The Board of Trustees of the Las Vegas-Clark County Library District met in regular session in the Summerlin Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, July 11, 2019.

Present: Board: F. Ortiz, Chair S. Bilbray-Axelrod
E. Foyt S. Moulton
M. Francis Drake R. Wadley-Munier
C. Brooks S. Ramaker
B. Wilson

Counsel: G. Welt

Absent: K. Benavidez - Excused

Staff: Dr. Ronald R. Heezen, Executive Director
Numerous Staff

Guests: F. Ortiz, Chair, called the meeting to order at 6:00 p.m.

Roll Call and Pledge of Allegiance (Item I.) All members listed above represent a quorum. Trustees Bilbray-Axelrod, Brooks, and Ramaker attended via telephone. Trustee Brooks called in during Item V.A. Trustee Ramaker left the meeting once Trustees went into closed session during Item XI. A. Trustee Benavidez had an excused absence. Appendix A.

Trustee Moulton led attendees in the Pledge of Allegiance.

Public Comment (Item II.) None.

Agenda (Item III.) Trustee Moulton moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Approval of Proposed Minutes Regular Session, April 11, 2019; Regular Session, May 23, 2019; Risk Management Committee Meeting, June 13, 2019; Nominating Committee Meeting, June 13, 2019; and Regular Session, June 13, 2019. (Item IV.A-E.) Trustee Moulton moved to approve the Minutes of the Board of Trustees Meeting held April 11, 2019. There was no opposition and the motion carried.

Trustee Moulton moved to approve the Minutes of the Board of Trustees Meeting held May 23, 2019. There was no opposition and the motion carried.

Trustee Francis Drake moved to approve the Minutes of the Risk Management Committee Meeting held June 13, 2019. There was no opposition and the motion carried.

Trustee Moulton moved to approve the Minutes of the Nominating Committee Meeting held June 13, 2019. There was no opposition and the motion carried.

Executive Assistant Allison Boyer announced that there was a correction to the minutes of the Board of Trustees Meeting held June
13, 2019. On Page 11, third paragraph, last sentence, should now read, “Mr. Prendergast answered that the amount is capped.”

Trustee Wadley-Munier moved to approve as corrected the Minutes of the Board of Trustees Meeting held June 13, 2019. There was no opposition and the motion carried.

Chair’s Report
(Item V.)

Chair Ortiz and Executive Director Dr. Ronald Heezen presented awards to former Chair Sheila Moulton to recognize her service as Chair for the year from July 1, 2018 to June 30, 2019 and to also recognize her service as a Trustee. She was first appointed in August 2011 to a four year term and re-appointed in August 2015 to her second four year term. Moulton will be retiring when the second term expires on August 8, 2019. Dr. Heezen, Chair Ortiz and Trustees Bilbray-Axelrod, Wadley-Munier, Elizabeth Foyt, Francis Drake, Wilson, and Ramaker took the opportunity to thank Trustee Moulton for her service to the Board and to the community and to thank her for her leadership and her mentoring of new members. Counsel Welt also appreciated Moulton’s questions, comments, and leadership.

Trustee Moulton thanked everyone and commented that she was a descendant of Thomas E. Ricks, one of the original 13 missionaries sent to establish a settlement in the Las Vegas valley in 1855. She often asks herself what Ricks would think if he saw the community today. She thinks she has been able to help to build the Las Vegas area and it certainly has been wonderful for her and her family. Moulton has enjoyed serving on the Board of Trustees because every one of the Trustees she has served with has been genuinely concerned about the community. Trustees have discussed and debated before deciding on their path, and then moving forward. She also thanked the staff for their hard work, as Dr. Heezen always says, “it’s the staff,” and she believes that is true.

Former Trustee José Meléndrez was unable to be present at this meeting and will be at the September meeting.

Chair Ortiz read a letter from the Nevada State Librarian, Patrick "Tod" Colegrove praising the District for their partnership with Workforce Connections and its holistic approach. Trustees each received a copy and it is attached as Appendix B.

Chair Ortiz, and Trustees Foyt, Francis Drake, and Wadley-Munier next reported on their attendance at the recent American Library Association’s Annual Conference in Washington, DC. Most attended the speech made by Justice Sonia Sotomayor, but each also attended different sessions of their choice.

Chair Ortiz commented on the different types of classes he attended, which encompassed current issues, fundraising, and board development.

Trustee Francis Drake attended sessions by a comic book artist and George Takei because she wanted to. She also attended a number of sessions on early learning. She thought Community Engagement Director Matt McNally’s session was the best.
Trustee Foyt attended sessions and events for Trustees, censorship, reading tastes, an author tea, frequented the exhibit floor, programs for increasing awareness and use of the libraries. She brought back a handout from a session regarding controversial programs and speakers.

Trustee Wadley-Munier thought her sessions opened her eyes to the different ways individuals can bring about social change.

Trustee Francis Drake requested that she would like to hear from staff about their experiences at ALA. Dr. Heezen said they would ask staff and add it to Human Resources Director James Bean’s report at the September meeting.

Trustee Brooks joined the meeting via telephone during Trustee Francis Drake’s comments.

Chair Ortiz then appointed committees:

Executive Committee – Chair Ortiz, Vice Chair Bilbray-Axelrod, Secretary Foyt, and Treasurer Benavidez

Finance and Audit Committee – Trustee Benavidez, Chair; Trustee Wadley-Munier, Bilbray-Axelrod, Brooks, and Wilson.

Risk Management Committee – Trustee Francis Drake, Chair; Trustee Foyt, Trustee Ramaker

Bylaws Committee – Trustee Bilbray-Axelrod, Chair; Trustee Wadley-Munier, Trustee Wilson, Trustee Brooks, Counsel Welt.

Purchasing Policy Committee of the Whole – no change

Naming Libraries Policy Committee of the Whole – no change

Nominating Committee – will be appointed in April or May

Library Reports (Item VI.)

Trustee Moulton had several comments on the reports. Trustee Moulton moved to accept Reports VII.A. 1-3. There was no opposition and the reports were accepted.

Executive Director’s Report (Item VI.A.)

Dr. Heezen announced that Senator Jacky Rosen will be at the East Las Vegas Library on Friday, July 12 from 2:45-3:15 p.m. and invited Trustees to attend if they could.

Dr. Heezen said he has always emphasized to staff going to ALA that it is most important to make connections and they should visit the exhibit floor and meet vendors who will bring their new products to the District.

Dr. Heezen briefly noted the citizenship application program that will be rolled out across the District, similar to the program with passports. He invited Library Operations Director Jenn Schember to briefly discuss the program which will roll out at the East Las Vegas Library. Ms. Schember explained that the District is in the early phase of investigation but that staff, led by Tom Olsen at the East Las Vegas Library, believe that if the assistance is provided to the community, it would allow more people to come in the building and have the library
feel like a safe and welcoming environment. Once the investigation and approvals have been obtained, staff hopes to roll it out in the fall.

Dr. Heezen spoke briefly about the “Grow with Google” event which took place in both Las Vegas and Reno.

Dr. Heezen then thanked staff who worked on the meeting.

**Library Operations, Security Reports and Monthly Statistics** (Item VI.A.1.a.)

Trustee Moulton was concerned about the rise in incidents at the Whitney Library, and was pleased to read about Governor Sisolak’s visit to the East Las Vegas in the Library Operations report. Other Trustees echoed her concern about the incidents at the Whitney Library.

Trustee Wadley-Munier asked about passport services at the District. Ms. Schember explained that the service is only offered at the Windmill Library at this point and is for new passports only. It will also be available in future at the Centennial Hills Library.

**Branding and Marketing Report and Electronic Resources Statistics** (Item VI.A.2.a.)

Trustee Wilson felt the District’s website, as a person with 20 years’ experience in IT, was not user-friendly. He asked whether version V3 from Bibliocommons would fix weak spots in user interaction in current version V2 and asked when the upgrade would be completed. Ryan Simoneau, Digital Content Manager, said that, generally, user feedback had been positive. Simoneau then explained that the process of adding new features to Bibliocommons, which includes a forum for all library users of Bibliocommons technology to comment on suggestions received from users. The response to that forum gives Bibliocommons direction on what to add to their list of priorities. Simoneau would appreciate meeting to discuss Trustee Wilson’s specific issues about the website and staff will set that up.

**Community Engagement Report and Monthly Statistics** (Item VI.A.2.b.)

No questions.

**Development and Planning Report** (Item VI.A.2.c.)

No questions.

**Information Technology Report** (Item VI.A.2.d.)

No questions.

**Financial Services Report** (Item VI.A.3.a.)

Trustee Moulton was pleased about the low legal expenses for the last fiscal year, compared to the year before.

**General Services Report** (Item VI.A.3.b.)

Trustee Moulton thanked General Services Director Steve Rice for updating Trustees with the information on the kidnap policy insurance they requested at the June meeting.
Trustee Wadley-Munier asked if there was any concern about the change orders remaining from the East Las Vegas Library. Dr. Heezen commented that the change orders from that project were far less than they could have been and Wadley-Munier responded that that was what she wanted to hear. Mr. Rice added that most of them were improvements that staff opted to do at the end of the project when there was money left over.

Human Resources Report
(Item VI.A.3.c.)

No questions.

Unfinished Business
(Item VII.)

None.

New Business – Part One
Discussion and possible Board action to approve the District’s inclusion into an interlocal agreement for administration of the deferred compensation program.
(Item VIII.A.)

Human Resources Director James Bean explained that Mass Mutual has been the deferred compensation record-keeper for the Library District since 1989. The last RFP that was conducted was in 2014. Mass Mutual was awarded a five year contract at the time and the ability to extend for one-year extensions.

The Deferred Compensation Committee conducts quarterly due diligence meetings to review performance of the overall fund. According to benefits manager Tricia Pavone, Mass Mutual provides excellent customer service. There have been a few complaints or instances where the staff complained about the designated plan representative from Mass Mutual that they haven’t gotten back to them immediately.

But overall Mass Mutual provides -- or prides itself in providing world-class customer service at the participant and employee level based on the long extensive relationship Mass Mutual has used member entities of the Clark County contract as references for new business opportunities.

The interlocal agreement includes the following entities: County of Clark, Clark County Water Reclamation District, Clark County Regional Flood Control District, University Medical Center of Southern Nevada, Las Vegas Valley Water District, Las Vegas Convention and Visitors Authority, Mount Charleston Fire Protection District, Las Vegas-Clark County Library District. Each participating party is organized pursuant to the statues of Nevada. This contract is for four years, and can be extended for up to two one-year periods.

Chair Ortiz asked if staff had ever compared the discount or rate of return to the District provided by Mass Mutual to other deferred comp firms. He requested that comparison for the last six months. Mr. Bean explained that he could provide that information, but reminded Chair Ortiz that this is an interlocal agreement, where the District partners with the agencies he has previously discussed. Deputy Director/CFO Fred James said that the County put out the RFP, and created the joinder so that other agencies around the county could link to it.
Trustee Wadley-Munier asked whether Mass Mutual guaranteed certain return. Mr. Bean and Mr. James said that Mass Mutual did not.

Trustee Wilson moved to authorize staff to include the District onto Clark County’s contract with Mass Mutual for investment advisory services as of July 15, 2019, and authorize staff to extend the contract up to two (2) one-year periods beginning July 15, 2023, and in subsequent years subject to funding being available and the contractor continuing to meet performance standards outlined in the contract agreement. There was no opposition and the motion carried.

Discussion and possible Board action to amend the Internet and Wireless Use Policy first established on September 14, 2000. (Item VIII.B.)

IT Director/CIO Al Prendergast explained that the Board of Trustees adopted the Internet and Wireless Use Policy in September 2000. Two revisions have been made in 2005 and 2012.

The language adopted by the Board in the 2012 revision of the Policy included the language “The use of the District’s network to access material that is obscene, child pornography, or “harmful to minors,” as described by law, is expressly prohibited.”

During Board discussions at the April 11, 2019 and the May 9, 2019 Board of Trustee meetings, staff discussed the intention to start enforcing the Policy. As a result of the decision to start enforcement, the District will no longer provide “unfiltered” Internet access.

This Policy revision includes cleanup language to remove all referenced to “filtered” and “unfiltered” Internet access. Trustee Bilbray-Axelrod asked about the information on what other libraries are doing provided by Mr. Prendergast as part of his monthly report.

Trustee Moulton asked about allowing minors to use adult computers and Mr. Prendergast explained how parents must give written permission for their children to access the adult system.

Trustee Moulton moved to amend the Internet and Wireless Use Policy. There was no opposition and the motion carried.

Library Operations Director Jenn Schember explained that, in September 2000, the Board authorized staff to contract with a collection agency, Unique Management Services, Inc. (Unique) to pursue the collection of delinquent fines and fees owed to the District. At that time, the Board approved a motion to expunge fines and fees owed prior to January 1999. The rationale for forgiving this debt was that the fines and fees preceding the implementation of the former automation system (DRA) were considered uncollectible.

For the past 19 years, since contracting with collection agencies, the District has recovered over $11,382,306.65 in items and $7,436,245.65 in fines and fees. For a brief period, the District contracted with Aargon Collection Agency, Inc. during FY 2006-2007. However, due to performance issues, the District returned to Unique, in which the District is still under contract.

In June 2004, the Board authorized staff to declare fines and fees totaling $704,763.00 that were five years old, dating from 1999, as uncollectible and to purge these from District records. At that time,
staff recommended that each year delinquent fines and fees that are older than five years be reported to the Board for the purpose of being declared uncollectible.

Currently, there are 32,047 outstanding accounts from the year 2014. Collection agencies advise that debts older than five years are not likely to be recoverable. Given the age of the debt and the transient nature of the District’s population, it is unlikely that the District will collect a significant portion of the debt.

Staff again recommends that the Board declare fines and fees that are older than five years as uncollectible. Currently there is approximately $1,763,647.64 in outstanding fines and fees that accrued in 2014. By clearing these fines and fees the District will be able to purge these inactive patrons and delete these items from its database.

Ms. Schember continued, this is not a forgiveness campaign, since 2014 staff and Unique have made several efforts to collect this debt by sending several notifications, including monthly e-mails and printed notices, in addition to the letters and phone calls made by Unique. The library systems that share the District’s database, the North Las Vegas and Boulder City Library Districts, have instituted this practice as well.

The following table shows a comparison of calendar years (CY) between 2011-2014:

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<tr>
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<th>CY 2011</th>
<th>CY 2012</th>
<th>CY 2013</th>
<th>*CY 2014</th>
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<tr>
<td>Amount of Unrecoverable billed items</td>
<td>$1,055,796.03</td>
<td>$1,321,189.05</td>
<td>$1,434,515.56</td>
<td>$1,415,014.16</td>
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<td>Amount of unrecoverable fines and fees</td>
<td>$420,871.93</td>
<td>$326,766.58</td>
<td>$317,339.00</td>
<td>$348,633.48</td>
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<td>Number of patrons with unrecoverable billed items</td>
<td>11,001</td>
<td>12,394</td>
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<tr>
<td>Number of patrons with unrecoverable fines and fees</td>
<td>28,135</td>
<td>23,296</td>
<td>21,252</td>
<td>19,729</td>
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<tr>
<td>Number of Items to Be Purged</td>
<td>42,705</td>
<td>50,507</td>
<td>53,803</td>
<td>53,395</td>
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<tr>
<td>Average Cost Per Item</td>
<td>$25.50</td>
<td>$26.16</td>
<td>$26.66</td>
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<tr>
<td>Average Amount Owed Per Patron</td>
<td>$91.11</td>
<td>$106.60</td>
<td>$115.97</td>
<td>$114.87</td>
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*Projected amounts

Trustee Moulton asked if the District can tell if the Food for Thought program has made any difference in the collections. Ms. Schember said that staff could follow that going forward. Moulton also
commented that she had a lot of questions about this item when she first saw it, but she really appreciates the information.

Trustee Wadley-Munier said she hopes all the missing items that the District is writing off are being utilized and are not in the dumpster.

Trustee Wadley-Munier moved to declare fines and fees of approximately $1,763,647.64 as uncollectible, dating from the year 2014, and authorize staff to purge from District records. There was no opposition and the motion carried.

Discussion and possible Board action to appoint the East Las Vegas QALICB, Inc. Board of Directors. (Item VIII.D.)

Development and Planning Director Danielle Milam explained that in July 2017, the Library District entered into a New Markets Tax Credit transaction for the East Las Vegas Library construction project. As part of that transaction, a new non-profit was formed to operate exclusively for the benefit of the Library District for the purposes of acquisition and leasing of real and/or personal property subject to restrictions and terms of the transaction documents.

The Articles of Incorporation for East Las Vegas QALICB, Inc. stipulate that a five-member Board of Directors shall be appointed annually by the Library District Board of Trustees as follows:

1. Two Board Directors shall be independent directors who are not officers, directors, trustees, or employees of the Library District, Las Vegas-Clark County Library District Foundation, Inc., or any other affiliate of the QALICB corporation, the Library District, or the Library Foundation.

2. Three Board Directors shall be appointed from nominees who are current or former employees, officers, or trustees of the Library District or employees, officers, or directors of the Library Foundation.

This item calls for the reappointment of existing East Las Vegas QALICB, Inc. Board of Directors as follows:

Fred James, President; Keiba Crear, Secretary-Treasurer; and Directors Senator Mo Denis, Felipe Ortiz, and Michael Saunders

Trustee Moulton moved to appoint the slate of Directors detailed above to the East Las Vegas QALICB, Inc. There was no opposition and the motion carried.

New Business – Part Two

Executive Session – Discussion regarding the Executive Director’s performance evaluation for the period September 2, 2014 through July 11, 2019. THIS WILL BE A CLOSED SESSION.

Chair Ortiz announced that the next item would be a closed session to discuss the Executive Director’s performance review. Trustee Moulton moved to close the meeting. There was no opposition and the motion carried. The meeting was closed at 7:20-8:58 p.m. Trustees Bilbray-Axelrod and Brooks participated in the closed session via telephone. Trustee Ramaker was travelling at that point and had to hang up. She did not participate in the closed session or the rest of the meeting.

Chair Ortiz reopened the meeting at 8:58 p.m. Trustees Bilbray-Axelrod and Brooks were on the phone when the meeting was reopened.
Discussion and possible Board action regarding the Executive Director’s performance evaluation for the period of September 2, 2014 through July 11, 2019.

(Item XI.B.)

Chair Ortiz said the Board of Trustees evaluation of the Executive Director’s performance for the period of September 2, 2014 through July 11, 2019 came to a 4.5 rating, which comes between exceeds expectations and outstanding.

Trustee Wadley-Munier moved to award the Executive Director an overall performance evaluation score of 4.5, or between outstanding and exceeds expectations. Chair Ortiz, and Trustees Bilbray-Axelrod, Brooks, Foyt, Francis Drake, Moulton, and Wadley-Munier voted in favor, Trustee Wilson abstained due to his short time on the Board. The motion carried.

Discussion and possible Board action regarding the employment agreement for Dr. Ronald R. Heezen, Executive Director.

(Item XI.C.)

Chair Ortiz announced that, pursuant to Nevada Revised Statutes Trustees may appoint an executive director for the consolidated library District who serves at the pleasure of the Trustees. Pursuant to the District’s Library Board of Trustee Bylaws and Policies, Article IX, the director is designated as the District’s fiscal agent. His duties are established under NRS 379.027. Trustees have completed an annual review of the executive director.

Trustee Moulton moved to extend a contract for Executive Director to Dr. Ronald Heezen for the period between September 2, 2019 to September 1, 2022. There will be no salary increases, other than what is given across the District. Heezen will also accrue vacation leave at the maximum given by the District, 7.5 hours per pay period. Finally, the District would buy two additional years for Dr. Heezen in the Public Retirement System (PERS) subject to review by Counsel.

Counsel Welt said he would talk to PERS staff and Deputy Director/CFO Fred James to put the specifics of the additional year’s buyout in the draft agreement.

There was no opposition and the motion carried. Trustee Wilson abstained.

Trustee Wilson commented for the record that, looking at the Executive Director’s salary from the beginning of his original contract, his salary has increased approximately 23 percent in five years. With the addition of the PERS buyout, that will be an approximate 20 percent raise for the three years. Wilson does not know what other library director make and how Dr. Heezen compares to them, but for this vote, Wilson will be abstaining because he cannot vote in good conscience one way or the other on what he effectively seems to be a 45 percent raise in a five year period.

Announcements

(Item IX.)

There will be no August Board Meeting.

The next Board Meeting will be held Thursday, September 12, 2019 in the East Las Vegas Library, 2851 E. Bonanza Avenue, Las Vegas, Nevada 89101, at 6:00 p.m.
Chair Ortiz invited Trustees to attend an ethics class, sponsored by the city of Las Vegas, on August 8th from 8:30-10:00 a.m.

Ms. Boyer handed out flyers for the Performing and Visual Arts Camp performances coming up in August. The District co-sponsors this program with the city of Las Vegas.

Public Comment
(Item X.)

None.

Adjournment
(Item XII.)

Chair Ortiz adjourned the meeting at 9:08 p.m.

Respectfully submitted,

Elizabeth Foyt, Secretary
## 2019 ATTENDANCE

### July 11, 2019 Regular Board Meeting

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A-E = Excused Absence  
A-U = Unexcused Absence

as of July 12, 2019  
* Appointed to new term beginning March 5, 2019  
**Term expired March 6, 2019, served until new Trustee appointed May 15, 2019  
*** Appointed to term beginning May 15, 2019
July 3, 2019

Las Vegas-Clark County Library District
Board of Trustees
Chairman Felipe A. Ortiz
7060 W. Windmill Lane
Las Vegas, NV 89113

Esteemed Chairman Ortiz and Members of the Board,

In his inaugural address, Governor Steve Sisolak spoke clearly about leading the way to support every Nevadan in their efforts to learn skills employers need and match them to good jobs that need to be filled right now.

Library staff witness first-hand an economic environment where people continue to struggle, and employers cannot find qualified workers. Nationwide, state library agencies and organizations have responded to the need for jobseeker support services with databases, training and initiatives for their residents and library staff members. Under your supervision, with benefit of Dr. Ron Heezen's insight and leadership, the Las Vegas – Clark County Library District has vaulted Nevada to the forefront of the effort nationally.

The holistic approach of the District’s partnership with Workforce Connections, Southern Nevada’s local workforce development board led by Jaime Cruz, created and continues to build a comprehensive career pathway to Nevada’s priority sectors. The library district’s leadership team worked to actively engage local business, using labor market data to drive decisions, treating education like a job. By connecting people to careers, providing wrap-around services, tapping innovative funding sources and embracing evaluation, the One-Stop embedded partnership has evolved to lead the nation as a collaborative model of excellence.

The efforts of the Las Vegas – Clark County Library District to reach job seekers in the community, and address common challenges, are beyond inspirational – they are making a real difference. I am honored to recognize that work and be of support. Thank you!
As Nevada’s State Librarian, last week I attended the meeting of the Western Council of State Libraries and, separately, the 143rd annual conference of the American Library Association. I would be honored to be able to address the Board directly at its September meeting, if possible; it would provide a timely opportunity to be able to brief you more fully on what I learned from other states, especially in terms of your leadership in this area. I would look forward to being able to share with you currently embargoed findings from a national study done by researchers at Rutgers University: the model your libraries have pioneered, and its success, will figure prominently in the paper. With your permission, I would include Deputy State Librarian Tammy Westergard to assist in the communication and provide context on the prevalence of library career services and workforce development programs at libraries nationwide.

Thank you for your continued efforts, and for Dr. Heezen’s continued leadership. Please do not ever hesitate to contact me directly; I look forward to hearing from you. You can reach me on either my direct line at (775) 684-3410 or via email to tcolegrove@admin.nv.gov.

Sincerely,

Patrick ‘Tod’ Colegrove, Ph.D., MSLIS | Nevada State Librarian
Division Administrator, Nevada State Library, Archives and Public Records

cc: Dr. Ron Heezen, Executive Director
Tammy Westergard, Deputy Administrator