be borrowed at this time because it cannot be utilized quickly enough to avoid spend down penalties. A second sale of bonds (\$11,000,000) will take place in two-three years to complete the voter-authorized capital improvements.

One of the most important benchmarks in the process of preparing to issue bonds is to obtain a bond (credit) rating from rating agencies. The purpose of these ratings is to provide investors with a simple system of gradation by which future relative creditworthiness of securities may be gauged. The Finance Committee prepared for ratings from Fitch and Moody's, traveling to San Francisco to make their presentation on the County's debt structure, financial health, and future economic outlook. The rating agencies were particularly interested in how well County finances

are managed – is the County equal to the task and do they have the capacity to pay back the money borrowed?

Zogmaister noted Fitch did not ask questions about the plans for new libraries, but the people at Moody's were interested and wanted to know how the money would be used. The Finance Committee was well prepared to talk about the vision of third space libraries and their continuing importance in the social and economic fabric of the society.

Finance Committee members made two presentations in one day, and then returned to await the news of the ratings. The first response came from Fitch, awarding a AAA rating, the highest possible. Moody's followed soon after with Aa2, just slightly lower than AAA, and judged to be of high quality with very low credit risk. These ratings illustrate the quality of the County's financial management team, as well as the financial capacity of the County.

Outstanding ratings in hand, the Committee decided to sell \$39.4 million general obligation and refunding bonds on the open market December 5, and already had inquiries from seven potential investors looking to bid on the issue. Once the transaction is complete, the Board will be notified of the results.

Board members thanked Bond for his very informative report and asked that he and Commissioner Zogmaister carry their sincere appreciation to the others involved in the sale.

Ogden Valley Branch Site Improvements.

Lems reported construction work at Ogden Valley Branch was slated to be wrapped up before year-end, although snowstorms had now slowed progress. A substantial retention will be withheld until the work can be inspected and final payment authorized by the architect.

Southwest Branch/Headquarters.

Lems reported on the most recent cost estimates for the Headquarters (HQ) building project, completed at the conclusion of the design/development phase of the work. Estimated cost per square foot of \$233.65 are toward the lower range of library construction costs for buildings recently completed along the Wasatch Front.

Total estimated construction costs:	\$17,607,075
Total soft costs	4,078,328
Design/construction contingency	<u>2,244,902</u>
Total project costs	\$23,930,305

The next in-depth cost estimate will be provided when the construction documents are about 50% completed.

Soft costs include, but are not limited to, such items as automated materials handling and RFID self-check systems; seismically braced materials shelving; data, security, and audio visual equipment; snow removal, personnel lift, and other building maintenance equipment; and all furnishings.

The contingency was set aside at the beginning of the project to carry through unknowns of design and construction. The funds being held in contingency will be sufficient to carry the project through any shortfalls resulting from changes in the market between now and the time bids are received, as well as cover unforeseen costs or program changes during construction. Lems noted changes will occur that will need to be mitigated, as some design areas are not yet fully developed, such as outdoor programming and the teen area. Any contingency not used can be carried forward to other projects.

Lems reported preliminary plans had been submitted to the Roy City Planning Department, and should not hold any surprises as the City had been involved in the initial design on several occasions. City officials are familiar with the site plan, building orientation, and other elements of interest to the Planning Department. Prescott Muir Architects was on schedule to complete construction documents by March 1, with construction to begin during late spring or early summer. In summary, Lems noted the project was on schedule and on budget.

Muir provided an update on the building materials recommended for the Headquarters Library, explaining brick was the primary exterior finish, but glass was also being used to greatest effect to maximize solar gain during winter months, enhance lighting during daylight hours, and provide views for those using the facility. Muir noted the exterior of the Salt Lake City Public Main Library is approximately 80% glass, he is recommending the Weber County Library Headquarters Library feature only about 30% exterior glass.

Architects and designers recommended a dark brick with reflectivity, because a dark exterior will make the building feel less massive on the street level. Aluminum sheet metal will be used around entries, but is a less substantial product and will be used sparingly. Etched glass is planned in areas such as youth services where a feeling of "privacy" is important but where it is important to take advantage of natural light. A small amount of honed block will be used for emphasis. Skylights are being studied to provide a gain of natural light to keep operation costs at a minimum. A scrim over the reading room will diffuse the light, allowing in the winter sun, but when the sun is high in the sky during summer months, it will mitigate heat gain. R30 insulation in walls and R50 in the roof will be adequate for Leadership in Energy and Environmental Design (LEED) certification. Every aspect of the building is being designed looking for efficiencies, while also making sure the building elements are compatible with conventional construction methods and are a model of durability.

Muir noted there is still a need to work with Weber Basin Water District that manages an abandoned irrigation well located adjacent to the building site. The well is owned by the Federal Bureau of Reclamation. Permission is needed to lower the vault to accommodate landscaping around the site.

Jacobsen asked if staff had input on design. Wangsgard responded that the staff had complete input on the program to be supported by the building but had not indicated any personal preferences for how the building should look, leaving the design to the professionals. She noted that, in her opinion, the building was very nice.

Commissioning Consultant.

Three firms had responded to the Library “Solicitation for Consultant (SFC): Commissioning Services” and were interviewed by:

Jay Lems, Prescott Muir Architects
Tom Brennan, EDA Architects
Ivan Weber, EDA Architects
Dave Wesemann, Spectrum Engineering
Kevin Wilson, Library Professional Property Manager
Scott Jones, Assistant Library Director
Lynnda Wangsgard, Library Director

Upon completion of the interviews, it was determined it is in the best interest of the County to contract with Eaton Energy Solutions for commissioning services for Library five-year capital plan projects, including the Headquarters Library, Main Library, and North Branch. The negotiated contract cost for these services was \$140,103, almost \$30,000 less than budgeted.

Eaton significantly outscored the other applicants during the interview process. The company has a branch office in Salt Lake City, and is the only one of the three respondents that has a significant local presence. The company has experience commissioning libraries and museums in Utah, including the West Jordan Library (Salt Lake County Headquarters), Draper Library, and the Leonardo in Salt Lake County. They have also commissioned numerous libraries and museums throughout the U.S., including the Barnes Foundation Art Education Center in Philadelphia and the Georgia State Archives. In addition, Eaton Energy Solutions proposed a complete system commissioning as required by the solicitation for consultants (SFC); presented their entire team during the interview; and detailed expected results in an outstanding manner.

Wangsgard noted, the Eaton commissioning team has the depth of resources required to complete the process with the expected results, and their Utah office enables them to be present at all required meetings without the complicating logistics of accommodating travel arrangements. It is not in the interest of the County to work around the itinerary of the commissioning agent that does not have the needed local expertise, requiring travel from out-of-state, which could compromise the very tight schedule for completing the three major projects in five years and expending bond money according to the payment schedule.

A second company did not score nearly as high as Eaton during the interview process, and had only one person based in Utah, challenging him to either have the expertise required of every engineering discipline, or bring additional support from out-of-state. While the company is based in Colorado, the actual building engineer works out of Nashville. A further concern was that this company submitted a team with their original proposal and then changed the building envelope representative – the individual who came to interview was not the person listed in their proposal. In addition, they proposed sampling of sensors and systems, whereas others proposed complete testing. The Library’s scope in the SFC required complete testing. In the opinion of the architectural and engineering team, this second response did not present a realistic project plan methodology for testing the entire building.

A third company interviewed scored lowest of the three respondents to the SFC. Located in Nashville, they do not have a local presence. Their proposal was not complete based on the SFC requirements in that they did not have a building exterior (envelope wall) commissioning plan, which was a requirement of the Library scope of work to be addressed.

The agreement had been placed on the County Commission agenda, but the Commission meeting had been cancelled. Wangsgard had requested that the agreement be placed on the Commission agenda for the following week. Because of the time sensitive nature of bringing the commissioning agent engineering team to meetings scheduled with design architects and engineers, Wangsgard had asked the County Purchasing Agent for an early release of a purchase order, authorizing the company to begin preliminary scheduling with Prescott Muir Architects and their team of engineers. County Commissioners had authorized this early release and the purchase order will be sent to Eaton.

Board members were given a detailed handout describing the services to be delivered for each of the three capital projects over a period of five years. In the interest of keeping the Headquarters Library design on schedule, the Board had voted during their previous meeting to authorize the staff to proceed with the selection and hiring of a commissioning agent, subsequent to authorized County processes and procedures.

Main Library Renovation.

EDA Architects were working with existing building plans and engineering consultants to review the Main Library, the first step being to determine if there were any discrepancies between the drawings and the way in which the building was actually constructed. The architects had been asked to determine if any of the room dividers in the lower level are support walls, and which can be removed to open the area for expanded public services.

North Branch Renovation.

A storage shed was being constructed at Ogden Valley Branch to create additional room for expansion at North Branch. The shed will house attic stock currently stored in the lower level of the Branch; that is, carpeting, ceiling tile, replacement fixtures, and other replacement parts and supplies that must be housed long-term to keep the libraries in the System in good repair.

Other:

Irvine acknowledged an informative article in local newspaper, featuring several of the Library's literacy programs. It was noted that an article might soon follow on the Board's deliberations concerning a social media policy.

A year-end general staff meeting will be held at 8 a.m., Tuesday, December 17, at the Pleasant Valley Branch. The agenda will include a summary of 2013 accomplishments, major challenges to be addressed during 2014, and a thank you to staff.

The Board was thanked for their leadership during a challenging year, and for their hard work and dedication offered without remuneration and always in the best interest of quality library

services for all the people in the community.

There being no further business, the Jacobson proposed and Herndon seconded a motion to adjourn at 7:10 p.m. All voted in the affirmative.

Respectfully submitted: Julia J Valle 1/7/14
Julia Valle Date