The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Las Vegas Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, April 14, 2011.

Present:  
Board:  
K. Benavidez, Vice Chair  
V. Davis-Hoggard  
K. Crear  
R. Ence  
F. Barron  
R. Kirsh  
M. Saunders  
Y. Yturralde

Counsel:  
G. Welt

Absent:  
L. Carrasco  
C. Reese

Staff:  
Jeanne Goodrich, Executive Director  
Numerous Staff

Guests:  
Aldo A. Aguirre, Ph.D.

K. Benavidez, Vice Chair, called the meeting to order at 6:03 p.m.

Roll Call and Pledge of Allegiance (Item I.)

All members listed above represent a quorum. Trustee Barron arrived at 6:11 p.m. Trustees Carrasco and Reese were not able to attend – excused. Appendix A.

Former Trustee and Board Chair Aldo A. Aguirre, Ph.D. led attendees in the Pledge of Allegiance.

Agenda (Item II.)

Trustee Kirsh moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Approval of Proposed Minutes Regular Session, March 10, 2011; Executive Director Evaluation Committee, March 10, 2011; Finance and Audit Committee, March 24, 2011; and Ad-Hoc Conference Room/PAC Use Committee, March 29, 2011. (Item III.A-D.)

Trustee Crear moved to approve all the proposed minutes in one action. There were no corrections. The proposed minutes are listed below:

- Minutes of the Board of Trustees Meeting held March 10, 2011
- Minutes of the Executive Director Evaluation Committee Meeting held March 10, 2011
- Minutes of the Finance and Audit Committee Meeting held March 24, 2011
- Minutes of the Ad-Hoc Conference Room/PAC Use Committee Meeting held March 29, 2011

There was no opposition and the motion carried.

Chair’s Report (Item IV.)

Vice Chair Benavidez and Executive Director Goodrich presented a set of bookends and a book clock to Dr. Aldo A. Aguirre to honor his two full terms of service on the District’s Board from April 3, 2003 to April 3, 2011, as well his time as the Board’s Chair from July 1, 2010 to April
Vice Chair Benavidez said the presentation was special to her as her relationship with the Aguirre family dated back to the time that Dr. Aguirre’s father was a career counselor at Eldorado High School. He served as a mentor for her and inspired Benavidez to pursue a college education. Benavidez stated she has big shoes to fill, to follow in Dr. Aguirre’s footsteps, and wished him well.

Ms. Goodrich said it was a very great pleasure to note the many changes to the District during Dr. Aguirre’s tenure on the Board, such as an increased circulation of 60%, opening one and almost two new buildings, the creation of the first two homework help centers, the large increase in the number of PCs available to patrons at District branches and access to Wi-Fi at the District’s libraries. Goodrich thanked Aguirre for his strong commitment to public library services and noted that he always took the time to point out and acknowledge the hard work of the library staff on their service to patrons.

Dr. Aguirre thanked Trustees for the invitation to appear at the meeting and for the gifts. Noting the tough decisions facing the Board, he wished them well and thanked them for their friendship and also for their hard work. He acknowledged the tremendous growth and changes to the District during his time on the Board and took the opportunity to thank former Councilwoman Boggs McDonald and Councilman Steve Wolfson for appointing him to the Board. He stated that he felt the staff were the real heroes due to their hard work day in and day out which was acknowledged nationally in the 2003 Library of the Year Award, right after he joined the Board. Aguirre concluded by saying that he was looking forward to the May 7th Windmill Library and Service Center opening. Aguirre was accompanied by his mother, Gina. After the conclusion of the remarks, there was a round of applause.

Trustee Barron arrived during Dr. Aguirre’s remarks.

Chair Benavidez welcomed new Trustee Ydoleena Yturralde, recently appointed by the Las Vegas City Council to serve a term of four years.

Chair Benavidez asked Trustees Davis-Hoggard and Saunders to report on their trip to Carson City to represent the District at Library Legislative Day on April 13, 2011.

Trustee Saunders reported that he joined Trustee Davis-Hoggard and Development Director Danielle Milam to discuss the value of library services with Assemblymen Jason Frierson and Stephen Brooks as well as with a member of Senator Mike Schneider’s staff. Material was also left for the Senator. Saunders believed the efforts to discuss the issues with key decision-makers were critical to advancing the mission of the District. The group also met with Henderson Libraries Director and NLA Legislative Chair Tom Fay. Saunders was very impressed by the tour and meeting at the Business Resource Innovation Center. The facility, a partnership with various Carson City departments such as the Library, Business Development, Building Permits, and Licensing serves as a resource for locals to receive help with business creation and emphasized how effective partnerships could be.
Trustee Saunders also commented on the number of staff reports showing the different partnerships that the District is working on. He was pleased to see the relationships the District is building with different groups, which will help District patrons navigate the current economy.

Trustee Davis-Hoggard said she enjoyed seeing Trustee Saunders interact with legislative members. Davis-Hoggard also commented that she heard, loud and clear, about the lack of state funds for libraries. She said that she understood that the state will provide approximately $100,000 for collection development funds, which she believed would mostly be going to Northern Nevada or rural libraries. She also said that last session she was able to obtain some funds for the District and would be working in that direction.

Trustee Davis-Hoggard noted that one of the Assembly members did comment about the District’s request for funds at the same time it was about to open a new building. She explained to the legislator that the planning began prior to the current economic situation.

Trustee Davis-Hoggard also commented on a meeting with the state’s Friends’ group and felt that it had been well worth the time to go to Carson City.

Ms. Goodrich pointed out a report summary, released on the day of the meeting, and provided to each Trustee, “Job-seekers, entrepreneurs continue to turn to their local library for help: State of America’s Libraries Report 2011” from American Libraries Magazine. The full report is 61 pages long, but Goodrich felt the summary provided a good picture of the activity in the nation’s libraries. The statistics in the report mirror the activity that District staff see in the branches, with many patrons utilizing the District’s computer centers to do their homework and look for jobs as well as taking advantage of the programs offered at District branches for individuals and businesses.

Ms. Goodrich reported that staff is working on the preparations for the FY 2011-2012 budget as well as negotiations with the labor union representing staff. The Executive Session at the end of the meeting will focus on that area.

Ms. Goodrich also talked about staff’s work on collaboration and partnerships which she said are so important to further the kinds of services the District wishes to provide. Saying it was important to find good organizations to work with, Goodrich was particularly pleased that the partnerships with Three Square and the Boys/Girls Clubs have come to fruition this month. District staff are working closely with these groups so that District libraries will provide information about the services the partner organizations provide and the groups and their clients understand what services the District can provide, especially at this time of the year, with the upcoming Summer Reading Program.

Both Three Square and the Boys/Girls Clubs are critical to this effort, with information and sign-ups sheets on the Summer Reading Program available in the Boys/Girls clubhouses and handed out along with the rest of the items given out at Three Square’s Summer Food
distribution. Ms. Goodrich said this will reach families the District may not be able to reach otherwise.

Ms. Goodrich pointed out the many ways the District is promoting reading for children with tips for parents and caregivers on the website as well as a short video featuring Goodrich reading to the District’s mascot, Neon, showing the fun of reading. The message is simple, *Summer + Reading = Success In School*.

Ms. Goodrich also congratulated Volunteer Services Coordinator Leslie Valdes for her success on increasing the number of the District’s volunteers. Goodrich said that volunteers and staff report an increasing satisfaction with placements throughout the District. She also noted that several Trustees attended Volunteer Appreciation events which showed that more and more volunteers are mirroring the communities the District serves.

Trustee Barron congratulated Ms. Goodrich on her work and the staff’s work to create these public and private partnerships. Barron felt they were so helpful during this period of unemployment and low graduation rates as well as important in creating and building communities. Barron also noted that she heard Goodrich on KNPR that morning and felt she was articulate and did not miss a beat!

Trustee Barron moved to accept Reports V.A. 1-7. There was no opposition and the reports were accepted.

| Public Services and Security Report (Item V.A.1.) | Approved. |
| Business Office Report (Item V.A.2.) | Approved. |
| Human Resources Report (Item V.A.3.) | Approved. |
| Technology Report (Item V.A.4.) | Approved. |
| General Services Report (Item V.A.5.) | Approved. |
| Marketing Report (Item V.A.6.) | Approved. |
| Development Report (Item V.A.7.) | Approved. |

**Unfinished Business Discussion and**

Deputy Director, COO Robb Morss reviewed the discussion on proposed policies governing conference rooms and Performing Art Centers.
(Item VI.A.)

Mr. Morss then reported that in FY 2009-2010, it cost the District approximately $926,974 to operate meeting spaces and PACs by outside groups. Based on rental income of $177,727, the District subsidized approximately $749,247 of the expenses incurred for the use of these spaces. The District actually recovered only 19% of the costs incurred for the spaces used by outside groups. Morss also noted that over the course of a year the Board has had staff presentations on this topic, heard public comment, received electronic and mailed correspondence on this matter, and held a public meeting at which affected user groups were invited to express issues and concerns and provide suggestions.

Mr. Morss worked with Ad-Hoc Conference Room/PAC Use Committee Chair Trustee Crear to put together a number of scenarios to present to the Committee regarding rates for the meeting rooms and PACs. These scenarios included options for recovering 53%, 60% or 100%, respectively, of the costs incurred by outside groups. The Committee, after careful consideration of this matter, and an appreciation for the impact its decision will have on user groups, recommended rates to recover 100% of the costs associated with providing rental space to outside groups.

Mr. Morss listed the proposed changes to the current policy and fee structure. These changes would take effect, if approved, starting April 15, 2011:

- No free use for any groups for conference rooms and PACs.
- Conference room fees would increase to $30.00 per hour.
- All PACs would have a rate of $170.00 per hour for all users.
- Tech fees would be $40.00 per hour for uses of 8 hours or less and $75.00 per hour after 8 hours of use.
- Security fees would be $15.00 per hour and $25.00 per hour if requests for security occur with less than 72 hour’s notice.
- Dark day and storage fees would be $100.00 per day for all runs over 2 weeks.
- The user who assumes responsibility for reserving a conference room or PAC must have a library card in good standing.

The new fee schedule will go into effect immediately for all new bookings taken after Board approval. Groups who have current
bookings in District spaces will be honored at the rates established under the former policy.

Trustee Crear commented that this was a difficult decision. Crear acknowledged the amount of feedback from user groups, and thanked Trustee Saunders for attending the public meeting with her. However, Committee members felt it was important for the District to keep funding core services as well as keeping District facilities available to everyone. Crear felt the District should have looked at the fees sooner, but based upon the current economic situation, the Committee decided that the best option was 100% cost recovery. She added that the committee felt they had exhausted all the options and also that she started out as one of the proponents of keeping some type of free use.

Trustee Kirsh congratulated Trustee Crear for her handling of a job no one wanted and thanked her for her hard work. Kirsh reported that the committee had a spirited debate and examined all the options thoroughly prior to making their recommendation. It took a long time but the Committee felt that it had to recommend the 100% option, based upon the District's fiscal situation.

Trustee Barron echoed Trustee Kirsh’s thanks to Trustee Crear for her work moving forward in an area no one wanted to touch.

Vice Chair Benavidez asked if there were any members of the public who wished to comment on the item.

Lance Earl – 8333 Granite Mountain Lane, Las Vegas NV 89129

Mr. Earl said he was the Vice President of Signature Productions, a non-profit organization that has put on approximately 35 theater productions over the last 20 years, mainly at the Summerlin Library. Their current production is “Singin’ in the Rain.” He stated that the proposed changes by the District would require Signature to double its prices. He believed its audience, which at the current production consists mainly of senior citizens, would not be able to absorb the increase and this would force the group to shut down.

Mr. Earl believed that Signature, because of its structure, is better able to absorb pricing changes than any other program in the county. He said that Summerlin and “West” were the only two libraries with the facilities to put on a full production. His understanding is that most productions at “West” do not charge admission and that changing the policy to require 100% cost recovery will close both venues. Earl understands the District has a deficit but this proposal will close these theaters.

Mr. Earl said that his group has tried to propose several changes to Mr. Morss that would address these issues and all were rejected. Earl reiterated that he understands the logic but that the same argument could be made for public libraries. No one is suggesting closing libraries to save money, but that closing libraries would have the same effect of saving money. He suggested that more effort be made prior to making the decision that the District recognize that theater groups also need to survive.
Mr. Earl also believed, based upon his informal poll, that Signature’s audience members only come to the Summerlin Library for its productions, and these changes would deprive these taxpayers of the use of these theaters. Earl believed the theaters were built attached to the libraries because there was an understanding that the culture provided by the theater is also a core value that is provided by the ability to perform and to watch these performances and is also anticipated by what the library is intended to do.

Finally, Mr. Earl appreciated that this was a difficult decision but asked the Trustees for a proposal to allow groups such as Signature to continue.

Trustee Davis-Hoggard moved to approve the recommendations developed by the Ad-Hoc Conference Room/PAC Use Committee regarding the policies governing conference rooms and Performing Art Centers use and fees.

Trustee Barron asked Mr. Morss about the proposals made by Signature Productions. Mr. Morss said the proposals, detailed in a letter sent by Signature President Dr. Larson and in discussions included:

- Allowing the group to hire their own security
- Requesting specific technicians
- Lowering the advance deposit required to book the PACs
- Requesting that the group be recognized as a resident theater company and allowed to book the space prior to other groups.

Mr. Morss said that, the District, as a public library, must treat all groups equally and what is allowed for one group must also be allowed for every other group. There are liability as well as building safety issues that prevent the District from allowing Signature to hire its own security.

Vice Chair Benavidez commented that she attended the Committee meeting and emphasized that this was not an easy decision, as the Committee spent a lot of time examining and discussing each option.

Trustee Crear noted that many suggestions at the public meeting focused on how the District booked the space, rather than suggesting solutions to reduce the deficit the District incurs underwriting different groups’ use of the space. She added that she felt that the proposals by most of the groups for fundraising at the public meeting seemed to focus on the District fundraising to raise the funds to cover these costs. Crear explained to attendees that District fundraising was focused on the District’s service priorities, not to subsidize costs for these outside groups.

Trustee Crear emphasized that partnerships would be continued with different community groups and that she understood that some of the quilting groups are exploring partnership possibilities with different branches.
Mr. Morss reiterated that these new rates would apply only to groups who are booking the District’s spaces after the new rates have been approved. Current bookings would not be affected. Staff were instructed to not make new bookings until after the Board meeting. If the proposed rate changes are approved, Morss hopes to have new contracts in place by the beginning of May so bookings can resume.

Trustee Barron asked if there were any other non-profit groups as large as Signature. Mr. Morss said that Signature was the largest District user. He noted that quite a few other groups have utilized District facilities, but have fallen off. The fall-off started even before the current economic decline.

Trustee Kirsh asked Mr. Earl whether Signature Productions only put on productions at the Summerlin Library. Mr. Earl said that Summerlin has been their exclusive space since 1995, adding that Summerlin and “West” are the only theaters in the county capable of mounting the productions the group puts on. Kirsh also asked if the group had looked at other locations and come back to the District. Mr. Earl said that some schools in the area have theaters capable of handling the productions, but there are availability issues. To cover their costs which include royalty fees, Signature productions must run a certain length of time, which precludes use of these theaters. Kirsh then asked whether Summerlin residents make up the majority of Signature’s audience. Earl believed that the vast majority of their audience are Summerlin residents, though the group also draws from other parts of the valley, including Henderson and Boulder City.

Trustee Barron asked whether the rate increase or the deposit requirements were the group’s biggest stumbling block. Mr. Earl said that both are big issues as he does not believe Signature’s audience would be able to adjust to the price increases and the group uses the “profits” from one show to finance the next show, which would include advance deposits. Earl added that he believes other groups would have the same issues, if not more so, which he believed explains the drop in numbers of groups using the District’s facilities. Mr. Earl stated that he understood the District had to raise rates, but that he felt there had to be a different way to go about it.

Trustee Davis-Hoggard called for a vote on the question.

Vice Chair Benavidez and Trustees Crear, Davis-Hoggard, Ence, Kirsh, Saunders and Yturralde voted yes. Trustee Barron voted no. The motion carried (7-1).

New Business

Discussion and possible Board action regarding solicitation of proposals for the lease of excess space within District facilities.

General Services Director Steve Rice noted that consolidation of District-wide support departments into the new Service Center, and the loss of the former Las Vegas Art Museum at the Sahara West Library, left space available for alternative uses at various District locations. There are larger spaces conducive to leasing to outside entities at both the Sahara West and Las Vegas libraries.

At the January 2011 meeting of the Board of Trustees, staff briefed the Board on the potential of leasing the excess space and Mr. Rice had informed Trustees that a local commercial realtor would be engaged to
assist with determining the lease potential and market value of the available spaces. A report prepared at no cost to the District by Sun Commercial Real Estate, Inc. includes a current leasing market survey, use recommendations, and lease structure recommendations and was provided to each Trustee.

Mr. Rice continued to say that, due to the zoning, parking, and conformity constraints, staff recommended the use of an advertised Request for Proposal (RFP) to identify potential tenants. The RFP would be structured to be relatively easy to respond to in an effort to attract multiple proposals for consideration. Guidelines for evaluating the proposals received will include conformance to zoning, type of use and its compatibility with District use of adjacent spaces, parking requirements, proposed lease term, proposed lease rates and financial ability to ensure ongoing payment of lease fees and operating expenses, and other reasonable considerations. An RFP would allow the District to evaluate and select the tenant(s) determined to be in the best interest of the District. Upon completion of the RFP process, staff would bring forward to the Board of Trustees a recommendation regarding proposed tenants and lease terms for consideration of approval.

Mr. Rice explained that both the Sahara West Library and Las Vegas Library are located within the City of Las Vegas and have Civic (C-V) zoning. C-V zoning limits the types of entities that will be able to lease the space. C-V zoning provides for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, C-V zoning may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

Mr. Rice said that if the proposed RFP is approved by the Board, the RFP would be issued within approximately two weeks, with a three week response time. Regular updates would be provided to the Board.

Vice Chair Benavidez asked if the District would be obligated to accept any of the responses to the RFP. Mr. Rice said that the RFP would be structured so that the District would be able to reject any or all of the responses. The District could also list the space with a commercial realtor or re-issue the RFP at a later date. Benavidez then asked if staff had ideas on what types of groups would be interested or compatible. Mr. Rice acknowledged that the interest might be limited due to the type of zoning. However, in the case of a response to the RFP by an organization that the District feels is compatible, but not strictly within the zoning rules, the District could ask for a variance from the city. Different types of compatible groups could include charitable and other types of service groups.

In response to a question from Trustee Davis-Hoggard, Mr. Rice noted that several groups had contacted the District to express their possible interest and they would be contacted about the RFP.
Trustee Yturralde asked if assistance would be available to groups who may not be familiar with the RFP process. Rice described the RFP process, which would include a pre-bid conference to answer questions.

Trustee Kirsh asked whether Mr. Rice was anticipating that the District would need to pay for tenant improvements or remodeling to create separate entrances, depending on the location. Rice said that would depend on the responses; the District would prefer not to incur any costs and it would not make sense to put in something that would not be covered by rental income. Kirsh was also concerned about the District becoming a landlord and whether that would affect insurance costs. Rice said that, while any lessee would need to purchase personal property insurance, the District would maintain its current insurance, which covers the building, and the costs for that would be included in any rental fees.

Trustee Ence noted that utilizing an RFP process, rather than using a broker, would save the District money. He also asked whether a quasi-public group would include religious groups, fraternal organizations and veterans groups to which Mr. Rice said that there would not be a restriction. Ence also asked about how attractive staff believed the space appeared to potential users. Rice said there is a lot of competition in the areas surrounding the Las Vegas and Sahara West Libraries and that the attractiveness depended on the agreement that can be negotiated. While Facilities is pulling all equipment and furniture that can be used from the vacant spaces, some of the offices would be left furnished and systems furniture would be left in place, which, for certain organizations, may make the locations attractive for these groups.

Trustee Saunders asked if the utilities in the separate building at the Las Vegas Library, which formerly housed several District departments were separated from the utilities at the main building. Mr. Rice noted that the utilities were not separate and discussed one of the ways to measure the use, as separating the utilities would involve additional expense. The District could charge the user a percentage of the District’s costs based upon the amount of square feet, such as the current agreement with the Lied Discovery Children’s Museum (Lied Museum) at the Las Vegas Library and the agreement with the Las Vegas Art Museum (LVAM), which, until its closure, occupied space at the Sahara West Library. He noted that the lease agreements include a prorated cost for utilities, trash, building maintenance, landscaping and common area spaces.

Trustee Barron had several questions about the different types of groups who may be interested in the space. Mr. Rice emphasized that staff would be looking at a group whose purpose for the space was compatible with the District’s mission and could be a government entity, service organization, or non-profit. Rice acknowledged that the question of how to use the vacant space was difficult due to the various limitations mentioned above. The District would be carefully examining all the proposals to ensure the organizations would be financially able to fulfill their obligations, as that has been an issue with both the Lied Museum in the past as well as the LVAM. Barron questioned the
District’s fixed costs and the effect of renting out the vacant space on the District’s insurance costs. While renting out the space would not affect the District’s insurance costs, Rice said that there will still be some costs incurred in the vacant spaces such as air conditioning costs, as well as for periodic cleaning and maintenance of the areas.

Trustee Saunders moved to authorize staff to proceed with issuing a Request for Proposal to lease excess space within the Sahara West and Las Vegas libraries. There was no opposition and the motion carried.

**Announcements** (Item VIII.)

The next Finance and Audit Committee Meeting will be held Thursday, May 5, 2011, in the Las Vegas Library Boardroom at 6:00 p.m.

The Grand Opening of the Windmill Library and Service Center will be on Saturday, May 7, 2011 at 10:00 a.m. at 7060 West Windmill Lane, Las Vegas, Nevada 89113.

The next Board Meeting will be held Thursday, May 19, 2011 in the Windmill Library at 6:00 p.m.

**Public Comment** (Item IX.)

None.

Vice Chair Benavidez advised attendees that the next item on the Agenda would be an Executive Session, which would be closed and would cover litigation and labor issues.

**Adjournment** (Item XI.)

Vice Chair Benavidez adjourned the meeting at 7:06 p.m.

**Executive Session** (Item X.)

Vice Chair Benavidez opened the Executive Session at 7:06 p.m. Trustee Davis-Hoggard left the meeting at 7:57 p.m. The Executive Session was adjourned at 8:01 p.m. by Vice Chair Benavidez.

Respectfully submitted,

Ron Kirsh, Secretary
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attended Committee meeting but not a member

A-E  Excused absence
A-U  Unexcused absence

as of April 15, 2011

*Term expired April 3, 2011

**Appointed for new term beginning April 3, 2011