

**SPECIAL Meeting
BELVEDERE-TIBURON LIBRARY AGENCY
Belvedere-Tiburon Library, Tiburon, California
January 23, 2023
As approved on February 13, 2023**

Roll Call, Present: Chair Ken Weil, Vice Chair Maureen Johnson, Treasurer Jeff Slavitz, Niran Amir, Lawrence Drew, Anthony Hooker, Maureen Johnson, Roxanne Richards

Members Absent:

Also Present: Crystal Duran, Glenn Isaacson, Chuck Hornbrook, George Landau, Deirdre McCrohan, Kristin Johnson

CALL TO ORDER: Chair Weil called the meeting to order at 5:00 pm

PUBLIC COMMENT

Chair Weil opened the floor to public comment on the subject matter of the closed session. There were no comments.

CLOSED SESSION

Closed Session: (per Government Code Section 54957 and 54954.5 (e))

Public Employee Performance Review: Government Code Section 34957

Title: Library Director

RETURN FROM CLOSED SESSION – 6:15pm

Chair Weil announced that no action was taken in the Closed Session.

OPEN Forum:

Chair Weil opened the floor to comments or questions from the public. There were none.

1. SPECIAL TRUSTEE CONSIDERATION

MOTION TO APPROVE RESOLUTION NO. 288-2023 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-08-21, DATED JUNE 11, 2021, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE BELVEDERE-TIBURON LIBRARY AGENCY FOR THE PERIOD JANUARY 19, 2023 through FEBRUARY 19, 2023 PURSUANT TO BROWN ACT PROVISIONS made by Treasurer Slavitz, seconded by Vice Chair Johnson.

Roll Call Vote:

Ayes: Ken Weil, Maureen Johnson, Jeff Slavitz, Niran Amir, Lawrence Drew, Anthony Hooker, Roxanne Richards

Absent: None.

Noes: None.

Motion Passed.

2. Chair's Report

Chair Weil welcomed Chuck Hornbrook, who will present on solar power this evening. Also present and in support of Solar is George Landau. Vikki Rodriguez, audit partner at Maze Associates, will discuss the Library's audit for the fiscal year ended June 30, 2022.

3. Library Director's Report

Director Duran reported that the Art Committee is now presenting an exhibit on Art and Music Connections through March 9. Each painting is accompanied by a scan code, which will allow the viewer to listen to music that inspired each artist in their creative painting process. Trustee Hooker asked about Library proceeds on art sales. Director Duran said that the Library Foundation receives 30% of the sales price of each piece sold.

Patrons have been requesting Zip books, which are available at Bel-Tib, San Rafael, and Mill Valley libraries to 94920 residents. The patron requests a book not yet owned by the Library. Library Staff order the book through Amazon to be delivered directly to the Patron. When the patron is finished with the book, they return it to the Library and Staff add it to the collection.

The Library received a grant for a "Memory Lab" Project. Director Duran and Assistant Director Joey Della Santina will receive training for this project at the Los Angeles Library. After this training, staff will purchase equipment, develop policies and procedures for the project, and train additional staff and volunteers.

Library Staff are busy preparing for a Sustainability Fair in collaboration with The Town of Tiburon, Chamber of Commerce, and The Ranch, among other local agencies as part of the Sustainability Grant received from the State Library. Trustee Hooker asked about the purpose of holding the Fair. Director Duran said that the Grant offers a number of goals, including the Fair, to certify the Library as a Sustainable Library. The Fair is one way to be a model in the Library community, to collaborate with other organizations, and to educate the public.

The Library's meeting rooms have been popular with patrons, with 214 reservations since December 1, and an average of 6 reservations per day at 2 hours per reservation. Treasurer Slavitz asked whether the Meeting Room policy allows for use by Nonprofits and/or Profit-based organizations. Director Duran said that the policy spells out priorities of use: Library programs, Library Foundation, Local Government, Non-Profits, and General Public. In general, the policy does not allow use of the space for selling products for profit, unless approved by the Director. If the Library were sponsoring a program, it would be possible to sell books, for example. No fee schedule has been developed for special event reservations. Regular room reservations can be made on the Library's website.

4. Expansion Update

Project Manager Glenn Isaacson reported that the Project team is still working on three areas: a Final Occupancy Permit, the Building Punch List, and a Final Accounting for the Project.

Good progress has been made on the Occupancy Building Permit. The Fire Marshall inspection passed for access.

The recent storms have added a few items to the Building Punch List, including doors that required better seals for wind-driven rain.

For the Final Accounting, the team will be calling in and paying all invoices for the remaining work. The final contract payment was made to the contractor a few weeks ago. There will be a few additional items for the contractor, but the base contract is complete.

5. Belvedere Tiburon Library Foundation Report

Director Duran reported on behalf of President Scully that the Annual Fund Campaign has raised \$65,000.

The Foundation will be hosting an event on February 9 featuring author Isabelle Allende in conversation with Elaine Petrocelli. This event will include an auction, including Caprice and Left Bank lunches with the author.

The Foundation is recruiting for two new members.

6. Financials and Treasurer's Report six months ended December 31, 2022

Clerk Johnson reported that, with 50% of the year passed, about 49% of budgeted income has been received, counting December taxes received in January, which are included in the financial statements presented this evening. Expenses are at 47% of budget. Areas of higher expenditure are Circulation Materials at 67% of budget and Technology Services at 97% of budget, and Building Expenses at 61% of budget. These areas are front loaded in the fiscal year with purchases of Digital Subscriptions (including MARINet) and payment of Building Insurance. Specifically in the Technology area, most of the cost relates to equipment purchases which actually belong in the Additions and Improvements area of the financial statements for proper comparison to budget. These expenses will be reclassified for the next financial statement presentation.

Comparison of Expenses to Fiscal Year 2022 and Fiscal Year 2019 indicate similar patterns of Revenue and Expenditure compared to the budget for this time of year, with

the exceptions mentioned above. Areas to watch include Building Insurance and Utilities.

Trustee Richards asked about the ERAF funds being lower than budget. Clerk Johnson explained that, at this time, ERAF from the City of Belvedere has been received in January, but ERAF from the Town of Tiburon is not yet in. It is expected that the full budgeted ERAF will be received, as the budgeted number is the amount recommended by the County as of their August 2022 estimates.

Trustee Hooker asked whether the Library income is fixed, or if there are ways to increase income. Director Duran explained that most of the Library's income comes from the Basic tax, which has increased at approximately 5% per year. ERAF is not certain, and part of the Parcel Tax will expire in 2026 when the original 1997 Library Bonds are paid off. Grants received are generally for specific programs. The Foundation raises additional operational grant money for the Library each year. Libraries have eliminated fines, and this has reduced the Library's income in that category by about \$20,000 per year.

Treasurer Slavitz asked Clerk Johnson to provide an additional Expansion Line of Credit report in future Financials.

Trustee Hooker pointed out that there were errors in the remaining budget amounts for Basic, ERAF, and Parcel Tax lines in the revenue section. Clerk Johnson will correct these errors.

7. Committee Reports

There were no committee reports.

CONSENT CALENDAR

8/9. Motion to approve the Minutes of November 21, 2022, and the Warrants dated months of November and December 2022, made by Treasurer Slavitz, seconded by Vice Chair Johnson.

Roll Call Vote:

Ayes: Ken Weil, Maureen Johnson, Jeff Slavitz, Niran Amir, Lawrence Drew, Anthony Hooker, Roxanne Richards.

Absent: None.

Noes: None.

Motion Passed.

TRUSTEE CONSIDERATIONS:

10. Consideration of Agency Draft Audit for the fiscal year ended June 30, 2022

Vikki Rodriguez of Maze and Associates gave a brief review of the audit, saying that Maze & Associates had expressed a clean opinion, and that no major faults were found in the Library's Internal control, and no difficulties in obtaining information or major corrections to

the financials were encountered during the audit. She discussed the Pension and OPEB liabilities, cautioning that the factors used to calculate the amounts for the current year are based on June 30, 2021 valuations, and are likely to increase substantially when the valuations are updated as of June 30, 2023. The Library should establish a funding plan for both of these liabilities.

MOTION TO APPROVE the Agency Draft Audit for the fiscal year ended June 30, 2022, made by Treasurer Slavitz, seconded by Trustee Amir.

Roll Call Vote:

Ayes: Ken Weil, Maureen Johnson, Jeff Slavitz, Niran Amir, Lawrence Drew, Anthony Hooker, Roxanne Richards.

Absent: None.

Noes: None.

Motion Passed.

11. Solar Power Purchase Agreement Presentation

Director Duran introduced Chuck Hornbrook, and mentioned that he had also made a solar presentation to the Agency in 2020. Mr. Hornbrook asked whether the Agency would act on the solar decision this evening. Director Duran said that this item is a consideration for discussion and possible action.

Mr. Hornbrook said that the Library is the largest public space in Belvedere-Tiburon area, and this should be a basis for thinking in terms of energy savings and public service. He added that he has a 9kW system in his home and that many Public Agencies in Marin County have installed solar, including San Rafael, Fairfax, and Pickleweed Libraries, The Tiburon Town Hall, the Ranch, Larkspur Police Station, and planned for the new Larkspur Library.

Installing solar would showcase the Belvedere-Tiburon Library as a business model for cost reduction and as general example to the community. It would also complement the Library's Green Team goals, and enhance the Library as a hub of the local community.

Mr. Hornbrook continued with his presentation stating most Solar installations in Marin have been accomplished with a PPA, or Power Purchasing Agreement. Advantages of solar include reduction of greenhouse gases, energy production savings, and community resiliency (with battery storage). For example, with respect to community resiliency, during the past fire-related power outages, citizens were able to charge cell phones at the Tiburon Police Station. This would be a service that the Library could offer. Additionally, solar would be a big step in community leadership and enhance the Belvedere-Tiburon climate action plan.

With the Inflation Reduction Act, nonprofits can pursue an investment tax credit, which would add a 30% bonus to Library solar project if done with a PPA. An investment tax credit on \$100,000 would be \$30,000. Although this would not be available to the Library per se, a PPA would allow an investor/owner of the solar to charge the Library less if that investor/owner received the investment tax credit.

Compensation for exporting excess stored solar to the grid is also currently available. However, utilities desire to discontinue this benefit going forward. There is a waitlist for self-generation incentives at this time. If the Library were considered a resiliency center, \$1 per hour would be available. The investment tax credit rules will be updated in April, so it would be advantageous to do a solar installation soon.

Trustee Hooker asked if the Library could team with another entity for the solar cost. Mr. Hornbrook said that only utilities and businesses like wineries could “wheel” for cost-sharing and economies of scale.

Trustee Drew asked about solar over the parking area. Mr. Hornbrook said that that was possible, but would be more expensive than roof installation. Because the Library’s roof has a large southwest face, this would be the most advantageous installation. For cost savings on the installation, a smaller system could be installed with no exporting, but it would still serve as a model for the community, save some money, and reduce greenhouse gases.

Trustee Richards asked what the upfront cost and storage capacity would be. Mr. Hornbrook said that it would be expensive, at \$30,000 for 17.5 kW. Payback/cost reduction could come from attaining a community resiliency center status, from exporting, or using stored power during high-cost times of day.

Trustees agreed that budget was still an issue as it was in 2020. Treasurer Slavitz asked for a new analysis of possible energy cost savings from the installation. Mr. Hornbrook said that the Library’s energy bills would be needed for an assessment of the load increase since the prior analysis. In addition, he reminded the Agency that the economics will be changing in April, and advised moving quickly.

After some discussion, Trustees agreed that further investigation should be referred to the finance committee, the issues being (1) financial analysis, (2) community benefit analysis, and (3) government agency ethical responsibility.

Trustee Hooker asked what the setup with a PPA would be. Mr. Hornbrook said that the financier would manage its own meter at the Library, look at the Library’s usage, and set up a term agreement for selling the power to the Library. It was noted that there are fewer vendors available for lower kW setup, but there is a visibility attraction for contracting with this community. Trustees agreed to follow up with vendors used by other local government agencies. Treasurer Slavitz added that an analysis of purchase versus PPA would be necessary before going forward.

Chair Weil opened the floor to public comment. George Landau expressed favor for the project. Mr. Hornbrook added that he would be available for additional consultations.

Trustee Amir left the meeting at this time.

12. Consideration of Future Meeting Format

Director Duran said that the California Declaration of Emergency ends on February 28, 2023. AB 2449 extends or amends the teleconferencing rules already in the Brown Act.

AB2449 requirements include timely posting of the meeting Agenda, that the meeting be held near the Library, and that it be in an accessible public space. Trustees can attend

remotely for a limited number (2) of meetings during a year, as long as a quorum is physically present at the in-person meeting. AB2449 does not require Trustees to open their home to the public when attending remotely, but requires infrastructure in place for people to be able to see remote trustees.

The rules for hybrid meetings are complex. The option would be to revert to the Brown Act for in-person only meetings. There is no requirement to commit to either model. However, if a Board Member wishes to meet virtually, the requirements of AB2449 must be met. This is a matter of discussion for the Board regarding whether to commit to hosting hybrid meetings going forward.

The Library does have a challenge to meet in updating its audiovisual technology for hybrid meetings. Equipment would cost about \$2,000, and additional staffing support would be needed. Record keeping would be required for trustee remote attendance.

The Town of Tiburon discussed this issue last week. They will be allowing hybrid mode in March. In June, they will open their space for use by boards and commissions using infrastructure. They are also using outside technical support at \$200 per hour for each meeting. It would be possible for the Library to meet at the Town Hall, and that would require using the \$200 per hour help.

Director Duran asked for direction from the Agency regarding whether staff should research the costs of hybrid meetings, or default to in-person Brown Act covered meetings.

Trustee Richards said that the current technology setup is extremely distracting in terms of meeting, and expressed preference for in-person meetings. She added that cost savings are important at this time.

Deirdre McCrohan, Ark reporter for the Library Agency Meetings expressed the desire for the availability of hybrid meetings because of a personal disability.

Trustee Hooker expressed preference for in-person meetings. Trustee Drew agreed and added that he feels it is preferable going forward even in the face of winter viruses and COVID variants.

Chair Weil said that, because of the cost research and the technology updates that would be required to continue with hybrid meetings, a decision could not yet be made, and that the Agency would have to default to in-person meetings until that research is complete.

The February 13, 2023 meeting will be a traditional in-person meeting.

13. Consideration of Long-Range Planning Committee Members

Director Duran said that, while the Agency had approved the Committee in November, no members had yet been approved.

Trustees Drew, Johnson, and Richards agreed to serve.

Motion to Approve the Long-Range Planning Committee made by Treasurer Slavitz, seconded by Trustee Drew.

Roll Call Vote:

Ayes: Ken Weil, Maureen Johnson, Jeff Slavitz, Lawrence Drew, Anthony Hooker, Roxanne Richards.

Absent: Niran Amir.

Noes: None.

Motion Passed.

14. Meeting Dates

The next Regular BTLA meeting is scheduled for Monday, February 13, 2023 at 6:15pm.

Chair Weil adjourned the meeting at 8:15 pm.

Respectfully Submitted,

Kristin M. Johnson, Clerk of the Belvedere-Tiburon Library Agency Board