



ESCONDIDO PUBLIC LIBRARY BOARD OF TRUSTEES

AGENDA

Thursday, November 18, 2010

2:00 p.m.

Board Room

1. CALL TO ORDER

2. **WRITTEN / ORAL COMMUNICATIONS.** At this time the public may comment on items not appearing on the agenda. State law prohibits the Board from discussing or taking action on such items, but the matter may be referred to the staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.)

3. **APPROVAL OF MINUTES FROM PREVIOUS MEETING.** *Attached.*

4. BOARD ADMINISTRATIVE ANNOUNCEMENTS

5. **PROJECT UPDATES** – Donna Feddern is continuing to work on a new web site for the library, and we hope to have it up and running shortly after the first of the year.
6. **BOARD NEWS/ISSUES** – The Library's Annual Report to the City Council will be at the 4:00 p.m. meeting on Wednesday, December 8th.

7. REPORTS FROM AUXILIARY GROUPS

- a. Serra Library System Advisory Board –Serra Administrative Council will next meet on November 18th.
- b. Friends of the Escondido Public Library – The Friends this month funded an area rug for the preschool area of the Children's Room, and they are putting together another newsletter.
- c. Pioneer Room Friends – The PR Friends have a new slate of Board officers, with Bob Will taking over for Cathrine Laguna as president due to Cathrine relocating out of state. Ginger Kullman, the secretary, will be helping out with a genealogy demo next week.
- d. Escondido Library Endowment Foundation – The ELEF is sponsoring a Book Fair at Barnes & Noble on Saturday, December 4th. The library is distributing vouchers at checkout and on our web site.
- e. Friends of Library Literacy Services –The Literacy Friends are considering hiring PR/marketing consultant Debby Stanley to increase sponsors for the Scrabble-Thon.

8. SIGNIFICANT UPCOMING EVENTS

<i>Date & Time</i>	<i>Location</i>	<i>Event</i>
November 13, 3 p.m.	Turrentine Room	Concert: Adrienne Nims, jazz
November 25-26	All Locations	Library closed for Thanksgiving
December 8, 4 p.m.	Council Chambers	Library's annual report to City Council
December 11, 3 p.m.	Turrentine Room	Concert: S. D. Chamber Music Society Brass
December 13, 6 p.m.	Turrentine Room	Family holiday program: "A Christmas Carol"
December 15, Noon	Turrentine Room	Staff & volunteer holiday party/potluck
December 24 -25	All locations	Library closed for Christmas holiday

9. CURRENT BUSINESS

**Library Board of Trustees
Meeting Agenda
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- a. **HOMELESS USE OF LIBRARY FACILITIES.** Review options for dealing with homeless in the library (Alex Galenes).
- b. **LIBRARY STAFF RESTRUCTURING PLAN.** Report on minor changes to staff structure.
- c. **LIBRARY & TECH CENTER PLANNING.** Progress report.

10. CITY STAFF COMMUNICATIONS

- a. Community Services Director
- b. City Librarian
- c. Deputy City Librarians

11. CUSTOMER SERVICE COMMENTS. Available at meeting.

12. ADJOURN UNTIL December 8, 2010

13. UPCOMING MEETING SCHEDULE. Regular meetings are the 2nd Thursday of each month at 2 p.m.

<i>Day</i>	<i>Date</i>	<i>Time</i>	<i>Location</i>
Thursday	December 9, 2010	2:00 p.m.	Library Board Room
Thursday	January 13, 2011	2:00 p.m.	Library Board Room
Thursday	February 10, 2011	2:00 p.m.	Library Board Room

TO ADDRESS THE BOARD: The public may address the Library Board of Trustees on any agenda item. Please complete a Speaker's form and give it to the Administrative Assistant. Comments are generally limited to 3 minutes. If you wish to speak concerning an item *not* on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

Handouts for the Library Board should be given to the Administrative Assistant. To address the Board, STATE YOUR NAME FOR THE RECORD. **Please turn off all cell phones and pagers while the meeting is in session.**

**Escondido Public Library Board of Trustees
MEETING MINUTES
Thursday, September 9, 2010, 2:00 p.m.
Library Board Room**

CALL TO ORDER: President Gary Knight called the meeting to order at 2:00 p.m.

Members Present: Elmer Cameron, Stan Levy, Diane Yerkes, Alex Galenes, Gary Knight

Staff Present: Community Services Director Jerry Van Leeuwen, City Librarian Laura Mitchell, Deputy City Librarian Jo Ann Greenberg, Board Secretary Janet Rulien

WRITTEN/ORAL COMMUNICATIONS: Customer Comment cards were passed around to the Board members.

APPROVAL OF MINUTES FROM PREVIOUS MEETING: The minutes were amended as follows: Under Written/Oral Communications, last sentence changed from "The Census Bureau thanked us for our assistance with the 2010 census" to *The Census Bureau thanked the library for our assistance with the 2010 census.* Under Reports from Auxiliary Groups, last sentence changed from "The Board commented on the condition of the library grounds and landscaping and noted many deficiencies due to short staffing" to *The Board commented on the condition of the library grounds and landscaping and noted many deficiencies due to limited staffing.* **MSC Cameron/Levy to approve the minutes as amended, Vote 5/0 in favor.**

BOARD ADMINISTRATIVE ANNOUNCEMENTS: None.

PROJECT UPDATES: The Board got information on the Text A Champion program. This is a grant funded project that two libraries in San Diego are trying. Any librarian can answer the questions from the public via a computer site which alerts the staff to a waiting text message. We will report more on this program. Levy suggested we try the Skype application so the person can view a librarian and make this more personal.

BOARD NEWS/ISSUES: The library will be closed on the 11th of November for Veteran's Day. The Board decided to move the monthly Board meeting to Thursday, November 18, 2010 at 2:00 p.m.

REPORTS FROM AUXILIARY GROUPS: The Friends provided the library with \$35,000 for books. The Board congratulated our Friends on their successes and asked Cameron to pass on that the Board truly appreciates them.

CURRENT BUSINESS:

Snapshot Day: The California Library Association (CLA) asked all libraries to participate in Snapshot Day, a program to collect statistics to promote libraries in California. The gathering of specific statistics was explained by staff. The Board mentioned they were interested in using some of these statistics and pictures in a council presentation. Council presentations are an excellent opportunity to reach the public as well.

E-vanced Summer Reader Program (SRP): The staff has kept track of SRP numbers manually. We need to move up technologically to save staff time. We are asking the Board to pay for the first year and then the library will budget this expense in future years. **MSC Cameron/Levy to fund this software program for a purchase price of \$2,200, Vote 5/0 in favor.**

Library & Technology Center Planning: Our RFQ resulted in 15 different architectural firms applying. The RFQ was whittled down to four architects. Interviews are planned for the last week in October. A subgroup of the City and ELEF's project management team will be conducting the interviews. Cameron would like to attend and would like Mitchell to check with the city attorney's office regarding any possible Brown Act conflicts.

Fine Free Fridays: This item was discussed and Mitchell provided background. The County says it is revenue neutral, has added to circulation, and is a very positive thing. **MSC Levy/Yerkes to move forward with the Fine Free Fridays on a six-month trial basis starting in January 2011, Vote 5/0 in favor.**

CITY STAFF COMMUNICATIONS:

Community Services Director: VanLeeuwen spoke about Clean Tech and the City is becoming a member at \$5,000 a year. It is a company that cleans items such as grease traps in restaurants and green companies. The building next door on Second Avenue will be torn down and hopefully we will get the money for a parking lot. We are still in negotiations for moving the Women's Club building. Cameron brought up his concerns of storage for The Friends since they use the building for books.

City Librarian: Smith is in the children's room and could not make it to the meeting due to limited staffing. Cindi Bouvier, our new Senior Librarian for children's, will be starting in a couple of weeks. The public computer situation is changing. The LBOT used to pay for our public computers, servers, printers, etc. We are faced with a situation where we have 111 public computers and they need to be replaced. We are going to put these computers on a replacement list. Departments are required to budget for its own equipment needs. We will be using some of the renovation monies to replace these computers. Our goal is to replace the computers every five years. Our current computers are starting to fail. Levy said that was terrific and was very happy about this! IS will support our request. Knight suggested giving the old computers to a program called Futures Foundation, which renovates computers and turns them over to nonprofits.

Deputy City Librarians: November 3rd is the bookplate reception from 3:30 to 5:00. Greenberg explained the program and how it works. We are also having a book faire with Barnes & Noble through ELEF on December 4th. The Friends will help to promote this event in The Shop. Greenberg gave out the flier for the Culture Connection book programs. This series is being provided to the library by The Friends. The new voter workshop was a great success, which the California State Library filmed. VanLeeuwen would like to air this on Channel 19. This would be a great public service.

Adjourned: 3:30 p.m.

Respectfully submitted,

Diane Yerkes, Board Secretary

LIBRARY BOARD OF TRUSTEES MEETING**Date:** November 18, 2010**Agenda Item No. 9a
Homeless Use of Library Facilities****Recommendation:**

Review options for dealing with homeless in the library.

Background:

Trustee Alex Galenes requested that this item be discussed. It's been well-established in the courts that libraries are open to all, including "homeless." The library Code of Conduct provides that we may eject anyone based on bad behavior, including sleeping, eating, bathing, loud talking on cell phones, fighting, bare feet, being drunk and carrying weapons. Generally, the "regulars" we have here most every day behave themselves and read quietly. If they break the rules, they know they will be banned for a period of time.

Homelessness has been on the upswing since the 1980's, and it has been an issue for public libraries since that time. Every urban library in the country has the problem to some extent. Individuals bathe and wash clothing in the restrooms, sleep in the reading chairs, and occasionally exhibit offensive behavior toward patrons and staff.

Who are the homeless? Research has shown that families make up 34% of the homeless, single women with children 12%, teen runaways 3%, and the remaining 51% were young or middle-aged men, many of whom were unemployed, suffering from psychiatric problems and/or substance abuse. Veterans comprise 33% of this population. 25% of the homeless are emotionally disturbed and need to take regular medication.

The public is tired of the demands this segment of the population places on social service and health agencies, and a growing backlash toward the homeless is evident. Individuals and families housed in night-only shelters turn to public institutions during the day. It is in this climate that homelessness has become a challenge for the public libraries. How can librarians maintain an atmosphere conducive to reading and research and still meet their charge to serve the needs of everyone in the community, even the homeless?

LIBRARIES AS PUBLIC PLACES

Libraries are public buildings, and a person's right to use library resources is inherent. We know from past experience here at our Escondido Public Library that, in order to exclude someone, we need to show the threat of bodily harm and convince a judge to authorize a restraining order.

There is case law concerning the right of the homeless to use the library. In Morristown, New Jersey Richard Kreimer, one of the homeless, was asked to leave the library because of bodily odors, inappropriate stalking of female patrons, and abusive outbursts. Subsequently, the Free Library of Morristown established rules for the expulsion of patrons whose personal hygiene or actions impeded other library patrons. The director of the library stated that the policies have "nothing to do with homelessness...simply about the rights and obligations of boards of trustees to be able to make rules to protect their patrons and their staff...What we were trying to do was prevent patrons from staring at out staff...generally harassing and intimidating people".

Kreimer sued the library on the grounds that his First Amendment rights were compromised and that "there's nothing to prevent libraries from using their own prejudices to remove someone they don't

like." Kreimer argued that the policy was vague and violated the Fourteenth Amendment's due process clause. In May of 1991, Federal Judge H. Lee Saroken ruled that public libraries can't bar the homeless because their "staring or hygiene annoys or offends other library patrons." Libraries could draft specific regulations but their purposes must be "necessary and their effects neutral." Three weeks later, a Federal Appeals Court overturned the lower court's ruling. The three judge panel ruled that the "Library is a limited public forum and is obligated only to permit the public to exercise rights that are consistent with the nature of the library". The appeals panel stated that the library is not a shelter or a lounge, and that this ruling "prohibits one patron from unreasonably interfering with other patron's use and enjoyment of the library".

The bottom line in these contradictory rulings is that this is a very gray area. Librarians are also divided on the question of serving homeless. It is our mission to serve everyone in the community, including the unwashed. When does someone's body odor reasonably and legally supersede their right to the use of a public facility?

OUR ESCONDIDO SITUATION – WE DEAL WITH BEHAVIOR

In our library, we have half a dozen homeless men who are "regulars" and have spent a long time here, coming almost every day. In addition, there are others who come and go, not staying too long but moving on. Most of the time, the homeless are not an issue – neither with body odor nor for any other reason. For the most part, they use the facility quietly, reading books or magazines. They do stay most of the day and take up about half of the lounge chairs.

Our library, like most, has chosen to deal with the behavior of library users – not who they are. When people become threats or security hazards or a nuisance to other library users, they have to be dealt with and/or removed like anyone else who was a threat, security hazard or a nuisance. No one should be put at risk because some mentally unhealthy person decides to either make a scene or threaten us physically, and we don't hesitate to the police to deal with it.

Here is what we do to deal with problem behavior in the Library.

1. We have a security guard on duty at the Main Library – at all times the Library is open as of January 15, 2006. The guard patrols the building and parking lot and deals with most problem behavior.
2. We have a posted Code of Conduct, as well as signs stating library rules. Staff is trained to respond to violations of the rules by intervening and ejecting the person if they deem it necessary.
3. Some of the rules in our Code of Conduct are
 - a. To treat people with respect;
 - b. No food is allowed in the library, and drinks must be in covered containers;
 - c. Children under 8 must be accompanied by a parent or guardian;
 - d. Adults who do not have a child with them are not allowed in the children's areas;
 - e. Shirts and shoes are required;
 - f. Persons under the influence of alcohol or non-prescribed drugs are not allowed;

- g. People may not bring in any bags or parcels larger than a typical student's backpack;
 - h. Sleeping or lying on the floor or furniture is prohibited;
 - i. Spitting and littering are prohibited;
 - j. Panhandling is prohibited;
 - k. Bathing in the rest rooms is prohibited.
4. In addition, the rules prohibit any activity or condition that unreasonably interferes with the safety, use or quiet and peaceful enjoyment of the Library, including but not limited to harassing or threatening users or staff, making loud noise, disruptive cell phone use, offensive body odor due to poor personal hygiene or overpowering perfume; and excessive public displays of affection.

If our staff members get a complaint from a library user, they are to evaluate the situation and act on it according to their best judgment. Their best judgment does not always mean they eject a homeless person, if the person is not causing any trouble. However, on numerous occasions, our staff has approached persons with very offensive body odor to tell them that there is a problem with their hygiene, and staff will refer them to the appropriate community resources for showering and laundry facilities. Most of the time, the person will then leave quietly.

LIBRARY BOARD OF TRUSTEES MEETING**Date:** November 18, 2010**Agenda Item No. 9b
Library Staff Restructuring Plan****Recommendation:**

Receive report on minor changes to staff structure.

Background:

We have received a letter of resignation from our Senior Librarian for Technical Services, Chris Reeske, who is retiring on Dec. 2nd after 23 years of service with the Escondido Library. After extended consideration, we requested and received approval from the Community Services Director and the City Manager to make some changes to the library structure.

It had become apparent that the current staffing structure at the library was not meeting our needs. With the changes in service delivery and technology, we no longer need a Senior Librarian for Technical Services and proposed to eliminate the position. Instead, we are reinstating the frozen Librarian II position and restructuring existing staff to form a Technology Services division to replace the current Technical Services division.

Additionally, we are very short-staffed in the Children's Room of the Main Library, experiencing continued problems in covering absences for illnesses, vacations and furloughs at a time when use of the Room is exceeding all previous levels. We will use the savings from hiring at the lower librarian level to add a few part time librarian hours in the Children's Room to relieve this serious issue. We are already interviewing for this part time position.

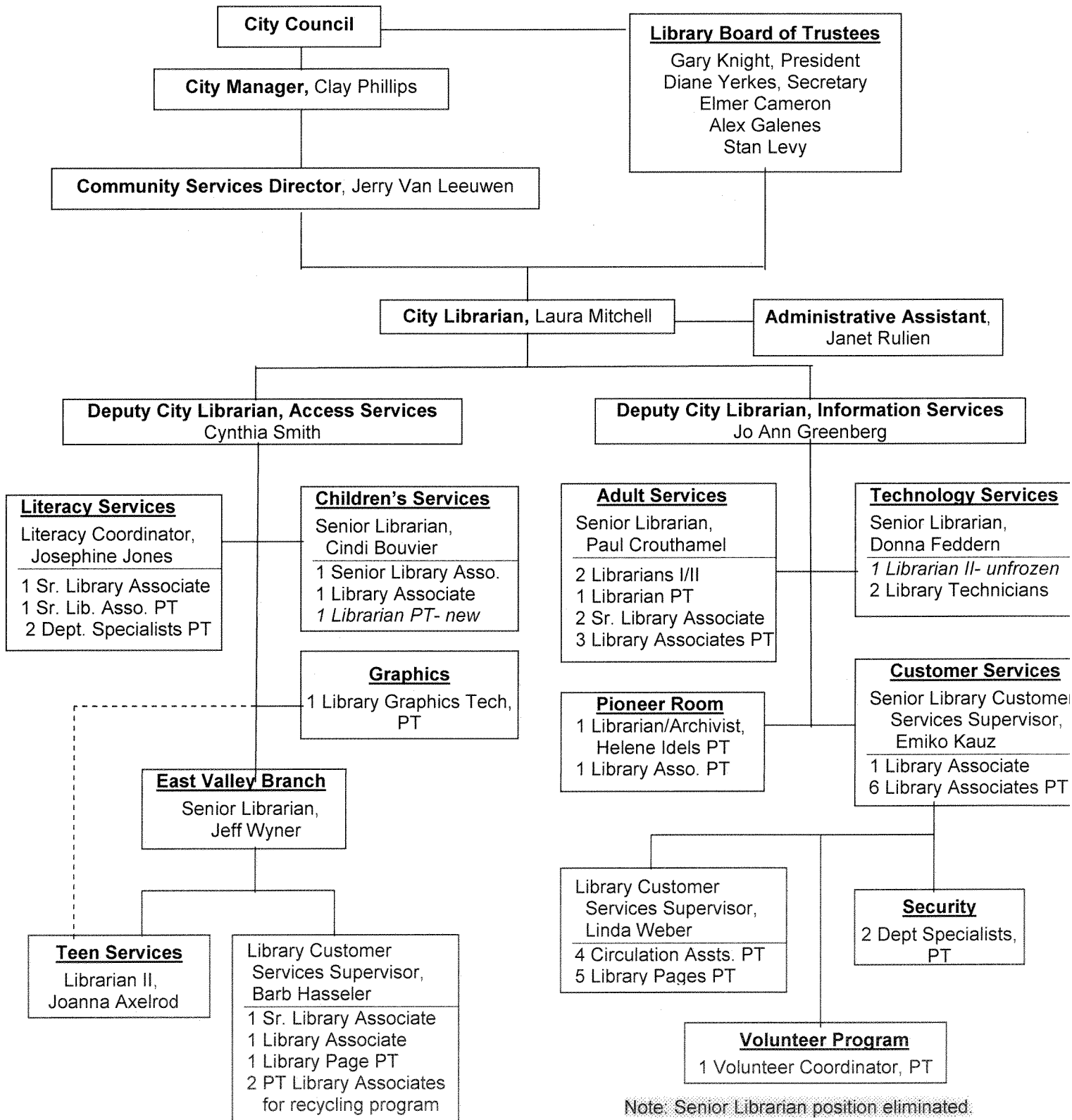
Detailed Plan:

1. The new Technology Services section will be headed by Donna Feddern, currently Senior Librarian for Media Services, who will move over to head the restructured section. Donna currently is our webmaster and has the skills to manage new technology. Donna will supervise two Library Technicians and the (unfrozen) Digital Services Librarian II.
2. The Media Services collection responsibility and the media staff Donna now supervises will be reassigned to Adult Services. Senior Librarian Paul Crouthamel will supervise three additional staff (a Senior Library Associate and two part time temporary Library Associates) and will assume responsibility for the Teen/Media public service desk.
3. The new Technology Services section will perform the following functions: web development and maintenance, library systems and software program development and oversight, technology planning assistance, integrating new technology into library services including training staff and public, cataloging and processing of materials, ordering and receiving.
4. The newly hired Librarian II for digital services will be assigned to Technology Services and will back up and assist Donna in her responsibilities as well as working on the reference desk and handling original cataloging of new materials.

Please see the revised Organization Chart, attached.

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ESCONDIDO PUBLIC LIBRARY
Revised Organization Chart – 2010-11



Recommendation:

Review progress report on the new library project; architect short list.

Background:

A Project Team (Laura Mitchell, Jerry Van Leeuwen, Jim Rady, Jerrie Quon, Alex Galenes, Elmer Cameron, Rozanne Cherry, Fred Luedtke) interviewed the following architects: Carrier Johnson, Group 4 Architecture, Rob Wellington Quigley, Tetra IBI. The team narrowed the field down to two:

- Group 4 Architecture
- Rob Wellington Quigley

Group 4 is the firm that has worked with us previously to develop the phased library concept; they have built 33 libraries and planned another 27. Rob Quigley is an award-winning architect who designed the new downtown San Diego Central Library, the San Diego Children's Museum, and the Escondido Transit Center, among others.

These firms have different strengths, and we will be asking them for more information to help make the final selection. We will be showing submitted materials at the Board meeting, for your information.