


MEETING OF THE LIBRARY COMMISSION  
**A G E N D A**

DATE: Thursday, January 21, 2021

TIME: 7:00 p.m. LIBRARY COMMISSION MEETING

LOCATION: **The Meeting will be held virtually via Zoom. You may click on the link below or copy/paste it into your browser. The meeting password is 659632 You may also dial in using this number: 1(669) 900-9128 Meeting I.D.: 996 2131 2973**  
**Link:** <https://zoom.us/j/99621312973?pwd=dIV4akwvcEdkclViZiB1Z00yNmpBZz09>

- Electronic agenda packet viewing is available at: <https://ccclib.org/commission/>
- Hard copy agenda packets are available for viewing at each Contra Costa County Library
- The meeting will be recorded for record keeping purposes

 The Library Commission will provide reasonable accommodations for persons with disabilities planning to attend Library Commission meetings who contact Library Administration at least 72 hours before the meeting, at (925) 608-7730. After 72 hours prior, accommodations will be on a best-efforts basis.

**To slow the spread of COVID-19, the Health Officer's Shelter Order of June 16, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Library Commission meeting will be accessible via Zoom to all members of the public as permitted by the Governor's Executive Order N29-20.**

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Contra Costa County Library Commission to a majority of members of the Library Commission less than 96 hours prior to that meeting are available for public inspection at Contra Costa County Library Administration, 777 Arnold Drive, Suite 210, Martinez, CA 94553.

Library Commissioners, please **call Library Administration**, at (925) 608-7700 by 5 p.m. **Wednesday, January 20, 2020 if you will NOT be at the meeting.** A quorum must be established before a meeting can be held. A record is maintained of Commissioner's attendance.

- 1. 7:00 p.m.**  
(5 mins.) **CALL THE MEETING TO ORDER / ROLL CALL**  
The Library Commission Chair will call the meeting to order. Walter will do a roll call to determine a quorum of attendees.
- 2. 7:05 p.m.**  
(5 mins.) **WELCOME & INTRODUCTIONS**  
Visitors will have an opportunity to introduce themselves; self-introductions are voluntary.
- 3. 7:10 p.m.**  
(5 mins.) **PUBLIC COMMENT –**  
Speakers from the audience may address the Library Commission on any relevant issue that is not scheduled for the agenda. Public comment can be made on agenda items when the item is discussed. Public comment is limited to three (3) minutes per speaker and speakers may text your comments/questions to 925-818-0049 during the meeting. Public comment on agenda items can also be e-mailed to the Library Commission at [walter.beveridge@library.cccounty.us](mailto:walter.beveridge@library.cccounty.us) to be received one day prior to the Library Commission meeting.
- 4. 7:15 p.m.**  
Action  
(5 mins.) **ACCEPTANCE OF MINUTES – Attachment 1**  
Commissioners will approve or amend the minutes from the November 2020 meeting.
- 5. 7:20 p.m.**  
Information  
(15 mins.) **ITEMS OF INTEREST TO THE COMMISSION AND ANNOUNCEMENTS**  
Commissioners or library staff may make announcements regarding the Library Commission and Library or Friends group activities of interest to other Library Commission members.

### PRESENTATIONS

6. 7:35 p.m. **MARKETING & COMMUNICATION UPDATE -**  
Information  
(15 mins.)  
Library PIO Brooke Converse will discuss library marketing efforts and communications with the public and new upcoming initiatives as we begin looking beyond the pandemic.
7. 7:50 p.m. **2020 BROWN ACT UPDATE - Attachment 2**  
Discussion  
(30 mins.)  
Management Analyst Lauren Hull from the Clerk of the Board's Office will discuss the recent memo from County Counsel regarding recent updates to the Brown Act and how it affects the members of the Commission.

### CONTINUED BUSINESS

8. 8:20 p.m. **WORKING COMMITTEE REPORTS – Attachment 3**  
Action  
(20 mins.)  
A. Commissioner A. Smith will report to the Commission on ways to advocate for the library during the current environment. **(10 minutes)**  
B. Vice-Chair Fischer will discuss the collecting of information for the 2021 Annual Report. **(5 minutes)**  
C. Commissioner McCormick will report to the Commission on efforts regarding the formation of a countywide library foundation. **(5 minutes)**

### OTHER BUSINESS

9. 8:40 p.m. **COUNTY LIBRARIAN RECRUITMENT EFFORT -**  
Action  
(5 mins.)  
Chair Peter Wilson and Commissioner McCormick will speak about the recruitment efforts for a new County Librarian and the involvement of the Commission in that effort.
10. 8:45 p.m. **COUNTY LIBRARIAN REPORT - Attachment 4**  
Information  
(10 mins.)  
Interim County Librarian Alison McKee will submit a written report on items of interest to Commissioners.
11. 8:55 p.m. **AGENDA SETTING FOR NEXT MEETING and FUTURE TOPICS**  
(5 mins.)  
Commissioners will suggest items for future meetings.
12. 9:00 p.m. **ADJOURNMENT to the March 18, 2021 LIBRARY COMMISSION MEETING.**

### ITEMS TO CALENDAR

1. Library Commission Meeting / 3-18-21
2. Library Commission Meeting / 5-20-21
3. Library Commission Meeting / 7-15-21

4. Library Commission Meeting / 9-16-21
5. Library Commission Meeting / 11-18-21
6. 2020/21 Library Friends, Foundations and Commission Forum (To Be Rescheduled)

**CONTRA COSTA COUNTY LIBRARY COMMISSION**

**AGENDA ATTACHMENT 1**

**MEETING DATE:** Thursday, January 21, 2021

**AGENDA ITEM #:** 4.

**ITEM:** ACCEPTANCE OF MINUTES

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**RECOMMENDED ACTION:**

The Commission will vote to accept the minutes of the November 19, 2020 meeting with or without edits.



**MEETING OF THE LIBRARY COMMISSION**  
**Minutes**

DATE: Thursday, November 19, 2020

**1. CALL THE MEETING TO ORDER / ROLL CALL**

Chair Don McCormick called the meeting to order at 7:05 p.m.

LASTNAME	FIRSTNAME	TITLE	REPRESENTING	PRESENT	ABSENT	EXCUSED
	Vacant	Library Commissioner	CCC District 1			
	Vacant	Library Commissioner	CCC District 2			
	Vacant	Library Commissioner	CCC District 2 (Alt)			
	Vacant	Library Commissioner	Town of Moraga			
	Vacant	Library Commissioner	Town of Danville			
	Vacant	Library Commissioner	City of Brentwood			
	Vacant	Library Commissioner	City of Martinez			
	Vacant	Library Commissioner	City of San Ramon			
	Vacant	Library Commissioner	City of San Ramon (Alt)			
Bracken	Katherine	Library Commissioner	City of Pleasant Hill	x		
Dozier	Julia	Library Commissioner	City of Pleasant Hill (Alt)	x		
Faye	Vivian	Library Commissioner	City of Brentwood (Alternate)	x		
Ferree	Jacalyn	Library Commissioner	City of Clayton	x		
Fitzpatrick	Arnold	Library Commissioner	City of Oakley (Alternate)	x		
Fischer	Michael	Library Commissioner	City of El Cerrito	x		
Harlan-Ogbeidi	Dr. Charlene	Library Commissioner	City of San Pablo (Alternate)		x	
Hoisington	Mary Ann	Library Commissioner	City of Lafayette	x		
Huh	Dr. John M.	Library Commissioner	City of Antioch	x		
Kelly	Juan	Library Commissioner	City of Orinda			x
Koops	J. Barry	Library Commissioner	City of El Cerrito (Alternate)		x	
LaLanne	Yvonne	Library Commissioner	City of Walnut Creek	x		
LeFrak-Bellici	Zelda	Library Commissioner	City of Pittsburg	x		
Mackey	Lynn	Library Commissioner	Office of Education		x	
Maher	Janette	Library Commissioner	Town of Moraga (Alternate)	x		
McCormick	Don	Library Commissioner	CCC District 3	x		
Medrano	Antonio	Library Commissioner	City of San Pablo			x
Merchant	Kathy	Library Commissioner	City of Orinda (Alternate)		x	
Molinelli	Jasun	Library Commissioner	City of Walnut Creek (Alt)		x	
Pena-Mendrek	Yolanda	Library Commissioner	City of Oakley	x		
Pursley	George	Library Commissioner	City of Pinole	x		
Robison	Rich	Library Commissioner	CCCCD		x	
Smith	Alan B.	Library Commissioner	CCC District 4	x		
Smith	Tommy	Library Commissioner	City of Concord	x		
Ward-Jackson	Dr. Evangelia	Library Commissioner	City of Hercules		x	
Wilson	Dr. Peter	Library Commissioner	CCC District 5	x		

Total Commission positions: 24  
 Commission positions filled: 17  
 Commission positions vacant: 7  
 Commission quorum: 13

With fifteen commissioners present, a quorum was established.

2. **INTRODUCTIONS**

None were made.

3. **PUBLIC COMMENT**

No Public comment.

4. **ITEMS OF INTEREST TO THE COMMISSION AND ANNOUNCEMENTS**

**Chair McCormick:** Don congratulated Commissioner Mendrek (Oakley) for winning her election to the Liberty Union School Board in November. He also recognized former Brentwood Commissioner Thuy DaoJensen election to the local school board.

**Commissioner A. Smith:** At a meeting of the BART board today they approved an exclusive negotiating agreement (E.N.A.) with a well-known developer/designer for the transit oriented development project at the El Cerrito Plaza development, which includes 780 housing units, retail and space for a new library if the city can get the funding.

**Commissioner Hoisington:** Lafayette Friends board meetings continue to happen via Zoom. The bookshop at the library is still doing business but not in person. You can browse online and place an order to be picked up at the door. They are not accepting donations. Their Wonders of the World (WOW) programs are still happening on the 2nd Wednesday monthly at 2pm. Anyone interested in these may register through the library's website. Every third Thursday the library hosts an author's night as well.

**Commissioner Pursley:** Asked how long the Pinole Library would continue to be used as a covid test site. Interim County Librarian Alison McKee said she would be addressing that in the County Librarian Report later in the meeting.

**Vice-Chair Fischer:** At the recent election there were three openings on the El Cerrito City Council. One was won by the incumbent, an ardent library supporter and the other two seats were won by folks who Michael considers to be numbers 2 and 3 on the list of library supporters. He has meetings scheduled with both new council members later in the week.

**Commissioner Bracken:** The new bookstore for the Pleasant Hill Friends in downtown Pleasant Hill has now been open three months. Sales are brisk and continue to improve. There are currently fewer volunteers than normal due to being in the purple tier. As a result, they are no longer accepting new donations at this time. The bookstore will remain open during the holidays barring any orders to close down.

**Commissioner Faye:** The planned large sidewalk book sale in Brentwood had to be cancelled due to the covid surge. The Brentwood Friends of the Library and the Brentwood Library Foundation are planning to merge into one organization.

**Commissioner Fitzpatrick:** Reported on a recent conversation with Greg Enholm, former member of the Community College District board (and a former library commissioner) about possible Community College funding for a new library in Oakley.

5. **ACCEPTANCE OF THE MINUTES** No changes were suggested. Commissioner Hoisington made a motion to accept the minutes from September 2020 as presented. Commissioner A. Smith seconded the motion. By consensus vote of the commission **the minutes from September were approved.**

6. **BUDGET UPDATE & DISCUSSION -**

Deputy County Librarian Gail McPartland gave a PowerPoint presentation to the commission (appended to the end of these minutes).

Commissioner Wilson asked a question about the public's use of the Library's wifi. Gail explained that at many of the libraries, the signal strength of the wi-fi is sufficient enough to be accessed by the public from the parking lot. Peter requested usage statistics. A discussion about lendable hotspots and schools ensued. Many school districts are providing hotspots and other equipment to those students who have a need for them. The lendable units from the library are meant primarily for residents who are not receiving hotspots through their school district. The library has not reached out to the office of education since school districts are managing their own lending programs. Commissioner Wilson asked what 5% budget cuts were made at the library. Gail shared that a number of vacant positions were cut as well as several Permanent Intermittent positions. There were also two rounds of layoffs due to budget cuts in cities that resulted in a reduction of their libraries' open hours.



**WORKING COMMITTEE REPORTS -**

- 7.A. Legislative Committee-** Commissioner A. Smith began by speaking about the state level situation. The recent CLA communication mentions a few things they are trying to achieve funding for but an ask for literacy funding was not part of the platform. Alison had heard no reasons why this was so, which leaves nothing on the state level to ask the Board of Supervisors to support as the commission has done in the past.
- At the federal level, there is a one page communication about the Library Stabilization Fund Act (LSFA) in the meeting packet. After providing the commission with some background, Alan suggested drafting a letter and having it ready to drop the bill numbers into that could then be sent to the local legislators to lobby for this funding. The timing would be good as these funds will be administered by the IMLS which is a program the BOS has had as part of their advocacy platform on a regular basis. Alan's back of the envelope calculation shows that there could be as much as \$2 to \$3 million available. This is worth the time and effort to advocate for these funds if these bills are reintroduced.

Vice-Chair Fischer asked if Alan thought it would be a good idea, once the letters were written, to take them to the various city councils for their endorsement as well and Alan agreed with this suggestion. Commissioner Wilson asked Alan if he would be willing to write those letters and he said he would do so for inclusion in the January meeting packet.

- 7.B. Annual Report/Work Plan Committee** – Vice Chair Fischer began with the Annual Report by stating it is a compilation of the information provided by the commission members during the year. It is presented in a way that ties it to the goals of the 2020 Work Plan that was agreed upon by the commission one year ago. This report is due to the BOS before year end and Michael asked everyone to please review it quickly and send any last minute changes or additions to Walter within the next week so they can be included. Commissioner Wilson offered that an end parenthesis was missing for goal 2F.

Michael then presented the 2021 Work Plan by stating that the underlined parts of the plan signify goals that were either altered or added from the previous year's plan. This is the result of the Work Plan Committee's effort (Commissioners Kelly and Pursley). Several examples of these changes include the Library Stories project that the commission agreed to undertake and anything related to the pandemic or the presentation of the Equity, Diversity and Inclusivity Committee. Participation in the selection process for the next County Librarian is also included in the work plan. Commissioner Wilson stated that he agreed with the items that had been added and thought the work plan was very comprehensive.

Lastly, Michael asked the commissioners to review the attendance report that is part of the Annual Report and submit any changes to Walter within a week in order to meet the submission deadline.

- 7.C. Nominating Committee** – Commissioner T. Smith (Committee Chair) introduced the other members of the Committee (Commissioners Ferree' and A. Smith) and briefly described the selection process that ended with a ranked list of candidates for Chair and Vice-Chair for 2021. Current Chair, Don McCormick, who is ineligible for another term having served twice already, volunteered to reach out to the chosen candidates in ranked order to see if they would be willing to serve in the various roles for which they had been selected.

**8. NOMINATIONS AND ELECTION OF 2021 LIBRARY COMMISSION OFFICERS –**

Commissioner T. Smith presented the slate of candidates chosen by the members of the Nominating Working Committee:

1. Commissioner Peter Wilson for Chair
2. Commissioner Michael Fischer for Vice-Chair

Current Chair McCormick then called for nominations from the floor. There being none, Commissioner A. Smith made a motion to approve Peter as chair of the Commission. The motion was seconded by Commissioner Pursley. The motion passed unanimously.

Commissioner Wilson then made a motion to approve Vice-Chair Fischer to another term in that role. This motion was seconded by Commissioner Hoisington. The motion passed unanimously.

**The Commission officers for 2021 will be Peter Wilson / Chair and Michael Fischer / Vice-Chair.**

Committee Chair Smith then made a motion to retire the Nominating Committee, seconded by Commissioner Ferree'. By unanimous vote the Nominating Committee is done for the year.

**9. SET COMMISSION 2021 MEETING DATES –**

Chair McCormick referred the commissioners to attachment 5 of the packet and explained that even though the dates listed all show 2020 they are the correct proposed meeting dates and should instead say 2021. No objections were voiced to the proposed list, so Commissioner LeFrak made a motion to accept the proposed list. The motion was seconded by Commissioner Huh and passed by unanimous vote of the commission.

**10. TRIENNIAL REVIEW –**

Chair McCormick explained that this review (attachment 6) comes up every three years and is an opportunity for the commission to show the BOS what they have accomplished in the past three years so the Board can decide whether to continue or sunset the Commission. Commissioner Hoisington expressed her appreciation of the review. Commissioner Wilson made a motion to submit the document as presented to the Clerk of the Board and this was seconded by Commissioner Huh. By unanimous vote of the commission, the document will be submitted by the December 1st deadline. Commissioner A. Smith then reminded the commission that after BOS approval the document along with the action of the BOS then goes to the Mayor's Conference for approval as well. Walter agreed to follow up with Gary Pokorny of the Mayor's Conference to make this happen.

**11. COUNTY LIBRARIAN REPORT -**

Interim County Librarian Alison McKee began by calling attention to several items in her written report (attachment 7). The Library Learning Tools were created to assist parents, teachers and students in the current learn-from-home environment. She stated she was proud of how the staff's work on these videos and recommended the commissioners watch them. The Library of Things is a catalogue of non-traditional items available through the library, such as lendable backpacks, energy efficiency kits, wifi hotspots (coming soon) and more. This can also be viewed on the website.

Since the written report was submitted the City of San Ramon has voted to reduce the open hours at the Dougherty Station Library from 50 down to 44 per week. This is a result of Diablo Valley College reducing their funding level as they will be building their own library instead of funding the public library. This was known to be coming so it is an amicable split. No layoffs will result from this action.

The use of several libraries for Covid testing sites will continue through March, at a minimum. The parking lot at the Ygnacio Valley Library is being repaved. This work will happen beginning in May, at which point, the state will no longer be able to access the Library for use as a testing site. A portion of the parking lot work is being funded by a Walnut Creek Community Development Block Grant (CDBG)

Finally, the written report states that the library is preparing to allow the community back into the branches beginning early in 2021. This is currently on hold now that the county is in the purple tier. No new date for reopening is available yet.

Upon opening the floor for questions, Alison confirmed for Commissioner Pursley that the Pinole Library would continue as a testing site through the end of March. He then asked what criteria, other than the colored tiering, was involved in the decision to reopen. Alison explained that the state has grouped libraries with retail, which means at this time, the library could currently be open with up to 25% capacity. This has not happened yet since the branches are still being assessed for maximum capacity, HVAC, and necessary alterations in order to keep everyone safe. The library is working with Public Works and the various city



partners to make this happen. George then asked if the Covid testing would delay the renovations for the reopening of the Pinole branch and Alison did not think that would be the case.

Commissioner Faye asked if the library had considered having tools to lend as part of the Library of Things as several other east bay libraries have done. Alison explained that this was considered but not acted upon as it is a very labor-intensive undertaking.

**12. AGENDA SETTING FOR NEXT MEETING AND FUTURE TOPICS –**

No suggestions were offered.

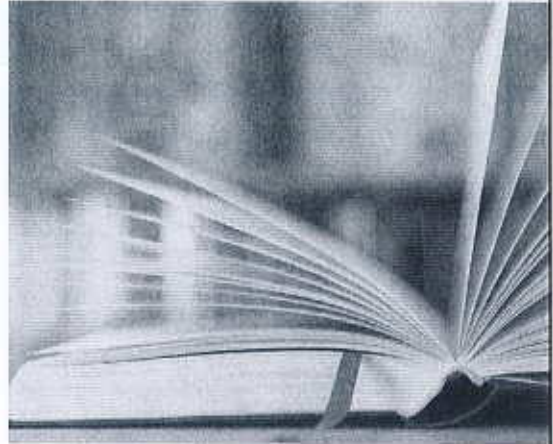
**13. ADJOURNMENT TO THE JANUARY 21, 2021 LIBRARY COMMISSION MEETING AT TBD.**

The meeting was adjourned at 8:45 p.m.

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Submitted by Walter Beveridge  
Executive Secretary, Contra Costa County Library

# COUNTY LIBRARY FY2020-2021 BUDGET

*"Bringing People and Ideas Together"*



1

MC1

## Major Impacts on FY20-21 Library Budget

1. City partners reduce/eliminate funding for extra hours at branch libraries and County plans 5% reduction across the board = \$1.271M
2. COVID-19 Pandemic increases safety and security costs
3. Increase in Library network security, equipment and software costs

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## Slide 2

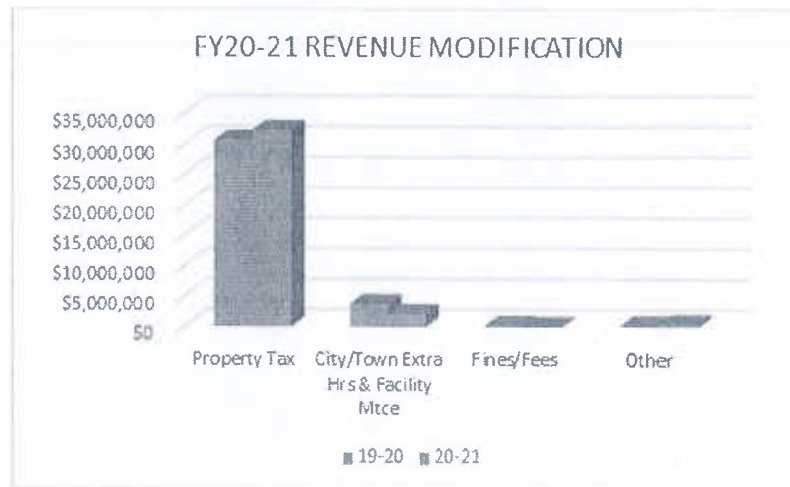
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**MC1** Hi Gail, forgot to mention that I like the design, so please do not alter slide designs. tx

Melinda Cervantes, 8/3/2020

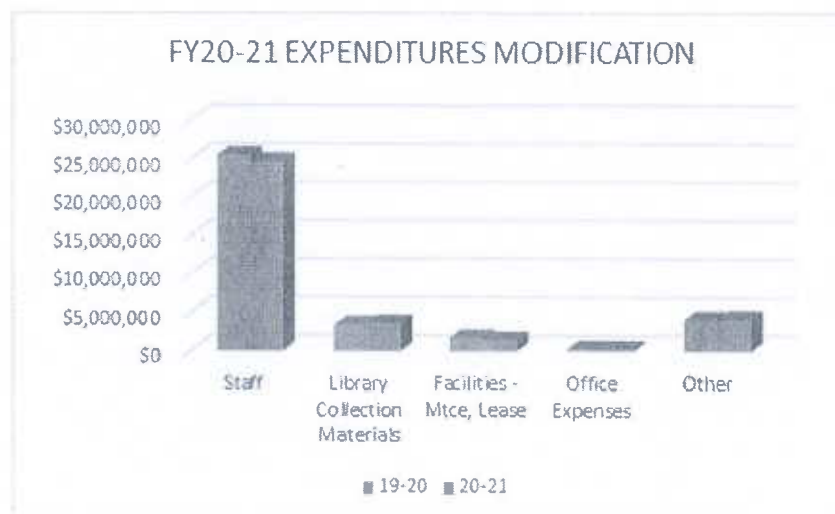


## FY20-21 Library Budget Revenue Modification



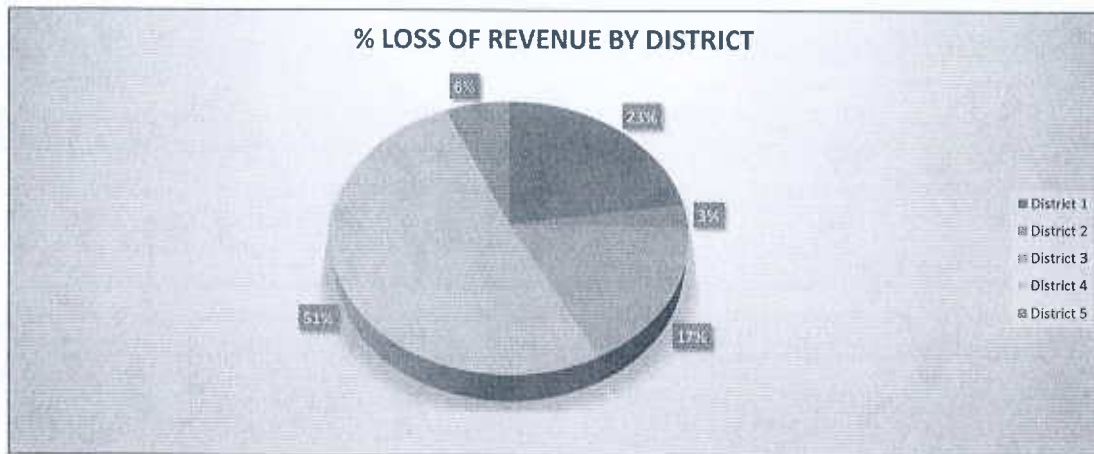
3

## FY20-21 Library Budget Expenditures Modification



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## \$1.271 Million Loss of Revenue



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## Changes in Operating Hours

Library	2019/2020 Hours	2020/2021 Hours	Notes
Bay Point	18	34.5	Increase
Brentwood	56	35	
Clayton	44	40	Sundays
Concord	52	48	Sundays
Danville	60	56	Sundays
El Cerrito	50	46	Sundays
Lafayette	58	54	Sundays
Moraga	39	35	Sundays
Orinda	60	56	Sundays
Pleasant Hill	43	35	Move to PHL Temp
San Pablo	47	35	Sundays Plus
San Ramon	58	54	Sundays
Walnut Creek	56	35	
Ygnacio Valley	56	35	

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## Libraries are COVID-19 Testing Centers

Library	Testing Center Opened
Pinole Library	May 4, 2020
Ygnacio Valley Library	Sept 1, 2020

7

## Library Usage during COVID-19

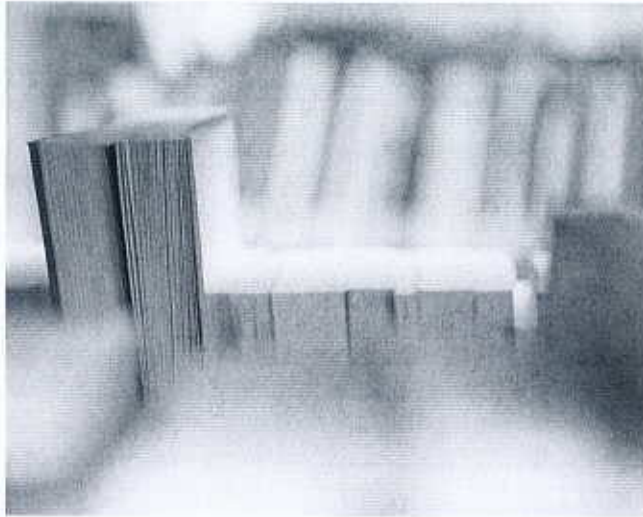
Type /Format	Comparison Time Period - 2019 and 2020	2019	2020	Percent Increase
Kanopy streaming video	March 16 – Oct 31	33,809	111,300	229%
YouTube (includes storytimes)	March 16 – Oct 31	6,524	53,884	726%
Ancestry*	March 16 – Oct 31	10,181	72,629	613%
East Bay Times	March 16 – Oct 31	144,840	414,197	186%
Overdrive/Libby eBooks, eAudiobooks	March 16 – Oct 31	420,265	881,355	110%
Total New Library Card Accounts	March 16 – Oct 31	31,114	12,140	(61%)
Physical Circulation	June 15 – July 27	not available	177,384	
Holds placed	June 15 – July 27	not available	166,743	
Holds filled	June 15 – July 27	not available	115,258	

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## Library Serves 18 Cities and Unincorporated Areas

- ❑ COVID-19 Pandemic SIP Health Order closes all 26 libraries on March 16, 2020 and library administration/support services on March 17, 2020
- ❑ By April 1, funding for print collections was reallocated to eBooks, eAudiobooks and other online resources
- ❑ April 15, online and virtual story-times go "live" and digital library cards promoted
- ❑ May 1, WiFi turned on at all libraries to support students and schools
- ❑ June 1, all library employees report to work and ready libraries for reopening
- ❑ June 15 Front Door Service checkout of books at 23 libraries goes live
- ❑ June 17 FDS begins at 2 additional libraries



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## Cybersecurity Incident

### Network Outage

- Jan 3, 2020 - Cyber-attack cripples Library network
- County Department of IT and local, state & federal law enforcement engaged
- Jan 13 - contracted forensics and recovery work by outside experts
- Jan 30 - public service restored with some recovery work continuing
- Feb 29 - public service fully restored

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## Cybersecurity Incidents-Budget Impacts

### FY19-20

FY19-20	
third party experts	\$225,000.00
software/hardware combos	\$281,000.00
hardware/equipment	\$356,000.00
Software licensing	\$96,000.00
	<b>\$958,000.00</b>

### FY20-21

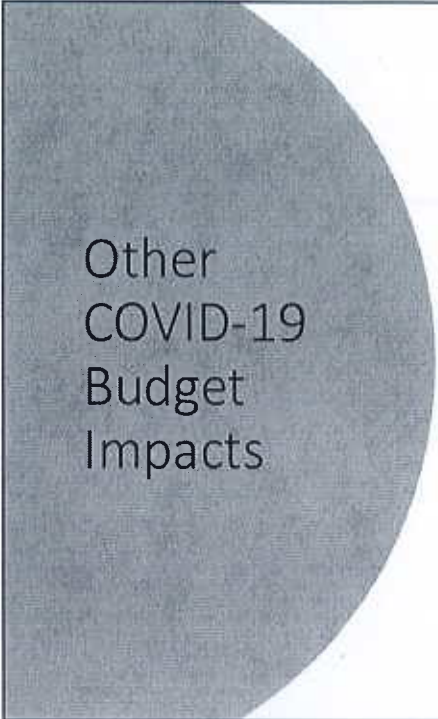
FY20-21	
third party experts	\$100,000.00
hardware/equipment	\$100,000.00
Software licensing	\$244,000.00
	<b>\$444,000.00</b>

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## FY20-21 Budget/IT Impacts Due to COVID-19



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## Other COVID-19 Budget Impacts

- Disinfectant and Sanitizing Supplies
  - Masks and Gloves
  - Social Distancing Signage, Floor Markers
  - Plexiglas Barriers at Service Desks
  - Increased Custodial Services for County-Owned/Maintained Libraries
  - Increased Custodial Services for Library Administration & Support Services Center
  - Increased Substitute/Overtime costs due to COVID-19 related absences
- 

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## Challenges Ahead for the Library

- Demand for library services remain high
- Access to computers and the Internet for school assignments, unemployment benefits, job applications, and connecting with families
- Economic impact on city partners ability to fund extra hours and maintain facilities for next level of library service
- Unknown impacts on property tax and other revenue

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Thank you

I want to thank Library staff for their commitment to delivering quality library services virtually and now at 24 libraries while also caring for themselves and their families.

**CONTRA COSTA COUNTY LIBRARY COMMISSION**

**AGENDA ATTACHMENT 2**

**MEETING DATE:** Thursday, January 21, 2021

**AGENDA ITEM #:** 7.

**ITEM:** BROWN ACT UPDATE

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**RECOMMENDED ACTION:**

No action required

**Office of the County Counsel**

1025 Escobar Street, 3rd Floor  
Martinez, CA 94553

Contra Costa County

Telephone: 925.655.2200

Facsimile: 925.655.2263

Writer's Direct Dial: 925.655.2221

**Date:** December 8, 2020

**To:** County Boards, Commissions and Committees, and their  
Administrative Officers and Secretaries

**From:** Sharon L. Anderson, County Counsel

By: Mary Ann McNett Mason, Chief Assistant County Counsel

*M. A. M.*

**Subject:** Summary of Recent Changes to Open Meeting Laws

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This memorandum summarizes significant changes to the state open meeting law, the Ralph M. Brown Act,<sup>1</sup> ("the Brown Act") and discusses revised procedures for implementation of that law that will apply in 2021.

**A. New Rules for Board Members' Use of Social Media**

Since its inception, to ensure transparency for the public the Brown Act has limited how board members may communicate with one another outside of lawfully noticed public meetings. The Brown Act prohibits a majority of the board<sup>2</sup> members from using a series of outside communications of any kind, whether directly or indirectly or through intermediaries, to discuss, deliberate, or take action on any matter that is within the board's jurisdiction.<sup>3</sup> Such a series of outside communications by a board majority is commonly known as an unlawful "serial meeting." This prohibition has now been revised to acknowledge and address the pervasive use of social media by officials and the public.

**1. Individual Board Member's Use of Social Media Permitted.**

Effective January 1, 2021, the Brown Act expressly affirms that a board member may use social media to communicate their positions to constituents and the public without causing a serial meeting of the board. The amended law clarifies that most of a board member's communications with the public on social media are permissible. A board member may engage in separate conversations or communications about agency business on any internet-based social media platform that is open and accessible to the public, for the following purposes:

**1) To answer questions**

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<sup>1</sup> Gov. Code, §§ 54950 et. seq.

<sup>2</sup> "Board" refers to all types of legislative bodies, including commissions, committees, and municipal advisory councils.

<sup>3</sup> Gov. Code, § 54952.2 (b) (1).

- 2) To provide information to the public
- 3) To solicit information from the public regarding a matter in the board's jurisdiction.<sup>4</sup>

These permitted social media communications may include use of digital icons (emoji).

## 2. Response or Reaction by Second Board Member Prohibited.

Effective January 1, 2021, the Brown Act will expressly prohibit board members from replying or reacting to anything another member of the board posts or shares on social media regarding agency business.<sup>5</sup> This means that a board member may not post any sort of reply to the first board member's post about agency business, even if the reply is just a "smiley face" emoji. Similarly, a board member may not "like" or "dislike" or otherwise react to the first board member's post. This rule prohibits a second board member from responding or reacting, even when a board majority is not involved in the social media communication.

The new rules apply to all internet-based social media platforms that are open and accessible to the public.<sup>6</sup> For example, they apply to Facebook, Instagram, and Twitter, to comment sections on blogs and news articles, and to chatrooms. It is recommended that board members begin following these rules immediately, rather than waiting until January 1.

## **B. Threats of Litigation Must Be Included in Agenda Packet**

A recent case from the First Appellate District, *Fowler v. City of Lafayette*, (2020) 46 Cal.App.5th 360 held that public agencies must make a written record of a verbal threat of litigation and if that threat is to be discussed in a closed session, the agency must include that record in the agenda packet for the meeting at which the closed session will occur.<sup>7</sup> If the threat of litigation was made in writing, the letter or other communication containing the threat also must be included in the agenda packet for the meeting at which a closed session to discuss the threat will occur. The court reasoned that the Brown Act requires inclusion of threats of litigation in the agenda packet to ensure transparency by making the threat easily available for public inspection.

Should your board, office or department receive a threat of litigation please advise the County Counsel's Office immediately. This office will help you to ensure that proper steps are taken to record and report the threat of litigation.

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<sup>4</sup> Ch. 89, Stats., 2020, adding Gov. Code, § 54952.2 (b) (3).

<sup>5</sup> Id.

<sup>6</sup> Id. at § 54952.2 (b) (3) (B) (ii-iii.)

<sup>7</sup> *Fowler*, 46 Cal.App.5th 360 at 369-370.



### **C. A Return to Live Meetings**

One of many actions the Governor took to address the pandemic was issuance of Executive Order 29-20. This order expressly waived all Brown Act requirements for the physical presence of board members, the clerk, or the public as a condition of participation in, or to establish a quorum for a public meeting. The order permits boards to hold public meetings entirely via teleconference or electronically, e.g. by Zoom, and to take public comment through these means. The order provides that it applies only during the period in which state or local officials have imposed or recommended social distancing measures. Currently, Executive Order 29-20 remains effective. We will notify you when the order is rescinded and boards must again hold live meetings and permit live public comment. We cannot predict when this will occur but believe that it is likely to be at some point in 2021.

MAM/am

cc: Members, Board of Supervisors  
County Administrator  
Department Heads and Fire Chiefs  
Clerk of the Board  
County Public Information Officer  
Chiefs of Staff  
Executive Director, Housing Authority  
Executive Director, LAFCO

**CONTRA COSTA COUNTY LIBRARY COMMISSION**

**AGENDA ATTACHMENT 3**

**MEETING DATE:** Thursday, January 21, 2021

**AGENDA ITEM #:** 8.A.

**ITEM:** LEGISLATIVE COMMITTEE REPORT

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**RECOMMENDED ACTION:**

Approve letter to legislators for distribution

Contra Costa County Letterhead – DRAFT Proforma Letter

Month, Day 2021

The Honorable XXX XXXX  
Room XXXX, XXXX Building  
Washington DC 20510

**Subject: Support SB or HR XXX Public Library Funding**

Dear XXXX.

Thank you for your continual support of California's public libraries. During the Covid-19 pandemic, our public libraries have continued to serve the public, despite many physical branches being closed.

They have expanded their online resources including downloadable books, maintaining reference databases and putting story times online, even on YouTube.

And while still serving the public, many libraries have reduced funding from local government entities. This has, of course, put a strain on library resources. Thus, on behalf of all Contra Costa County residents, we request your support of SB or HR XXX that would provide funding assistance of all public libraries in the country.

It is critically important during this pandemic, that public libraries are able to continue to provide the information our residents need to function during these challenging times. Thank you in advance for your support.

Sincerely,

Diane Burgis  
Chair, Contra Costa County Board of Supervisors

CC: Board of Supervisors  
County Administrator  
County Librarian  
Library Commission

**CONTRA COSTA COUNTY LIBRARY COMMISSION**

**AGENDA ATTACHMENT 4**

**MEETING DATE:** Thursday, January 21, 2021

**AGENDA ITEM #:** 10

**ITEM:** COUNTY LIBRARIAN REPORT

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**RECOMMENDED ACTION:**

No action required



## Interim County Librarian's Report to the Library Commission

Thursday, January 21, 2021

### NEW COMMISSIONERS

I am pleased to welcome the following three new members to the Library Commission:

- District 2: Susan Hildreth
- District 2 Alternate: Michael Swernoff
- District 4 Alternate: Dan Wichlan

### MAJOR PROJECTS AND INITIATIVES

Discussions about a potential new library in Bay Point are underway. The Library has had three meetings with the County Department of Conservation and Development, the County Administrator's Office and a developer (Pacific West Communities) to explore building a library in Bay Point as part of a mixed use development project at the corner of Bailey Road and Hwy 4 Bay Point. The Board of Supervisors will vote on a proposed development agreement that includes plans for a library at a meeting most likely sometime in the first quarter of 2021.

Remote Lockers will be installed at Rossmoor and the North Richmond Senior Center. Patrons may order items online and have them delivered to the Lockers at either of the above locations. The Lockers work similarly to Amazon Lockers. Patrons will use their library cards to access the items, which will be checked out to them upon retrieval. Patrons may also return their items to the Lockers and when doing so, the items will be automatically removed from their accounts.

### PROJECTS ADDRESSING THE DIGITAL DIVIDE

200 WiFi hotspots are expected to be ready for lending by February. Some will be not be 'holdable' (like "Lucky Day" books) so that they are available to people who do not have Internet access and therefore cannot as easily place holds on them. They may also be put on hold via a phone call.

The public is now able to submit print jobs (10 page limit) via email for later pick up at the following libraries: Antioch, Bay Point, Concord, Hercules, Pittsburg, and San Pablo. We expect to roll this out to the rest of the libraries once our new print and time management system is in place.

Raspberry Pis kits are now available for check out. The Raspberry Pi is a tiny computer that you can use to learn programming through fun, practical projects. The kits includes a keyboard, monitor and mouse. "The Raspberry Pi is a tiny and affordable computer that you can use to learn programming through fun, practical projects. It's capable of doing everything you'd expect a desktop computer to do, from browsing the internet and playing high-definition video, to making spreadsheets, word-processing, and playing games."--Raspberry Pi Foundation website.

Work continues on the wifi expansion project to project the libraries' wifi signal to the edge of the library property lines. Library IT staff are working closely with the County Department of Information Technology and the State Library to coordinate this work.

### FACILITIES AND OPEN HOURS

Both the Pinole and Ygnacio Valley Library will be used as state-run COVID testing sites at least through March of 2021.

We are continuing to prepare library facilities so that we can welcome the public back in when it is safe to do so. Preparations include working with our city partners to install plexiglass barriers, assessing HVAC and airflow systems, and working with the Contra Costa County Fire District to determine maximum occupancy of each facility. At this time we do not have a target date for allowing the public back inside our facilities.

#### UPDATE ON EQUITY, DIVERSITY AND INCLUSION INITIATIVES

On December 16<sup>th</sup>, EDI Committee Chair and Martinez Acting Community Library Manager Alison Peters and I attended the first session of the community engagement process for the establishment of the new County's new Office of Racial Equity and Social Justice.

The racial equity trainings are continuing. The second group of trainees participated in two, half-day trainings on Tuesday and Wednesday January 12<sup>th</sup> and 13<sup>th</sup>.

The second level of racial equity trainings has been scheduled with Dr. Lori Watson: "Moving From Theory to Practice". It consists of two, two-hour trainings on Feb 11<sup>th</sup> from 10:00-12:00 and March 11 from 9:15-11:15.

The Library's Collection Development staff is beginning to work on the initial stages of a diversity audit of the Library's collection.

A new series of implicit bias trainings is being offered to all county staff starting in January. There is one geared towards county staff in general and one for managers and supervisors.

#### CLA UPDATES

Assemblyman Al Muratsuchi (D-Torrance) introduced AB 34, which states legislative intent for the state to place a broadband general obligation bond measure on the November 2022 state ballot. Titled the "Broadband for All Act of 2022," AB 34 is also co-authored by Assemblyman Miguel Santiago, Assemblyman Eduardo Garcia, and Senator Steve Glazer. CLA has been working with Assemblyman Muratsuchi's office and has requested a specific set-aside for bond funds for public library broadband construction.

Assemblywoman Cecilia Aguiar-Curry (D-Winters) has reintroduced ACA-1 to lower the local vote threshold for local construction bonds and special taxes from the current two-thirds vote requirement to 55%.

Senate Bill 1025 (Libraries: Student Success cards) will be revived. This measure would require school districts to partner with their local public library to get all students a library card.

#### OTHER ITEMS OF POTENTIAL INTEREST TO THE COMMISSION

Monica Nino is the new County Administrator. Her first day on the job was Monday Jan. 4th.

With the passage of Measure X (half cent sales tax), the Board of Supervisors is expected to create a citizen's advisory board to make recommendations for how the tax proceeds will be spent.

On Sept. 22, the Board of Supervisors adopted a Climate Emergency Resolution, noting that the changing climate "threatens the long-term economic and social well-being, health, safety, and security of the County." As part of this Resolution, the Board has directed the establishment of an Interdepartmental Task Force of County department heads, or their immediate deputies, that will focus on "urgently implementing the County's Climate Action Plan." This task force is directed to report to the Board twice a year starting in March 2021. I attended the first meeting on December 16<sup>th</sup> and the second meeting is scheduled for February 1<sup>st</sup>.

#### GRANTS / DONATIONS / SCHOLARSHIPS / AWARDS

CCCL received an honorable mention for the work Laura McKeegan (Library IT staff) did in partnership with Health Services using Library 3D printers to create critically needed PPE for health workers at the beginning of the pandemic. The Board of Supervisors will receive the award for us in a virtual presentation at their January 26<sup>th</sup> meeting.

DATE RCVD	FY 20-21 Grants Awarded	Granting Agency	AWARD INTENT	Awarded	AWARD AMNT
12/8/2020	California Library Literacy Services	CA State Library	Adult Literacy (PSC)	Yes	\$ 60,699.00
12/8/2020	California Library Literacy Services	CA State Library	Family Literacy (PSC)	Yes	\$ 21,600.00
10/7/2020	Cultivating Racial Equity & Inclusion	Califa, fully funded by the IMLS	Staff Training	Yes	\$ 5,000.00
	Com. Development Block Grant YVL	The City of Walnut Creek	YVL	Yes	\$ 95,000.00
1/6/2021	Covid19 E-Resources	Southern California Library Cooperative, in partnership with the California State Library	ABC MOUSE/ Crisis Collection/ COVID19 e-resources	Yes	\$ 5,000.00
11/16/2020	RMAC	Rodeo Municipal Advisory Committee	Extra Service Hours at Rodeo	Yes	\$ 5,000.00
					\$ 192,299.00
DATE RCVD	Supplemental Funding	Granting Agency	AWARD INTENT	Awarded	AWARD AMNT
12/8/2020	BALIS Training Funds	Calix in partnership with SCLC	Funds for training	Yes	\$ 3,000.00
				TOTAL	\$ 195,299.00
DATE RCVD	FY19-20 Grants Awarded	Granting Agency	AWARD INTENT	Awarded	AWARD AMNT
6/29/2020	CA ST LIB NR REMOTE LOCK	Ca State Library	North Richmond Lockers	Yes	\$ 38,413.00
3/2/2020	1920 CA LIB LIT SVCS - ADULT	Ca State Library	Project Second Chance	Yes	\$ 56,937.00
7/8/2020	Maximize Learning Spaces	MLIS	Antioch Library MS Contract	Yes	\$ 10,000.00
7/27/2020	Keller Canyon- Antioch	DCD	Shelving	Yes	\$ 2,500.00
7/27/2020	Keller Canyon- Bay Point	DCD	Virtual Reliaity Kits	Yes	\$ 10,000.00
7/27/2020	Keller Canyon- Pittsburg	DCD	Shelving	Yes	\$ 5,000.00
DATE RCVD	CALENDAR YEAR GRANT FUNDS RECEIVED	Granting Agency	AWARD INTENT	Awarded	AWARD AMNT
6/29/2020	CA ST LIB NR REMOTE LOCK	Ca State Library	North Richmond Lockers	Yes	\$ 38,413.00
3/2/2020	1920 CA LIB LIT SVCS - ADULT	Ca State Library	Project Second Chance	Yes	\$ 56,937.00
7/8/2020	Maximize Learning Spaces	MLIS	Antioch Library MS Contract	Yes	\$ 10,000.00
7/27/2020	Keller Canyon- Antioch	DCD	Shelving	Yes	\$ 2,500.00
7/27/2020	Keller Canyon- Bay Point	DCD	Virtual Reliaity Kits	Yes	\$ 6,978.89
7/27/2020	Keller Canyon- Pittsburg	DCD	Shelving	Yes	\$ 5,000.00
12/8/2020	California Library Literacy Services	CA State Library	Adult Literacy (PSC)	Yes	\$ 60,699.00
12/8/2020	California Library Literacy Services	CA State Library	Family Literacy (PSC)	Yes	\$ 21,600.00
10/7/2020	Cultivating Racial Equity & Inclusion	Califa, fully funded by the IMLS	Staff Training	Yes	\$ 5,000.00
11/16/2020	RMAC	Rodeo Municipal Advisory Committee	Extra Service Hours at Rodeo	Yes	\$ 5,000.00
					\$ 212,127.89
DATE RCVD	Supplemental Funding	Granting Agency	AWARD INTENT	Awarded	AWARD AMNT
12/8/2020	BALIS Training Funds	Calix in partnership with SCLC	Funds for training	Yes	\$ 3,000.00
				TOTAL	\$ 215,127.89

We thank the many Friends, Foundations and other donors for their generous gifts to the Library.

Date	Library	Donor	Description	Amount
1/8/2020	Lafayette	Friends	collection	7,500.00
1/8/2020	Orinda	Friends	collection	6,000.00
1/8/2020	Danville	Friends	collection	10,000.00
1/29/2020	Walnut Creek	Foundation	Ergo Staff room	2,079.45
1/29/2020	Walnut Creek	Friends	remote locker	34,809.00
4/24/2020	Lafayette	Friends	collection	7,500.00
7/13/2020	Ygnacio Valley	Friends	programs	15,000.00
7/8/2020	Danville	Friends	collection	20,000.00
7/8/2020	Lafayette	Friends	collection	1,800.00
7/8/2020	Lafayette	Friends	collection	7,500.00
7/23/2020	Lafayette	Friends	collection	1,537.34
7/23/2020	Lafayette	Friends	collection	3,254.87
8/13/2020	Walnut Creek	Foundation	collection	500.00
9/14/2020	Brentwood	Foundation	E-Books	10,000.00
9/30/2020	Walnut Creek	Foundation	collection	4,727.50
10/9/2020	Lafayette	Friends	collection	5,000.00
10/23/2020	Clayton	Foundation	collection	10,000.00
<b>12/29/2020</b>	Orinda	Friends	collection	10,000.00
<b>12/29/2020</b>	Orinda	Friends	programs	5,000.00
			<b>Total</b>	<b>162,208.16</b>

*Respectfully submitted by Alison McKee, Interim County Librarian*