

AGENDA

BOARD OF LAW LIBRARY TRUSTEES of the LOS ANGELES COUNTY LAW LIBRARY

REGULAR BOARD MEETING

Tuesday, December 17, 2013

12:15 PM

M. L. LILLIE BUILDING

TRAINING CENTER

301 WEST FIRST STREET

LOS ANGELES, CA 90012-3140

ACCOMMODATIONS

A person with a disability may contact the Board Secretary's office at (213) 785-2511 at least 24 hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

AGENDA DESCRIPTIONS

The agenda descriptions are intended to give notice to members of the public of a brief general description of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action. The President reserves the right to discuss the items listed on the agenda in any order.

REQUESTS AND PROCEDURES TO ADDRESS THE BOARD

A member of the public has the right to address the Board on agenda items or on items of interest which are not on the agenda and which are within the subject matter jurisdiction of the Board. All requests to address the Board must be submitted in person to the Board President prior to the start of the meeting. Public comments will be taken at the beginning of each meeting as Agenda Item 1.0. A member of the public will be allowed to address the Board for a total of three (3) minutes for a single item or a maximum of five (5) minutes for all items unless the President grants more or less time based on the number of people requesting to speak and the business of the Board. When members of the public address the Board on agenda items, the President determines the order in which speakers will be called. Persons addressing the Board shall not make impertinent, slanderous or profane remarks to the Board, any member of the Board, staff or general public, nor utter loud, threatening, personal or abusive language, nor engage in any other disorderly conduct that disrupts or disturbs the orderly conduct of any Board Meeting. The President may order the removal of any person who disrupts or disturbs the orderly conduct of any Board Meeting.



CALL TO ORDER

1.0 PUBLIC COMMENT

2.0 PRESIDENT'S REPORT

3.0 CONSENT CALENDAR

- 3.1 Minutes of the November 19, 2013, Regular Board Meeting.
- 3.2 October 2013 Financials & November 2013 List of Checks and Warrants.
- 3.3 Approval of Revised Charge for Delivery of Materials.

4.0 DISCUSSION ITEMS

- 4.1 Approval of Establishment of a California Employers' Retirement Benefit Trust Program and Investment in State and Federal Bonds.
- 4.2 Approval of revised Members Program Borrowing Rules.

5.0 CLOSED SESSION

- 5.1 Personnel (G.C. 54957). Public Employment. Title(s): Head of Cataloging; and Library Technician, Serials and Acquisitions.
- 5.2 Conference with Labor Negotiator (G.C. 54957.6). *Library Negotiator: Patrick O'Leary and Sandra J. Levin; Employee Organization: SEIU Local 721*

6.0 AGENDA BUILDING

Items not on the posted agenda may be presented by a Trustee and, if requested, may be referred to staff or placed on the agenda for consideration at a future meeting of the Board.

7.0 EXECUTIVE DIRECTOR REPORT

8.0 ADJOURNMENT

The next Regular Meeting of the Board of Law Library Trustees is scheduled for Tuesday, January 28, 2014.

POSTED FRIDAY, DECEMBER 13, 2013 @ 12:00 P.M.

POSTED BY EUSTORGIO BARAJAS



AGENDA ITEM 3

CONSENT CALENDAR

- 3.1 Minutes of the November 19, 2013, Regular Board Meeting.
- 3.2 October 2013 Financials & November 2013 List of Checks and Warrants.
- 3.3 Approval of Revised Charge for Delivery of Materials.

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF LAW LIBRARY TRUSTEES OF
LOS ANGELES COUNTY**

**A California Independent Public Agency Under
Business & Professions Code Section 6300 et sq.**

November 19, 2013

The Regular Board Meeting of the Board of Law Library Trustees of Los Angeles County was held on Tuesday, November 19, 2013 at 12:15 p.m., at the Los Angeles County Law Library Mildred L. Lillie Main Library Building at 301 West First Street, Los Angeles, California 90012, for the purposes of considering reports of the affairs to the Library, and transacting such other business as might properly come before the Board of Trustees.

ROLL CALL/QUORUM

Trustees Present:

Judge Michelle Williams Court
Judge Lee Smalley Edmon
Judge Reva Goetz
Judge Ann Jones
Susan Steinhauser

Trustees Absent:

Judge Mark Juhas
Kenneth Klein, Esquire

Senior Staff Present:

Sandra J. Levin, Executive Director
Patrick O'Leary, Senior Director, Administrative Services
Jaye Steinbrick, Senior Director, Information Services
Malinda Muller, Director, Programs & Partnerships
Linda Heichman Taylor, Senior Librarian, Programs & Partnerships
Janine Liebert, Librarian, Self-Help Services

Also Present:

President Steinhauser determined a quorum to be present, convened the meeting at 12:17 p.m. and thereafter presided. Executive Director, Sandra Levin recorded the Minutes.

1.0 PUBLIC COMMENT

During the five (5) minutes allocated, Mr. Lee Paradise commented on the Law Library's management team, both past and present. Paradise also made comment to the Library's Building Envelope and Rehabilitation Project, its partnership locations, the Elevator Upgrade and noted his current tort claim against the Law Library and \$40M lawsuit.

2.0 PRESIDENT'S REPORT

There was no President's Report.

3.0 CONSENT CALENDAR

- 3.1 Minutes of the October 22, 2013, Regular Board Meeting.
- 3.2 September 2013 Financials & October 2013 List of Checks and Warrants.
- 3.3 2014 Board Meeting Dates and Schedule.
- 3.4 Approval of Financial Policies and Procedures.

President Steinhauser requested to remove Agenda Item 3.3, 2014 Board Meeting Dates and Schedule, of the Consent Calendar for discussion. Following the removal, President Steinhauser requested a motion to approve the remaining items on the Consent Calendar. So moved by Trustee Edmon and seconded by Trustee Goetz, the Consent Calendar was unanimously approved, 5-0.

- 3.3 2014 Board Meeting Dates and Schedule.

Staff recommended the Board continue to meet on the fourth Tuesday of each month except for November and December. During those two months, the Board would meet on the third Tuesday so as to avoid conflicts with holiday and vacation schedules.

President Steinhauser brought to the Board's attention potential meeting conflicts in February, July, August, and November. Following discussion, the meeting dates remained as recommended by Staff.

President Steinhauser requested a motion to adopt Agenda Item 3.3, so moved by Trustee Jones and seconded by Trustee Edmon, the motion was unanimously approved, 5-0.

4.0 DISCUSSION ITEMS

- 4.1. Approval of Bid Package for Elevator Hardware & Control Systems Upgrade.

Staff recommends that the Board:

- 1) Designate Jaye Steinbrick as the Owner's Representative for this project;
- 2) Approve hiring a consultant to assist in review of the bid specifications and proposals (not to exceed \$5,000); and
- 3) Approve release of the bid package in substantially the form presented with complete technical specifications added.

ED Levin brought to Board's attention an updated attachment that was made available to both the Board and Public. The update was distributed.

Following discussion, President Steinhauser requested a motion to (1) Designate Jaye Steinbrick as the Owner's Representative for this project; (2) Approve hiring a consultant to assist in review of the bid specifications and proposals (not to exceed \$5,000); and (3) Approve release of the bid package in substantially the form presented with complete technical specifications added. So moved by Trustee Goetz and seconded by Trustee Jones, the motion was unanimously approved, 5-0.

4.2. Joint Powers Authority (JPA) Options re CCCLL.

Staff recommended the Board discuss the LA Law Library's participation in the development of a Joint Powers Authority (JPA) or other collaborative efforts by members of the CCCLL. Following discussion, direction was provided to continue to explore options, but there was no formal action taken.

4.3. Pro Bono Week After-Report.

At this time Malinda Muller and Janine Liebert joined the table.

ED Levin presented the Board with an overview of the Pro Bono Week events and Malinda Muller and Janine Liebert added their takeaways and stakeholder relationships that resulted from the week long events. Special thanks were also given to Leigh Garcia, Communications Coordinator; Jaye Steinbrick, Senior Director for Information Services; and Adam Rosenblum, Web, Print/Interactive Media Designer. There was no action taken.

4.4. Branch & Remote Location Operations Report.

At this time Linda Heichman Taylor joined the table.

ED Levin briefed the Board on updates occurring with Branch, eBranch and partnership locations. Linda Heichman Taylor added additional comments on the roving librarian concept, training programs, digital services and extended reference services that are being introduced to the Branch, eBranch and Partnership locations. There was no action.

5.0 EXECUTIVE DIRECTOR REPORT

ED Levin reported to the Board that Senior Jaye Nelson had changed his last name to Steinbrick; Jaye Steinbrick. She also announced to the Board the death of employee Rita Iboa Torres and asked that the Board adjourn in her memory. Rita was a talented and beloved employee for 19 years.

6.0 AGENDA BUILDING

There were no items for Agenda Building.

7.0 ADJOURNMENT

There being no further business to come before the Board, the meeting was at 1:21 p.m. The next Regular Meeting of the Board of Law Library Trustees is scheduled for Tuesday, December 17, 2013.

Sandra J. Levin, Executive Director and Secretary
Los Angeles County Law Library Board of Trustees

DRAFT

Los Angeles Law Library

Balance Sheet

As of October 31, 2013

(Provisional and subject to year-end audit adjustments)

	6/30/2013	10/31/2013	Change
Assets			
Current Assets			
Cash and cash equivalents	8,626,122	9,311,288	685,166
Accounts receivable	1,497,101	1,513,910	16,809
Prepaid expenses	399,474	308,142	(91,331)
Total current assets	10,522,697	11,133,340	610,643
Restricted cash and cash equivalents	261,139	293,663	32,524
Capital assets, not being depreciated	580,333	580,333	-
Capital assets, being depreciated - net	23,462,542	22,729,004	(733,538)
Total assets	34,826,711	34,736,340	(90,371)
Liabilities and Net Assets			
Current Liabilities			
Accounts payable	233,134	182,169	(50,965)
Other liabilities	11,218	712	(10,506)
Payroll liabilities	28,627	14,662	(13,965)
Total current liabilities	272,980	197,543	(75,436)
Accrued sick and vacation liability	420,789	420,789	-
Borrowers' deposit	290,942	302,188	11,246
OPEB obligation	1,740,966	1,849,299	108,333
Total liabilities	2,725,677	2,769,820	44,143
Net assets			
Invested in capital assets, net of related debt	24,042,875	23,309,337	(733,538)
Unrestricted	8,058,158	8,657,183	599,025
Total net assets	32,101,034	31,966,520	(134,514)

Los Angeles Law Library

Income Statement for the Period Ended October 31, 2013

(Provisional and subject to year-end audit adjustments)

Oct 12 Actual	Oct 2013				FY 2012-13 YTD	FY 2013-14 YTD					Comments
	Budget	Actual	\$ Fav (Unf)	% Fav (Unf)		Budget	Actual	\$ Fav (Unf)	% Fav (Unf)		
Income											
596,239	581,929	580,696	-1,233	-0.2%	L.A. Superior Court Fees	2,672,207	2,608,073	2,496,556	-111,517	-4.3%	
12,699	5,442	5,042	-400	-7.3%	Interest	26,305	19,968	16,483	-3,485	-17.5%	
39,042	45,666	90,061	44,395	97.2%	Parking	185,820	188,812	244,915	56,104	29.7%	
26,347	22,716	77,697	53,739	236.6%	Library Services	101,486	115,593	171,852	56,259	48.7%	
674,327	655,753	753,497	96,501	14.7%	Total Income	2,985,817	2,932,445	2,929,806	-2,640	-0.1%	
Expense											
338,926	327,658	330,287	-2,629	-0.8%	Staff	1,348,101	1,306,857	1,324,097	-17,239	-1.3%	
215,017	227,262	67,857	159,405	70.1%	Library Materials	736,384	913,117	556,083	357,033	39.1%	
-215,017	-227,262	-67,857	-159,405	70.1%	Lib Materials Transferred to Assets	-736,384	-913,117	-556,083	-357,033	39.1%	
56,941	68,969	75,945	-6,976	-10.1%	Facilities	274,827	284,981	250,748	34,232	12.0%	
11,035	13,703	10,730	2,973	21.7%	Technology & Data	41,050	61,896	34,241	27,655	44.7%	
8,754	8,784	9,125	-340	-3.9%	General	32,923	36,887	29,306	7,581	20.6%	
2,240	75	474	-399	-531.7%	Professional Development	18,457	7,155	5,358	1,797	25.1%	
10,702	3,292	875	2,417	73.4%	Communications & Marketing	14,430	19,667	2,225	17,442	88.7%	
534	300	229	71	23.7%	Travel & Entertainment	1,869	1,400	412	988	70.6%	
11,527	10,792	11,988	-1,196	-11.1%	Professional Services	38,936	19,542	19,978	-436	-2.2%	
311,699	263,586	274,367	-10,780	-4.1%	Depreciation	1,237,387	1,064,558	1,103,215	-38,657	-3.6%	
752,358	697,159	714,019	-16,859	-2.4%	Total Expenses	3,007,980	2,802,942	2,769,579	33,363	1.2%	
-78,031	-41,407	39,478	80,885	195.3%	Net Income	-22,164	129,503	160,227	30,723	23.7%	
0	0	0	0	0.0%	Extraordinary Income	0	0	0	0	0.0%	
13,120	8,775	186,407	-177,632	-2024.3%	Extraordinary Expense	29,360	220,651	186,407	34,244	15.5%	
24,332	27,083	27,083	0	0.0%	OPEB Expense	97,326	108,333	108,333	0	0.0%	
-115,483	-77,265	-174,012	-96,747	125.2%	Net Income (Loss) Including Extraordinary Items	-148,850	-199,481	-134,513	64,967	32.6%	
2,613	0	0	0	0.0%	Capitalized Expenditures	31,683	204,900	0	204,900	100.0%	
NA	53.62	50.08	3.54	6.6%	Full-Time Equivalent Employees	NA	53.95	51.26	2.69	5.0%	

Los Angeles Law Library
Income Statement for the Period Ended October 31, 2013
(Provisional and subject to year-end audit adjustments)

Oct 12 Actual	Oct 2013				ACC	FY 2012-13 YTD	FY 2013-14 YTD					Comments	
	Budget	Actual	\$ Fav (Unf)	% Fav (Unf)			Budget	Actual	\$ Fav (Unf)	% Fav (Unf)			
Detailed Budget:													
Income:													
596,239	581,929	580,696	-1,233	-0.2%	ACC	303300	L.A. Superior Court Fees	2,672,207	2,608,073	2,496,556	-111,517	-4.3%	Based on the most recent revenue information from the Superior Court, Staff expects fee revenue will fall about 5% below budget or about \$400k.
Interest:													
0	600	865	265	44.1%	ACC	311000	L AIF	1,190	600	865	265	44.1%	
12,353	4,680	4,020	-660	-14.1%	ACC	312000	General Fund	24,475	18,720	15,051	-3,669	-19.6%	The budget assumed an annual investment return of .7%. Actual return thus far has been about .61%. The rate should increase during the year as U.S. interest rates rise as is generally expected.
346	162	158	-4	-2.6%	ACC	313000	Deposit Fund	639	648	567	-81	-12.5%	
12,699	5,442	5,042	-400	-7.3%			Subtotal	26,305	19,968	16,483	-3,485	-17.5%	
Parking:													
39,042	44,416	90,061	45,645	102.8%	FAC	330100	Parking	185,820	183,812	244,915	61,104	33.2%	The favorable variance resulted from a) a restructured vendor agreement that now requires payment in advance and b) a conservative budget that understated the demand for hourly and daily parking.
NA	1,250	0	-1,250	-100.0%	FAC	330200	Valet Parking	NA	5,000	0	-5,000	-100.0%	
39,042	45,666	90,061	44,395	97.2%			Subtotal	185,820	188,812	244,915	56,104	29.7%	
Library Services:													
1,400	500	49	-451	-90.3%	CIRC	330150	Annual Borrowing Fee	5,000	2,000	2,828	828	41.4%	This account tracks the fee to delegate borrowing privileges to a messenger company. The decision earlier this year to drop the fee from \$50 to \$16.25 per transaction stimulated an increase in demand producing a favorable variance.
7,505	7,505	8,645	1,140	15.2%	P&P	330140	Annual Members Fee	28,397	28,397	32,730	4,333	15.3%	The favorable variance was likely caused by new borrowers from the LACBA campaign which started in October.
2,466	2,068	1,001	-1,067	-51.6%	R&R	330340	Course Registration	2,741	7,404	3,170	-4,234	-57.2%	It appears the budget was unrealistically optimistic; nevertheless, income remains above the prior year to date, and should continue to improve.
6,094	4,750	5,098	348	7.3%	CIRC	330129	Copy Center	25,900	19,000	22,611	3,611	19.0%	Actual copy center charges have not declined as much as the budget assumed
1,946	2,300	3,415	1,115	48.5%	CIRC	330205	Document Delivery	8,967	9,200	10,684	1,484	16.1%	Document delivery growth has exceeded plan.
5,730	4,200	4,220	20	0.5%	CIRC	330210	Fines	18,737	16,800	20,465	3,665	21.8%	An erroneous \$3.8k fine incurred by a large downtown law firm produced the favorable variance. This error will be corrected on the November financial statements.
213	300	51,730	51,430	17143.2%	ACC	330310	Miscellaneous	655	1,200	67,205	66,005	5500.4%	The favorable variance resulted from a \$50k contractual payment by the Law Library Microform Consortium and a \$12.7k CalPERS refund related to Medicare Part D prescription subsidies.
25	0	1,243	1,243	0.0%	COM	330330	Room Rental	7,050	20,000	2,594	-17,406	-87.0%	The campaign to rent rooms is taking longer than expected to ramp up.
607	607	1,493	886	146.0%	CIRC	330350	Book Replacement	1,849	1,849	3,258	1,409	76.2%	
0	0	0	0	0.0%	ACC	330360	Forfeited Deposits	0	2,800	0	-2,800	-100.0%	The harvesting of forfeited deposits will occur later this year.
0	0	0	0	0.0%	ACC	330400	Friends of Law Library	0	0	0	0	0.0%	
0	0	0	0	0.0%	COM	330420	Grants	0	5,000	0	-5,000	-100.0%	Grant applications are in process.
361	486	-439	-924	-190.3%	ACC	330450	Vending	2,192	1,943	959	-983	-50.6%	
0	0	1,243	1,243	0.0%	COM	330465	Special Events Income	0	0	5,348	5,348	0.0%	The favorable variance results from Pro Bono Week donations.
26,347	22,716	77,697	53,739	236.6%			Subtotal	101,486	115,593	171,852	56,259	48.7%	
674,327	655,753	753,497	96,501	14.7%			Total Income	2,985,817	2,932,445	2,929,806	-2,640	-0.1%	
Expenses:													
Staff													
243,504	205,851	204,613	1,238	0.6%	ALL	501000	Salaries (benefits eligible)	972,440	815,366	811,729	3,637	0.4%	
	24,191	21,823	2,369	9.8%	ALL	501050	Salaries (benefits ineligible)	0	98,289	92,064	6,225	6.3%	
13,328	14,263	12,464	1,799	12.6%	ACC	502000	Social Security	56,523	56,647	51,571	5,076	9.0%	
3,391	3,336	3,112	224	6.7%	ACC	503000	Medicare	13,546	13,248	12,418	830	6.3%	

Los Angeles Law Library
Income Statement for the Period Ended October 31, 2013
(Provisional and subject to year-end audit adjustments)

Oct 12 Actual	Oct 2013				FY 2012-13 YTD	FY 2013-14 YTD					Comments		
	Budget	Actual	\$ Fav (Unf)	% Fav (Unf)		Budget	Actual	\$ Fav (Unf)	% Fav (Unf)				
9,688	13,693	23,105	-9,412	-68.7%	ACC	511000	Retirement	38,752	55,470	92,039	-36,569	-65.9%	Unknown to the Law Library when the budget was approved, CalPERS recalculated the Library's retirement cost at 11.682% of qualified compensation compared with its original calculation of 7.26%. This will result in a \$131k adverse variance by EOY.
45,597	48,480	47,096	1,384	2.9%	ACC	512000	Health Insurance	180,539	193,921	188,363	5,558	2.9%	
349	360	426	-66	-18.3%	ACC	513000	Disability Insurance	294	1,458	1,584	-126	-8.6%	
5,348	5,400	5,249	151	2.8%	ACC	514000	Dental Insurance	21,013	21,600	20,654	946	4.4%	
785	852	744	109	12.8%	ACC	514500	Vision Insurance	3,053	3,422	2,966	455	13.3%	
165	136	147	-12	-8.6%	ACC	515000	Life Insurance	623	552	425	127	23.0%	
9,353	8,779	8,779	0	0.0%	ACC	516000	Workers Comp. Insurance	37,413	35,118	35,118	0	0.0%	
5,850	0	0	0	0.0%	ACC	517000	Unemployment Insurance	8,400	0	3,836	-3,836	0.0%	
0	0	0	0	0.0%	P&P	514010	Temporary Employment	5,810	2,500	0	2,500	100.0%	
0	150	0	150	100.0%	HR	514015	Recruitment	517	600	2,198	-1,598	-266.3%	
0	0	0	0	0.0%	ACC	517500	Accrued Sick Expense	0	0	0	0	0.0%	
0	0	0	0	0.0%	ACC	518000	Accrued Vacation Expense	0	0	0	0	0.0%	
540	667	703	-37	-5.5%	ACC	518550	TMP	2,307	2,667	2,813	-146	-5.5%	
1,028	1,500	2,026	-526	-35.0%	ACC	518560	Payroll & Benefit Admin.	6,871	6,000	6,320	-320	-5.3%	
338,926	327,658	330,287	-2,629	-0.8%			Total - Staff	1,348,101	1,306,857	1,324,097	-17,239	-1.3%	
							Library Materials:	0	0	0			
140,854	153,964	27,616	126,348	82.1%	R&R	601999	American Continuations	474,930	615,856	367,084	248,772	40.4%	The favorable variance is illusory. The budget spread Library Materials costs evenly throughout the year whereas actual costs will likely be concentrated in certain months, particularly in November, February, and March.
4,604	8,248	6,405	1,843	22.3%	R&R	602999	American New Orders	24,802	32,992	27,308	5,684	17.2%	
58	4,674	900	3,774	80.7%	R&R	609199	Branch Continuations	25,906	18,696	4,615	14,080	75.3%	
0	110	29	81	73.8%	R&R	609299	Branch New Orders	0	440	172	268	60.9%	
50,559	29,143	12,480	16,663	57.2%	R&R	603999	Commonwealth Continuations	130,875	116,573	78,280	38,292	32.8%	
0	110	0	110	100.0%	R&R	604999	Commonwealth New Orders	492	1,760	0	1,760	100.0%	
7,761	16,496	9,848	6,648	40.3%	R&R	605999	Foreign Continuations	38,626	65,985	33,748	32,236	48.9%	
508	1,650	755	895	54.2%	R&R	606999	Foreign New Orders	2,144	8,248	3,761	4,487	54.4%	
7,352	9,348	8,297	1,051	11.2%	R&R	607999	International Continuations	29,975	37,391	33,520	3,871	10.4%	
790	550	559	-9	-1.7%	R&R	608999	International New Orders	2,174	3,299	2,463	837	25.4%	
2,531	2,749	527	2,222	80.8%	R&R	609399	General/Librarianship Continuations	5,816	10,997	4,364	6,633	60.3%	
0	220	441	-221	-100.5%	R&R	609499	General/Librarianship New Orders	644	880	767	113	12.8%	
215,017	227,262	67,857	159,405	70.1%			Subtotal	736,384	913,117	556,083	357,033	39.1%	
-215,017	(227,262)	-67,857	-159,405	70.1%	ACC	690000	Lib Materials Transferred to Assets	-736,384	-913,117	-556,083	-357,033	39.1%	
0	0	0	0	0.0%			Facilities:						
2,186	3,200	5,089	-1,889	-59.0%	FAC	801005	Repair & Maintenance	14,546	10,089	10,533	-444	-4.4%	Unexpected repair/replacement of HVAC pulleys @ \$2,100.00.
946	2,000	1,965	35	1.8%	FAC	801010	Building Services	3,615	6,267	6,159	108	1.7%	
111	1,700	2,164	-464	-27.3%	FAC	801015	Cleaning Supplies	5,887	7,200	3,656	3,544	49.2%	Timing variance; bill processing was delayed.
9,727	9,727	11,816	-2,089	-21.5%	FAC	801020	Electricity & Water	45,755	45,755	33,758	11,997	26.2%	Timing variance; bill processing was delayed.
1,226	1,200	1,247	-47	-3.9%	FAC	801025	Elevator Maintenance	4,903	4,800	4,987	-187	-3.9%	
0	3,500	3,526	-26	-0.8%	FAC	801030	Heating & Cooling	14,598	17,500	11,352	6,148	35.1%	Timing variance; bill processing was delayed.
22,777	22,550	20,784	1,766	7.8%	ACC	801035	Insurance	91,107	90,199	83,135	7,063	7.8%	
0	8,421	8,421	0	0.0%	FAC	801040	Janitorial Services	23,136	33,684	33,686	-2	0.0%	
0	1,200	2,100	-900	-75.0%	FAC	801045	Landscaping	0	4,800	4,200	600	12.5%	
16,905	14,087	18,815	-4,728	-33.6%	FAC	801050	Security	66,194	56,348	55,353	995	1.8%	
0	417	19	398	95.6%	FAC	801100	Furniture & Appliances (<3K)	0	1,667	19	1,648	98.9%	Few furniture requirements in first half of fiscal year.
0	0	0	0	0.0%	FAC	801110	Equipment (<3K)	0	2,800	3,910	-1,110	-39.6%	Office supplies vending machine and replacement urinals in the public men's room.

Los Angeles Law Library
Income Statement for the Period Ended October 31, 2013
(Provisional and subject to year-end audit adjustments)

Oct 12 Actual	Oct 2013				FY 2012-13 YTD	FY 2013-14 YTD					Comments	
	Budget	Actual	\$ Fav (Unf)	% Fav (Unf)		Budget	Actual	\$ Fav (Unf)	% Fav (Unf)			
3,065	968	0	968	100.0%	FAC 801115	Building Alterations (<3K)	5,086	3,872	0	3,872	100.0%	
56,941	68,969	75,945	-6,976	-10.1%		Subtotal	274,827	284,981	250,748	34,232	12.0%	
						Technology & Data:						
1,709	1,003	4,428	-3,425	-341.3%	IT 801210	Services	7,606	16,486	10,820	5,666	34.4%	The favorable variance is the result of timing and will be spent in December and January.
0	1,500	0	1,500	100.0%	IT 801215	Software (<\$3k)	0	12,450	693	11,757	94.4%	Planned upgrades were delayed due to staffing issues and competing projects. The upgrades will proceed in the next several months.
388	3,000	0	3,000	100.0%	IT 801220	Hardware (<\$3k)	5,075	5,000	0	5,000	100.0%	Planned upgrades were delayed due to staffing issues and competing projects.
0	0	68	-68	0.0%	IT 801225	Computer Supplies	0	500	68	432	86.3%	
3,456	3,500	3,560	-60	-1.7%	IT 801230	Integrated Library System	13,824	14,960	14,238	722	4.8%	
5,483	4,500	2,640	1,860	41.3%	IT 801235	Telecommunications	14,545	12,000	8,386	3,614	30.1%	Timing variance; processing of the ATT Mobile and Bandwith bills was delayed.
0	200	35	166	82.8%	IT 801245	Tech & Data - Misc	0	500	35	466	93.1%	
11,035	13,703	10,730	2,973	21.7%		Subtotal	41,050	61,896	34,241	27,655	44.7%	
						General:						
412	495	539	-44	-9.0%	ACC 801310	Bank Charges	2,203	1,980	1,998	-18	-0.9%	
647	710	0	710	100.0%	CMS 801315	Bibliographical Services	2,630	3,790	668	3,122	82.4%	The favorable variance is in part the result of timing and will be resolved by EOY and in part from OCLC credits earned from the Library's contribution of original cataloging data to the consortium, and interest earned from deposit account.
0	0	0	0	0.0%	CMS 801320	Binding	0	0	0	0	0.0%	
230	83	79	5	5.7%	ACC 801325	Board Expense	411	333	305	28	8.5%	
82	0	104	-104	0.0%	ACC 801330	Staff Meals & Events	237	1,200	710	490	40.8%	
2,835	833	30	803	96.4%	ACC 801335	Supplies - Office	9,187	3,333	5,313	-1,980	-59.4%	Substantial toner purchases in September pushed this account over budget for the month and year-to-date.
1,052	1,052	0	1,052	100.0%	CMS 801337	Supplies - Library materials	2,786	2,506	2,742	-236	-9.4%	
670	500	112	388	77.6%	COM 801340	Stationery & business cards	2,040	2,000	227	1,773	88.7%	The Law Library is printing stationery in-house thereby reducing outside printing costs.
686	833	516	317	38.1%	ACC 801345	Delivery & Postage	4,491	3,333	1,376	1,957	58.7%	Favorable variance reflects a decrease in shipments of briefs from the Cal. Ct. of App. and price discounts negotiated with UPS and GSO.
	486	348	138	28.4%	ACC 801350	Kitchen supplies	2,637	2,244	1,237	1,007	44.9%	The favorable variance results from a decrease in ordering to draw down kitchen supplies.
515	0	234	-234	0.0%	COM 801355	Room Rental Expenses	0	0	1,556	-1,556	0.0%	Charges related to CAALAC Lunch and 3 MCLE Classes.
0	1,542	6,450	-4,909	-318.4%	COM 801360	Special Events Expenses	0	6,167	6,917	-750	-12.2%	September charges related to ProBono Week and the Legal Secretaries Lunch.
0	0	0	0	0.0%	COM 801365	Grant Application Expenses	0	1,000	0	1,000	100.0%	Possible grant opportunities for 2014 under review.
1,058	2,250	374	1,876	83.4%	IT 801370	Copy Center Expense	5,522	9,000	5,834	3,166	35.2%	Timing variance resulted from Konica Minolta's monthly billing being delayed.
569	0	338	-338	0.0%	ACC 801375	Miscellaneous	779	0	423	-423	0.0%	
8,754	8,784	9,125	-340	-3.9%		Subtotal	32,923	36,887	29,306	7,581	20.6%	
						Professional Development:						
1,764	0	189	-189	0.0%	ALL 803105	Travel	12,545	3,600	2,038	1,562	43.4%	The budget overestimated costs related to the July AALL conference.
233	0	0	0	0.0%	ALL 803110	Meals	233	0	0	0	0.0%	
0	75	0	75	100.0%	ALL 803113	Incidental and Misc.	0	255	0	255	100.0%	
0	0	285	-285	0.0%	ALL 803115	Membership dues	750	0	335	-335	0.0%	
243	0	0	0	0.0%	ALL 803120	Registration fees	4,908	2,500	2,985	-485	-19.4%	
0	0	0	0	0.0%	ALL 803125	Educational materials	20	800	0	800	100.0%	
2,240	75	474	-399	-531.7%		Subtotal	18,457	7,155	5,358	1,797	25.1%	
						Communications & Marketing:						
0	1,000	0	1,000	100.0%	COM 803205	Services	0	6,000	0	6,000	100.0%	No outside servcies required at this time.
0	500	0	500	100.0%	COM 803210	Collateral materials	0	6,500	0	6,500	100.0%	No collateral matierial printing required at this time.
0	1,000	625	375	37.5%	COM 803215	Advertising	500	4,000	1,975	2,025	50.6%	Five program ads placed in publications for the library.

Los Angeles Law Library

Income Statement for the Period Ended October 31, 2013

(Provisional and subject to year-end audit adjustments)

Oct 12 Actual	Oct 2013				FY 2012-13 YTD	FY 2013-14 YTD					Comments	
	Budget	Actual	\$ Fav (Unf)	% Fav (Unf)		Budget	Actual	\$ Fav (Unf)	% Fav (Unf)			
10,702	792	250	542	68.4%	COM 803220	Trade shows & Outreach	13,930	3,167	250	2,917	92.1%	
10,702	3,292	875	2,417	73.4%		Subtotal	14,430	19,667	2,225	17,442	88.7%	
						Travel & Entertainment:						
0	0	20	-20	0.0%	ALL 803305	Travel	631	0	40	-40	0.0%	
0	0	0	0	0.0%	ALL 803310	Meals	348	0	0	0	0.0%	
0	0	0	0	0.0%	ALL 803315	Entertainment	0	0	0	0	0.0%	
534	300	209	91	30.4%	ALL 803320	Ground Transport.	890	1,200	372	828	69.0%	
0	0	0	0	0.0%	ALL 803325	Incidentals	0	200	0	200	100.0%	
534	300	229	71	23.7%		Subtotal	1,869	1,400	412	988	70.6%	
						Professional Services:						
7,500	7,875	7,750	125	1.6%	ACC 804005	Accounting	7,500	7,875	15,560	-7,685	-97.6%	Timing variance; Bazilio Cobb was scheduled to be paid its second installment in December.
4,027	417	0	417	100.0%	ACC 804008	Consulting Services	18,998	1,667	0	1,667	100.0%	
0	2,500	4,238	-1,738	-69.5%	EXEC 804010	Legal	12,438	10,000	4,418	5,582	55.8%	Timing variance; charges from Liebert Cassidy in connection with an employment matter are expected.
0	0	0	0	0.0%	EXEC 804015	Other	0	0	0	0	0.0%	
11,527	10,792	11,988	-1,196	-11.1%		Subtotal	38,936	19,542	19,978	-436	-2.2%	
						Depreciation:						
258,914	228,347	242,706	-14,359	-6.3%	ACC 806105	Library Materials	1,026,578	931,748	975,839	-44,091	-4.7%	Actual depreciation is higher than budget because of the delay in the write off of the Van Nuys and Compton donated titles and because the write off will be lower than we expected. We expect this variance to grow to about \$60K at EOY.
52,785	35,239	31,661	3,578	10.2%	ACC 806110	Fixed Assets	210,809	132,810	127,377	5,434	4.1%	
311,699	263,586	274,367	-10,780	-4.1%		Subtotal	1,237,387	1,064,558	1,103,215	-38,657	-3.6%	
752,358	697,159	714,019	-16,859	-2.4%		Total Expense	3,007,980	2,802,942	2,769,579	33,363	1.2%	
-78,031	(41,407)	39,478	80,885	195.3%		Net Income	-22,164	129,503	160,227	30,723	23.7%	
0	0	0	0	0.0%	EXEC	Extraordinary Income	0	0	0	0	0.0%	
13,120	8,775	186,407	-177,632	-2024.3%	ACC	Extraordinary Expense	29,360	220,651	186,407	34,244	15.5%	The write-off of Van Nuys' and Compton's donated titles was delayed one month resulting in an unfavorable variance in October. The total write-off was slightly lower than budget.
24,332	27,083	27,083	0	0.0%	ACC 518500	OPEB Expense	97,326	108,333	108,333	0	0.0%	
-115,483	(77,265)	(174,012)	-96,747	125.2%		Net Income (Loss) Including Extraordinary Items	-148,850	-199,481	-134,513	64,967	32.6%	
						Capital Expenditures:						
0	0	0	0	0.0%	FAC 161100	Furniture / Appliances (>3k)	0	82,500	0	82,500	100.0%	Scanner, book truck, security camera, and copier purchases were deferred to later in the year.
0	0	0	0	0.0%	IT 161300	Electronics / Comp. Hardware (>3k)	7,539	0	0	0	0.0%	
0	0	0	0	0.0%	FAC 164500	Ext. Bldg. Repairs/ Improvements (>3k)	0	12,400	0	12,400	100.0%	Floor repair was deferred to later in the year.
2,613	0	0	0	0.0%	FAC 164000	Interior Improvements / Alterations (>3k)	8,485	35,000	0	35,000	100.0%	
0	0	0	0	0.0%	IT 168000	Computer Software	15,660	75,000	0	75,000	100.0%	Planned upgrades were delayed due to staffing issues and competing projects. The upgrades will proceed in the next several months.
2,613	0	0	0	0.0%		Total - Capitalized Expenditures	31,683	204,900	0	204,900	100.0%	
NA	53.6	50.1	3.5	6.6%		Full-Time Equivalent Employees	NA	54.0	51.3	2.7	5.0%	

Los Angeles Law Library
Statement of Cash Flows
As of October 31, 2013
(Provisional and subject to year-end audit adjustments)

	10/31/2013	YTD
Cash flows from operating activities		
LA Superior court fees	580,696	2,496,556
Parking fees	90,061	244,915
Library services	77,697	171,852
(Increase) decrease in accounts receivable	86,459	(16,809)
Increase (decrease) in borrowers' deposit	3,493	11,246
Cash received from filing fees and services	838,406	2,907,760
Facilities	(75,945)	(250,748)
Technology & data	(10,730)	(34,241)
General	(9,125)	(29,306)
Professional development	(474)	(5,358)
Communications & marketing	(875)	(2,225)
Travel & entertainment	(229)	(412)
Professional services	(11,988)	(19,978)
(Increase) decrease in prepaid expenses	(1,777)	91,331
Increase (decrease) in accounts payable	(33,210)	(50,965)
Increase (decrease) in other liabilities	(1,062)	(10,506)
Cash payments to suppliers for goods and services	(145,414)	(312,407)
Staff	(357,371)	(1,432,430)
Increase (decrease) in payroll liabilities	(1,176)	(13,965)
Increase decrease in accrued sick and vacation liability	-	-
Increase decrease in OPEB liability	27,083	108,333
Cash payments to employees for services	(331,463)	(1,338,062)
Contributions received	-	-
Net cash from operating activities	361,529	1,257,291
Cash flow from capital and related financing activities		
Library materials	(67,857)	(556,083)
Other capital acquisitions	-	-
Cash flows from investing activities		
Investment earnings	5,042	16,483
Net cash increase (decrease) in cash and cash equivalents	298,715	717,690
Cash and cash equivalents, at beginning of period	9,306,237	8,887,261
Cash and cash equivalents, at end of period	9,604,951	9,604,951
Reconciliation of Operating Income to Net Cash from Operating Activities		
Operating income	(179,055)	28,059
Adjustments for noncash effects:		
Depreciation	274,367	828,848
Extraordinary expense: book write-off	186,407	
Changes in operating assets and liabilities:		
(Increase) decrease in accounts receivable	86,459	(103,268)
(Increase) decrease in prepaid expenses	(1,777)	93,108
Increase (decrease) in accounts payable	(33,210)	(17,754)
Increase (decrease) in other liabilities	(1,062)	(9,445)
Increase (decrease) in payroll liabilities	(1,176)	(12,789)
Increase (decrease) in accrued sick and vacation liability	-	-
Increase (decrease) in borrowers' deposit	3,493	7,753
Increase (decrease) in OPEB liability	27,083	81,250
Net cash from operating activities	361,529	1,257,291

LOS ANGELES COUNTY LAW LIBRARY
November 1, 2013 - November 30, 2013 (CHECKS)
Account No.: 108000

DATE	PAYEE	FOR	AMOUNT	CHECK NO.
November 4	WOLTERS KLUWER LAW & BUSINESS	BOOKS	2,545.19	026117
	BLACKTHORNE LEGAL PRESS	BOOKS	270.40	026118
	BLOOMBERG BNA	BOOKS	178.86	026119
	CALIF OFFICE OF STATE PUBLISHING	BOOKS	170.00	026120
	CONTINUING EDUCATION OF THE BAR CAL	BOOKS	349.42	026121
	CONTINUING LEGAL EDUCATION IN	BOOKS	78.45	026122
	DAILY JOURNAL CORPORATION	BOOKS	422.46	026123
	DATA TRACE LEGAL PUBLISHERS	BOOKS	147.95	026124
	GAUNT	BOOKS	335.14	026125
	OTTO HARRASSOWITZ	BOOKS	443.39	026126
	JAMES PUBLISHING INC	BOOKS	72.74	026127
	JURIS PUBLISHING INC	BOOKS	180.50	026128
	LEAGUE OF CALIFORNIA CITIES	BOOKS	142.00	026129
	LEXISNEXIS BUTTERWORTHS	BOOKS	1,986.49	026130
	NATIONAL BOOK NETWORK	BOOKS	191.29	026131
	PRACTISING LAW INSTITUTE	BOOKS	297.71	026132
	STATE BAR OF SOUTH DAKOTA	BOOKS	150.00	026133
	STERLING CODIFIERS INC	BOOKS	50.00	026134
	THOMPSON PUBLISHING GROUP	BOOKS	499.00	026135
	THOMSON REUTERS TAX & ACCOUNTING	BOOKS	275.50	026136
	THOMSON REUTERS	BOOKS	3,648.22	026137
	WILLIAM S HEIN & CO	BOOKS	453.63	026138
	YBP LIBRARY SERVICES	BOOKS	408.79	026139
	AMERICAN RELOCATION & LOGISTIC	BLDG SRVC	1,030.43	026140
	AT&T	TELECOM	430.93	026141
	AT&T MOBILITY	TELECOM	177.65	026142
	BRIDGES FILTER SERVICE, INC	BLDG SRVC	658.09	026143
	CLEAN SOURCE, INC.	CLEAN SUPPL	1,732.70	026144
	DISABILITY RIGHTS LEGAL CENTER	ADVERTISING	500.00	026145
	COUNTY OF LOS ANGELES	HEATING/COOLING	3,526.42	026146
	L A DEPT WATER & POWER	WATER/SANITATION	319.98	026147
	SCHINDLER ELEVATOR CORP.	ELE MAIN	3,740.40	026148
	SECURITAS SECURITY	SECURITY	9,974.32	026149
	SEPCO EARTHSCAPE, INC	LANDSCAPING	1,050.00	026150
	TIME WARNER CABLE	TELECOM	1,200.00	026151
VALLEY WIDE AIR	BLDG IMPROV	3,100.00	026152	
November 5	MARTINIQUE EMILIA BUSINO	REFUND	140.00	026153
	MICHAEL H CHEN	REFUND	50.00	026154
	KOLLENDER & SARGOY	REFUND	400.00	026155
	DEVON ANN MYERS	REFUND	140.00	026156
	ESPERANZA OROZCO	REFUND	140.00	026157
	LINDA RAHIMIZADEH	REFUND	140.00	026158
	TIGHE FRANCIS HUDSON	REPLACEMENT	140.00	026159

42,028.05

LOS ANGELES COUNTY LAW LIBRARY
November 1, 2013 - November 30, 2013 (CHECKS)
Account No.: 108000

DATE	PAYEE	FOR	AMOUNT	CHECK NO.
November 12	JI SEON SHIN	REFUND	140.00	026160
	PETTY CASH FUND	PETTY CASH	291.65	026161
	AMERICAN BAR ASSOCIATION	BOOKS	499.58	026162
	MATTHEW BENDER LEXISNEXIS MATTHEW B	BOOKS	463.94	026163
	BLOOMBERG BNA	BOOKS	402.44	026164
	CARSWELL COMPANY LTD	BOOKS	18.00	026165
	CCH INCORPORATED	BOOKS	179.14	026166
	CONTINUING EDUCATION OF THE BAR CAL	BOOKS	959.17	026167
	COUTTS LIBRARY SERVICES	BOOKS	774.34	026168
	GALLAGHER LAW LIBRARY	BOOKS	195.00	026169
	INGRAM LIBRARY SERVICES	BOOKS	324.06	026170
	JURIS PUBLISHING INC	BOOKS	489.00	026171
	KUBON & SAGNER	BOOKS	3,985.07	026172
	LAW JOURNAL PRESS	BOOKS	179.13	026173
	LEXISNEXIS BUTTERWORTHS	BOOKS	1,931.53	026174
	LIBROS CENTROAMERICANOS	BOOKS	68.95	026175
	THE LEGAL INTELLIGENCER	BOOKS	225.16	026176
	MARY MARTIN BOOKSELLERS	BOOKS	195.00	026177
	NATIONAL BUSINESS INSTITUTE	BOOKS	106.95	026178
	PRACTISING LAW INSTITUTE	BOOKS	1,986.37	026180
THOMSON REUTERS TAX & ACCOUNTING	BOOKS	591.60	026181	
STATE BAR OF WISCONSIN	BOOKS	61.34	026182	
IDVILLE	MISCELLANEOUS	34.50	026183	
LEGAL AID FOUNDATION OF LOS ANGELES	ADVERTISING	250.00	026184	
November 15	SUSANNE BACH COMERCIO DE LIVROS LTD	BOOKS	4,098.00	026185
	MATTHEW BENDER LEXISNEXIS MATTHEW B	BOOKS	35.91	026186
	BLOOMBERG BNA	BOOKS	150.86	026187
	CALIFORNIA CHAMBER OF COMMERCE	HR	478.04	026188
	DATA TRACE LEGAL PUBLISHERS	BOOKS	179.95	026189
	GAUNT	BOOKS	196.02	026190
	OTTO HARRASSOWITZ	BOOKS	95.95	026191
	JAMES PUBLISHING INC	BOOKS	196.40	026192
	RETTA LIBROS LIDERLAF S A	BOOKS	155.33	026193
	LEXISNEXIS BUTTERWORTHS	BOOKS	1,011.43	026194
	PENNSYLVANIA BAR INSTITUTE	BOOKS	236.00	026195
	TOWER PUBLISHING	BOOKS	150.00	026196
	TURPIN DISTRIBUTION	BOOKS	110.00	026197
	THOMSON REUTERS	BOOKS	1,355.09	026198
November 19	NEEL K AGRAWAL	REIMBURSEMENT	54.24	026199
	AMERICAN EXPRESS	BUSINESS CARD	5,672.29	026200
	AMERICAN EXPRESS	TRAVEL	177.80	026201
	AT&T	TELECOM	372.11	026202

71,853.39

LOS ANGELES COUNTY LAW LIBRARY
November 1, 2013 - November 30, 2013 (CHECKS)
Account No.: 108000

DATE	PAYEE	FOR	AMOUNT	CHECK NO.
	STATE BOARD OF EQUALIZATION	USE TAX	888.00	026203
	BRIDGES FILTER SERVICE, INC	REPAIR MAINT	362.89	026204
	CDW GOVERNMENT, INC.	SERVICE	1,665.50	026205
	COUNTY OF LOS ANGELES	BANK CHARGES	65.40	026206
	CORCORAN QUALITY GRAPHICS	SPECIAL EVENTS	25.65	026207
	COUNTY COUNSEL, L.A. COUNTY	LEGAL	114.62	026208
	ESTHER EASTMAN	REIMBURSEMENT	16.65	026209
	FORERUNNER FIRE PREVENTION INC.	BLDG MAINT	2,340.00	026210
	GOURMET COFFEE SERVICE	KITCHEN SUPPLIES	348.07	026211
	GRAINGER	REPAIR MAINT	29.58	026212
	L A DEPT WATER & POWER	WATER/SEWER	311.45	026213
	LA LAWYERS PHILHARMONIC	SPECIAL EVENTS	2,500.00	026214
	SONNY LEW	REIMBURSEMENT	65.96	026215
	LIEBERT CASSIDY WHITMORE	LEGAL	3,944.00	026216
	MEGAPATH	TELECOM	162.18	026217
	METROLINK	TMP	1,306.00	026218
	MALINDA MULLER	REIMBURSEMENT	62.97	026219
	PACER SERVICE CENTER	DOC DEL	3.76	026220
	PAN AMERICAN PEST CONTROL CO.	BLDG SVCS	276.00	026221
	RAYVERN LIGHTING SUPPLY CO INC	REPAIR MAINT	430.88	026222
	ROMERO MAINTENANCE CO.	JANITORIAL SVCS	8,661.43	026223
	SECURITAS SECURITY	SECURITY	5,125.12	026224
	SEPCO EARTHSCAPE, INC	LANDSCAPING	1,050.00	026225
	JAYE B. STEINBRICK	REPAIR & MAINTENA	55.21	026226
	TIME WARNER CABLE	TELECOM	1,200.00	026227
	UNITED PARCEL SERVICE	DELIVERY/ POSTAGE	11.31	026228
	VALLEY WIDE AIR	BLDG MAINT	675.00	026229
	VORTEX INDUSTRIES INC	BLDG REPAIR	422.86	026230
	ELIZABETH WARNER	REIMBURSEMENT	22.83	026231
	THE OTHER BAR	COURSE REGISTRAT	26.73	026232
	PHI ALPHA DELTA	COURSE REGISTRAT	59.55	026233
	PUBLIC COUNSEL	COURSE REGISTRAT	51.58	026234
November 20				
	CORCORAN QUALITY GRAPHICS	SPECIAL EVENTS	316.00	026235
November 22				
	WOLTERS KLUWER LAW & BUSINESS	BOOKS	1,122.15	026236
	SUSANNE BACH COMERCIO DE LIVROS LTD	BOOKS	381.00	026237
	BLOOMBERG BNA	BOOKS	355.16	026238
	BOOK HOUSE INC	BOOKS	318.08	026239
	BRILL	BOOKS	2,200.00	026240
	LEXISNEXIS CANADA BUTTERWORTHS CANA	BOOKS	304.64	026241
	CARSWELL COMPANY LTD	BOOKS	444.19	026242
	CASALINI LIBRI	BOOKS	85.19	026243
	CONTINUING EDUCATION OF THE BAR CAL	BOOKS	993.76	026244
	COMERCIAL CELIS LIMITADA	BOOKS	253.00	026245

110,089.74

LOS ANGELES COUNTY LAW LIBRARY
November 1, 2013 - November 30, 2013 (CHECKS)
Account No.: 108000

DATE	PAYEE	FOR	AMOUNT	CHECK NO.
November 25	CODED SYSTEMS LLC	BOOKS	70.00	026246
	DATA TRACE LEGAL PUBLISHERS	BOOKS	359.90	026247
	GAVILANES BOOKS FROM INDOAMERICA	BOOKS	41.00	026248
	JAMES PUBLISHING INC	BOOKS	83.49	026249
	JURIS PUBLISHING INC	BOOKS	695.50	026250
	LAW REPORTS INTERNATIONAL LTD	BOOKS	265.00	026251
	LEGAL INFORMATION SERVICES	BOOKS	85.00	026252
	LEXISNEXIS BUTTERWORTHS	BOOKS	1,807.02	026253
	MARY MARTIN BOOKSELLERS	BOOKS	1,342.00	026254
	ESPINOSA MARTIN DE JESUS SANCHEZ ME	BOOKS	780.00	026255
	OXFORD UNIVERSITY PRESS	BOOKS	271.65	026256
	PRACTISING LAW INSTITUTE	BOOKS	537.54	026257
	QUALITY CODE PUBLISHING	BOOKS	213.90	026258
	THOMSON REUTERS TAX & ACCOUNTING	BOOKS	2,012.42	026259
	LA NIGHT CASINO ENTERTAINMENT INC	SPECIAL EVENT	425.00	026260

119,009.16

LOS ANGELES COUNTY LAW LIBRARY
November 1, 2013 - November 30, 2013 (WARRANTS)
Account No.: 102000

DATE	PAYEE	FOR	AMOUNT	CHECK NO.
November 1	BAZILIO COBB ASSOCIATES	ACCOUNTING	15,500.00	TS00191482
	DELL MARKETING L.P.	SERVICES	11,813.93	TS00191482
	EX LIBRIS, (USA) INC.	ILS	10,437.99	TS00191482
	CALPERS	HEALTH INS	53,867.69	TS00191482
November 7	L A DEPT WATER & POWER	ELECTRIC/FIRE	11,184.08	TS00191753
November 25	LEXISNEXIS ONLINE SERVICES	BOOKS	15,300.00	TS00192776
	WILLIAM S HEIN & CO	BOOKS	10,580.00	TS00192776

128,683.69

MEMORANDUM

DATE: December 17, 2013

TO: Board of Law Library Trustees

FROM: Sandra Levin, Executive Director

RE: Charge for Overnight Delivery of Library Items

SUMMARY

This will recommend a change to the Law Library’s charge for overnight delivery of Law Library materials.

BACKGROUND

At its meetings in April and July 2013, the Board adopted revisions to the schedule of Law Library charges. The charges included a charge of \$10 per item plus actual UPS or FedEx cost for pulling and processing Law Library material for overnight delivery.

The revised charge recommended here is based upon our conclusion that a charge of \$10 per item plus actual UPS or FedEx cost is not equitable when more than one item is requested. Our review of the fee was initiated when a patron requested a treatise, received two volumes of plus a pamphlet supplement and was charged \$30 (\$10/item x 3 items) plus the actual cost of the delivery service.

Upon review of the incremental cost to pull and process Law Library materials for overnight delivery, Staff believes the patron correctly identified an inequity in the way the charge operates. The charge was initially based upon an analysis of the cost of pulling one item. After the \$10 charge for the first volume, however, the incremental cost to pull and process additional volumes in the same request is about \$1 per item – up to a point. Beyond a total of ten items, the incremental cost spikes because of the need to prepare and label a second box for shipping and the increased likelihood of multiple trips to the stacks. The actual cost is analyzed on the Exhibit A (see attached). For each box of up to ten items, the cost is \$10 for the first volume of plus \$1 for each additional volume plus actual UPS/FedEx.

OPTIONS

1. Approve the revised charge.
2. Modify and approve the revised charge.
3. Direct staff to modify its recommendation and present the modified version at a later meeting.
4. Take no action.

RECOMMENDATION

Staff recommends that the Board adopt the revised charge for overnight delivery of Law Library materials.



Borrowing Rules Deposits and Charges

Category	Patron Group	Current Charge	Staff Involved	Time for Task	Percentage	Steps	Cost Factor	Cost	Variance Abv (Bel) Cost	Proposed Revised Charge
Deposits and Service Charges										
UPS/FedEx of Library Materials	Individual, Reduced, Corporate, Government, LACBA, Members & some ILL	\$ 2 Carrier Reference processing charge per item + plus cost of shipping	Reference Librarian, any Pager, Lib Tech, Lib Aide, any Circ staff, Circ Supervisor, Ref Snr Librarian, Admin Tech, Finance Mngr	Min 15 minutes, Max 25 minutes	Reference Librarian, Pager 20%, Lib Tech 30%, Lib Aide 20%, any Circ staff 5%, Circ Supervisor 5%, Ref Snr Librarian 10%, Admin Tech 5%, Finance Mngr 5%	Reference Librarian is consulted (at no charge) and pages book or calls a pager. Lib Tech receives the items, fills out a UPS/FedEx request form and delivers item to Lib Aide. Lib Aide completes the request and prepares items for shipping. Circ Supervisor adds the charges on Voyager. Fines are included in Ref Snr Librarian's report as mentioned in Overdue Fines. Admin Tech creates an invoice to send the borrower at the end of the month. Lib Aide mails out the invoice. Circ staff will check the item in when it arrives UPS or FedEx. Finance Mngr reviews charges from UPS or FedEx when LALL is billed.	For each box of up to ten items: \$24.06/hr labor x 20 minutes = \$10.43 labor for first item plus \$24.06 x 2.5 minutes for each additional items. Actual UPS/FedEx would be additional.	10.43 plus UPS/FedEx per item	\$10.43	For each box of up to ten items: \$10 for the first volume plus \$1 for each additional volume plus actual UPS/FedEx

AGENDA ITEM 4

DISCUSSION ITEMS

- 4.1 Approval of Establishment of a California Employers' Retirement Benefit Trust Program and Investment in State and Federal Bonds.
- 4.2 Approval of revised Members Program Borrowing Rules.

MEMORANDUM

DATE: December 17, 2013

TO: Board of Law Library Trustees

FROM: Sandra Levin, Executive Director
Patrick O’Leary, Senior Director Administrative Services

RE: Investment Options: Establishment of a California Employers’ Retirement Benefit Trust Program and Investment in State and Federal Bonds

SUMMARY

The Board is asked to consider entering into an agreement with the California Public Employees’ Retirement System Board of Administration (CalPERS Board) to establish a California Employers’ Retirement Benefit Trust (CERBT).

BACKGROUND

Pursuant to Business and Professions Code Section 6320, funds collected by the Law Library must be invested with the County and, pursuant to Business and Professions Code Section 6348.5, excess funds may be invested in the Local Agency Investment Fund (LAIF) or state or federal bonds. Historically, the Law Library has invested its excess funds in LAIF. However, the Law Library earns only about a 0.7% return through the County pool and LAIF.

Moreover, although the Law Library invests approximately \$9,000,000 in LAIF and the County pool, these funds are effectively encumbered by existing and foreseeable future obligations. As a result, the Law Library’s financial reserves appear artificially high, yet the Library receives little return on its investment.

OTHER POST-EMPLOYMENT BENEFITS (OPEB) OBLIGATION

Each year the Law Library pays a certain amount for post-employment benefits other than retirement for retirees and incurs an obligation to pay such benefits to current employees in the future when they retire. At the date of its last valuation in August 2012, the present value as calculated by an actuary of the Law Library’s total unfunded OPEB obligation to date and into the future was \$6.4 million.

For FY 2012-13, the Law Library’s annual OPEB cost was \$476,490. This represents the actual premium costs for retiree medical benefits for the year of \$191,826 plus an unpaid annual increment required to amortize future OPEB liabilities on behalf of



current and future retirees of \$291,978. After adding the unpaid amount in FY 2012-13 to the unfunded OPEB obligation at the beginning of the fiscal year, the total ending liability was \$1.74 million. Staff expects this unfunded liability to grow to \$2 million by the end of FY2013-14.

CERBT

California Government Code Section 22940 established the Annuitants' Health Care Coverage Fund for the prefunding of health care coverage for retirees (Prefunding Plan). The CalPERS Board has sole and exclusive control over the administration and investment of the Prefunding Plan. It has established the CERBT program to allow public agencies to contribute up to the actuarial present value of total projected retiree medical benefits (APVTPB) to prefund their OPEB obligations. CalPERS says that 381 public agencies in the state have established a CERBT including 43 cities and agencies in Los Angeles County.

A CERBT would allow the Law Library to contribute up to \$6.4 million (the full amount of its APVTPB) into a trust to be used exclusively to pay retirees' medical benefits. The CERBT funds would be managed by CalPERS's professional investment managers. Investment gains would be retained within the CERBT and reinvested. Disbursements from the CERBT would be limited to the Law Library's annual OPEB insurance premiums and other OPEB costs. Thus the money invested and the return on the money invested would be used exclusively to pay LA Law Library obligations.

Benefits:

A CERBT would confer several worthy benefits:

- The investment returns would almost certainly exceed the returns the Law Library could achieve in its otherwise limited investment options. The CalPERS fund averaged a return of 7.8% over the ten years ending 6/30/13. This is more than ten times what the Law Library is earning through the County pool and LAIF.
- A CERBT contribution would be protected from third party creditors and reduce the appearance of an artificially high reserve.
- Earnings on assets would reduce the Law Library's annual required contribution and unfunded liability.
- Prefunding OPEB costs would increase financial security for retirees.

Costs:

A CERBT would have the following costs/risks:

- A CERBT would require biennial actuarial valuations compared with the Law Library's current practice of valuations every three years. This will increase Law Library costs by almost \$1,000 per year.
- CalPERS would charge an annual fee to administer the CERBT. It currently is charging 15 basis points (.15%) or \$1,500 per \$1 million per year.
- More significantly, a CERBT would require an irrevocable commitment of Law Library liquid assets. Once entrusted, CERBT contributions could only be used for the payment of retirees' benefit costs and would be unavailable for possibly more immediate obligations of the Law Library.



Staff proposes an initial investment of \$2 million, the projected unfunded OPEB liability at the end of the current fiscal year. This would leave approximately \$7 million in the Law Library's cash surplus for short term cash requirements and other long-term capital obligations. Staff expects that it will recommend to the Board additional CERBT contributions in future years.

STATE AND FEDERAL BONDS

As noted above, excess funds may also be invested in state or federal bonds. Currently, the rate of return on 10-year state bonds is 3.27% (Reuters Municipal Market Data Scales) and on 10-year federal bonds is 2.855% (Wall Street Journal Ryan Indexes). Of course, longer term investments tend to generate a higher return, while shorter term investments would generate a lesser return.

Bonds offer the advantage of a higher rate of return than LAIF, but less than a CERBT. Bonds are considerably more flexible than a CERBT, however, and could be resold or used upon maturity for any purpose. They do not offer protection against third party creditors or reduce the appearance of an artificially high reserve.

Staff recommends investing up to 70% of the Law Library's cash surplus in U.S. Treasury notes and California bonds with maturities of 1 to 10 years. The purchases would be structured in a simple ladder with roughly 10% of the bond portfolio maturing each year. At maturity, the Law Library would reinvest each increment. The Law Library would endeavor to make its purchases in increments over the next three years to minimize the effect of adverse of market conditions.

OPTIONS

CERBT:

1. Accept Staff's recommendation to establish a CERBT and contribute \$2 million.
2. Accept Staff's recommendation to establish a CERBT at a different contribution level.
3. Direct Staff to conduct further analysis and report back to the Board at a future meeting.
4. Reject Staff's recommendation.

Bonds:

5. Accept Staff's recommendation to acquire a AA or better rated bond portfolio in the amount of \$__ million.
6. Accept Staff's recommendation to acquire a AA or better rated bond portfolio in a different amount.
7. Direct Staff to conduct further analysis and report back to the Board at a future meeting.
8. Reject Staff's recommendation.



RECOMMENDATION

CERBT: Staff recommends that the Board enter into an agreement with the CalPERS Board CERBT with an initial contribution of \$2 million. A sample of the CERBT agreement is attached.

Bonds: Staff recommends that the Board authorize the Executive Director to acquire a AA or better rated bond portfolio up to 70% of the Law Library's remaining cash surplus (about \$4.9 million).



CALIFORNIA EMPLOYERS' RETIREE BENEFIT TRUST PROGRAM ("CERBT")

**AGREEMENT AND ELECTION
OF**

(NAME OF EMPLOYER)

**TO PREFUND OTHER POST EMPLOYMENT
BENEFITS THROUGH CalPERS**

WHEREAS (1) Government Code Section 22940 establishes in the State Treasury the Annuitants' Health Care Coverage Fund for the prefunding of health care coverage for annuitants (Prefunding Plan); and

WHEREAS (2) The California Public Employees' Retirement System (CalPERS) Board of Administration (Board) has sole and exclusive control and power over the administration and investment of the Prefunding Plan (sometimes also referred to as CERBT), the purposes of which include, but are not limited to (i) receiving contributions from participating employers and establishing separate Employer Prefunding Accounts in the Prefunding Plan for the performance of an essential governmental function (ii) investing contributed amounts and income thereon, if any, in order to receive yield on the funds and (iii) disbursing contributed amounts and income thereon, if any, to pay for costs of administration of the Prefunding Plan and to pay for health care costs or other post employment benefits in accordance with the terms of participating employers' plans; and

WHEREAS (3) _____
(NAME OF EMPLOYER)

(Employer) desires to participate in the Prefunding Plan upon the terms and conditions set by the Board and as set forth herein; and

WHEREAS (4) Employer may participate in the Prefunding Plan upon (i) approval by the Board and (ii) filing a duly adopted and executed Agreement and Election to Prefund Other Post Employment Benefits (Agreement) as provided in the terms and conditions of the Agreement; and

WHEREAS (5) The Prefunding Plan is a trust fund that is intended to perform an essential governmental function within the meaning of Section 115 of the Internal Revenue Code as an agent multiple-employer plan as defined in Governmental Accounting Standards Board (GASB) Statement No. 43 consisting of an aggregation of single-employer plans, with pooled administrative and investment functions;

NOW, THEREFORE, BE IT RESOLVED THAT EMPLOYER HEREBY MAKES THE FOLLOWING REPRESENTATION AND WARRANTY AND THAT THE BOARD AND EMPLOYER AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

A. Representation and Warranty

Employer represents and warrants that it is a political subdivision of the State of California or an entity whose income is excluded from gross income under Section 115 (1) of the Internal Revenue Code.

B. Adoption and Approval of the Agreement; Effective Date; Amendment

(1) Employer's governing body shall elect to participate in the Prefunding Plan by adopting this Agreement and filing with the CalPERS Board a true and correct original or certified copy of this Agreement as follows:

Filing by mail, send to: CalPERS
 Affiliate Program Services Division
 CERBT (OPEB)
 P.O. Box 1494
 Sacramento, CA 95812-1494

Filing in person, deliver to: CalPERS Mailroom
 Affiliate Program Services Division
 CERBT (OPEB)
 400 Q Street
 Sacramento, CA 95811

(2) Upon receipt of the executed Agreement, and after approval by the Board, the Board shall fix an effective date and shall promptly notify Employer of the effective date of the Agreement.

(3) The terms of this Agreement may be amended only in writing upon the agreement of both CalPERS and Employer, except as otherwise provided herein. Any such amendment or modification to this Agreement shall be adopted and executed in the same manner as required for the Agreement. Upon receipt of the executed amendment or modification, the Board shall fix the effective date of the amendment or modification.

(4) The Board shall institute such procedures and processes as it deems necessary to administer the Prefunding Plan, to carry out the purposes of this Agreement, and to maintain the tax exempt status of the Prefunding Plan. Employer agrees to follow such procedures and processes.

C. Other Post Employment Benefits (OPEB) Cost Reports and Employer Contributions

(1) Employer shall provide to the Board an OPEB cost report on the basis of the actuarial assumptions and methods prescribed by the Board. Such report shall be for the Board's use in financial reporting, and shall be prepared at least as often as the minimum frequency required by GASB 43. This OPEB cost report may be prepared as an actuarial valuation report or, if the employer is qualified under GASB 45 and 57, may be prepared as an Alternative Measurement Method (AMM) report.

- (a) Unless qualified under GASB 45 and 57 to provide an AMM report, Employer shall provide to the Board an actuarial valuation report. Such report shall be for the Board's use in financial reporting, and shall be prepared at least as often as the minimum frequency required by GASB 43 and 57, and shall be:
 - 1) prepared and signed by a Fellow or Associate of the Society of Actuaries who is also a Member of the American Academy of Actuaries or a person with equivalent qualifications acceptable to the Board;
 - 2) prepared in accordance with generally accepted actuarial practice and GASB 43, 45 and 57; and,
 - 3) provided to the Board prior to the Board's acceptance of contributions for the valuation period or as otherwise required by the Board.
- (b) If qualified under GASB 45 and 57, Employer may provide to the Board an AMM report. Such report shall be for the Board's use in financial reporting, shall be prepared at least as often as the minimum frequency required by GASB 43 and 57, and shall be:
 - 1) affirmed by Employer's external auditor, or by a Fellow or Associate of the Society of Actuaries who is also a Member of the American Academy of Actuaries or a person with equivalent qualifications acceptable to the Board, to be consistent with the AMM process described in GASB 45;
 - 2) prepared in accordance with GASB 43, 45, and 57; and,
 - 3) provided to the Board prior to the Board's acceptance of contributions for the valuation period or as otherwise required by the Board.

(2) The Board may reject any OPEB cost report submitted to it, but shall not unreasonably do so. In the event that the Board determines, in its sole discretion, that the OPEB cost report is not suitable for use in the Board's financial statements or if Employer fails to provide a required OPEB cost report, the Board may obtain, at

Employer's expense, an OPEB cost report that meets the Board's financial reporting needs. The Board may recover from Employer the cost of obtaining such OPEB cost report by billing and collecting from Employer or by deducting the amount from Employer's account in the Prefunding Plan.

(3) Employer shall notify the Board of the amount and time of contributions which contributions shall be made in the manner established by the Board.

(4) Employer contributions to the Prefunding Plan may be limited to the amount necessary to fully fund Employer's actuarial present value of total projected benefits, as supported by the OPEB cost report acceptable to the Board. As used throughout this document, the meaning of the term "actuarial present value of total projected benefits" is as defined in GASB Statement No. 45. If Employer's contribution causes its assets in the Prefunding Plan to exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board may refuse to accept the contribution.

(5) No contributions are required. If an employer elects to contribute then the contribution amount should not be less than \$5000 or the employer's annual required contribution (ARC), whichever amount is lower. Contributions can be made at any time following the seventh day after the effective date of the Agreement provided that Employer has first complied with the requirements of Paragraph C.

D. Administration of Accounts, Investments, Allocation of Income

(1) The Board has established the Prefunding Plan as an agent plan consisting of an aggregation of single-employer plans, with pooled administrative and investment functions, under the terms of which separate accounts will be maintained for each employer so that Employer's assets will provide benefits only under employer's plan.

(2) All Employer contributions and assets attributable to Employer contributions shall be separately accounted for in the Prefunding Plan (Employer's Prefunding Account).

(3) Employer's Prefunding Account assets may be aggregated with prefunding account assets of other employers and may be co-invested by the Board in any asset classes appropriate for a Section 115 Trust.

(4) The Board may deduct the costs of administration of the Prefunding Plan from the investment income or Employer's Prefunding Account in a manner determined by the Board.

(5) Investment income shall be allocated among employers and posted to Employer's Prefunding Account as determined by the Board but no less frequently than annually.

(6) If Employer's assets in the Prefunding Plan exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board, in compliance with applicable accounting and legal requirements, may return such excess to Employer.

E. Reports and Statements

- (1) Employer shall submit with each contribution a contribution report in the form and containing the information prescribed by the Board.
- (2) The Board shall prepare and provide a statement of Employer's Prefunding Account at least annually reflecting the balance in Employer's Prefunding Account, contributions made during the period and income allocated during the period, and such other information as the Board determines.

F. Disbursements

- (1) Employer may receive disbursements not to exceed the annual premium and other costs of post employment healthcare benefits and other post employment benefits as defined in GASB 43.
- (2) Employer shall notify CalPERS in writing in the manner specified by CalPERS of the persons authorized to request disbursements from the Prefunding Plan on behalf of Employer.
- (3) Employer's request for disbursement shall be in writing signed by Employer's authorized representative, in accordance with procedures established by the Board. The Board may require that Employer certify or otherwise establish that the monies will be used for the purposes of the Prefunding Plan.
- (4) Requests for disbursements that satisfy the requirements of paragraphs (2) and (3) will be processed monthly.
- (5) CalPERS shall not be liable for amounts disbursed in error if it has acted upon the written instruction of an individual authorized by Employer to request disbursements. In the event of any other erroneous disbursement, the extent of CalPERS' liability shall be the actual dollar amount of the disbursement, plus interest at the actual earnings rate but not less than zero.
- (6) No disbursement shall be made from the Prefunding Plan which exceeds the balance in Employer's Prefunding Account.

G. Costs of Administration

Employer shall pay its share of the costs of administration of the Prefunding Plan, as determined by the Board.

H. Termination of Employer Participation in Prefunding Plan

- (1) The Board may terminate Employer's participation in the Prefunding Plan if:

- (a) Employer gives written notice to the Board of its election to terminate;
- (b) The Board finds that Employer fails to satisfy the terms and conditions of this Agreement or of the Board's rules or regulations.

(2) If Employer's participation in the Prefunding Plan terminates for any of the foregoing reasons, all assets in Employer's Prefunding Account shall remain in the Prefunding Plan, except as otherwise provided below, and shall continue to be invested and accrue income as provided in Paragraph D.

(3) After Employer's participation in the Prefunding Plan terminates, Employer may not make contributions to the Prefunding Plan.

(4) After Employer's participation in the Prefunding Plan terminates, disbursements from Employer's Prefunding Account may continue upon Employer's instruction or otherwise in accordance with the terms of this Agreement.

(5) After the Employer's participation in the Prefunding Plan terminates, the governing body of the Employer may request either:

- (a) A trustee to trustee transfer of the assets in Employer's Prefunding Account; provided that the Board shall have no obligation to make such transfer unless the Board determines that the transfer will satisfy applicable requirements of the Internal Revenue Code, other law and accounting standards, and the Board's fiduciary duties. If the Board determines that the transfer will satisfy these requirements, the Board shall then have one hundred fifty (150) days from the date of such determination to effect the transfer. The amount to be transferred shall be the amount in the Employer's Prefunding Account as of the date of the transfer (the "transfer date") and shall include investment earnings up to an investment earnings allocation date preceding the transfer date. In no event shall the investment earnings allocation date precede the transfer date by more than 150 days.
- (b) A disbursement of the assets in Employer's Prefunding Account; provided that the Board shall have no obligation to make such disbursement unless the Board determines that, in compliance with the Internal Revenue Code, other law and accounting standards, and the Board's fiduciary duties, all of Employer's obligations for payment of post-employment health care benefits and other post-employment benefits and reasonable administrative costs of the Board have been satisfied. If the Board determines that the disbursement will satisfy these requirements, the Board shall then have one hundred fifty (150) days from the date of such determination to effect the disbursement. The amount to be disbursed shall be the amount in the Employer's Prefunding Account as of the date of the disbursement (the "disbursement date") and shall include investment earnings up to an investment earnings allocation date

preceding the disbursement date. In no event shall the investment earnings allocation date precede the disbursement date by more than 150 days.

(6) After Employer's participation in the Prefunding Plan terminates and at such time that no assets remain in Employer's Prefunding Account, this Agreement shall terminate.

(7) If, for any reason, the Board terminates the Prefunding Plan, the assets in Employer's Prefunding Account shall be paid to Employer after retention of (i) amounts sufficient to pay post employment health care benefits and other post employment benefits to annuitants for current and future annuitants described by the employer's current substantive plan (as defined in GASB 43), and (ii) amounts sufficient to pay reasonable administrative costs of the Board.

(8) If Employer ceases to exist but Employer's Prefunding Plan continues to exist and if no provision has been made by Employer for ongoing payments to pay post employment health care benefits and other post employment benefits to annuitants for current and future annuitants, the Board is authorized to and shall appoint a third party administrator to carry out Employer's Prefunding Plan. Any and all costs associated with such appointment shall be paid from the assets attributable to contributions by Employer.

(9) If Employer should breach the representation and warranty set forth in Paragraph A., the Board shall take whatever action it deems necessary to preserve the tax-exempt status of the Prefunding Plan.

I. General Provisions

(1) Books and Records.

Employer shall keep accurate books and records connected with the performance of this Agreement. Employer shall ensure that books and records of subcontractors, suppliers, and other providers shall also be accurately maintained. Such books and records shall be kept in a secure location at the Employer's office(s) and shall be available for inspection and copying by CalPERS and its representatives.

(2) Audit.

- (a) During and for three years after the term of this Agreement, Employer shall permit the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, at all reasonable times during normal business hours to inspect and copy, at the expense of CalPERS, books and records of Employer relating to its performance of this Agreement.
- (b) Employer shall be subject to examination and audit by the Bureau of State Audits, CalPERS, and its authorized representatives, and such

consultants and specialists as needed, during the term of this Agreement and for three years after final payment under this Agreement. Any examination or audit shall be confined to those matters connected with the performance of this Agreement, including, but not limited to, the costs of administering this Agreement. Employer shall cooperate fully with the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, in connection with any examination or audit. All adjustments, payments, and/or reimbursements determined to be necessary by any examination or audit shall be made promptly by the appropriate party.

(3) Notice.

- (a) Any notice, approval, or other communication required or permitted under this Agreement will be given in the English language and will be deemed received as follows:
1. Personal delivery. When personally delivered to the recipient. Notice is effective on delivery.
 2. First Class Mail. When mailed first class to the last address of the recipient known to the party giving notice. Notice is effective three delivery days after deposit in a United States Postal Service office or mailbox.
 3. Certified mail. When mailed certified mail, return receipt requested. Notice is effective on receipt, if delivery is confirmed by a return receipt.
 4. Overnight Delivery. When delivered by an overnight delivery service, charges prepaid or charged to the sender's account, Notice is effective on delivery, if delivery is confirmed by the delivery service.
 5. Telex or Facsimile Transmission. When sent by telex or fax to the last telex or fax number of the recipient known to the party giving notice. Notice is effective on receipt, provided that (i) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (ii) the receiving party delivers a written confirmation of receipt. Any notice given by telex or fax shall be deemed received on the next business day if it is received after 5:00 p.m. (recipient's time) or on a nonbusiness day.
 6. E-mail transmission. When sent by e-mail using software that provides unmodifiable proof (i) that the message was sent, (ii) that the message was delivered to the recipient's information processing system, and (iii) of the time and date the message was delivered to

the recipient along with a verifiable electronic record of the exact content of the message sent.

Addresses for the purpose of giving notice are as shown in Paragraph B.(1) of this Agreement.

- (b) Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger or overnight delivery service.
- (c) Any party may change its address, telex, fax number, or e-mail address by giving the other party notice of the change in any manner permitted by this Agreement.
- (d) All notices, requests, demands, amendments, modifications or other communications under this Agreement shall be in writing. Notice shall be sufficient for all such purposes if personally delivered, sent by first class, registered or certified mail, return receipt requested, delivery by courier with receipt of delivery, facsimile transmission with written confirmation of receipt by recipient, or e-mail delivery with verifiable and unmodifiable proof of content and time and date of sending by sender and delivery to recipient. Notice is effective on confirmed receipt by recipient or 3 business days after sending, whichever is sooner.

(4) Modification

This Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by the party to be charged.

(5) Survival

All representations, warranties, and covenants contained in this Agreement, or in any instrument, certificate, exhibit, or other writing intended by the parties to be a part of their Agreement shall survive the termination of this Agreement until such time as all amounts in Employer's Prefunding Account have been disbursed.

(6) Waiver

No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, failure, right, or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

(7) Necessary Acts, Further Assurances

The parties shall at their own cost and expense execute and deliver such further documents and instruments and shall take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this Agreement.

A majority vote of Employer's Governing Body at a public meeting held on the _____ day of the month of _____ in the year _____, authorized entering into this Agreement.

Signature of the Presiding Officer: _____

Printed Name of the Presiding Officer: _____

Name of Governing Body: _____

Name of Employer: _____

Date: _____

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
RAND ANDERSON
AFFILIATE PROGRAM SERVICES DIVISION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

To be completed by CalPERS The effective date of this Agreement is: _____
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Supplemental Information: Agenda Item 4.1

According to CalPERS, 381 public agencies have prefunded OPEB costs. The following libraries have prefunded OPEB expense. Note that four law libraries are included.

Agency	Agency Type	County
Altadena Library District	Library &/or Library District	Los Angeles
Buena Park Library District	Library &/or Library District	Orange
Contra Costa County Public Law Library	Library &/or Library District	Contra Costa
Fresno County Law Library	Library &/or Library District	Fresno
Kern County Law Library	Library &/or Library District	Kern
Sacramento County Public Law Library	Library &/or Library District	Sacramento

The following Los Angeles County agencies have prefunded OPEB expense:

Agency	Agency Type	County
Alameda Corridor Transportation Authority	Transportation/Transit District	Los Angeles
Altadena Library District	Library &/or Library District	Los Angeles
Castaic Lake Water Agency	Water/Flood Control District	Los Angeles
City of Agoura Hills	City or Town	Los Angeles
City of Bellflower	City or Town	Los Angeles
City of Burbank	City or Town	Los Angeles
City of Carson	City or Town	Los Angeles
City of Cerritos	City or Town	Los Angeles
City of Downey	City or Town	Los Angeles
City of El Segundo	City or Town	Los Angeles
City of Hawaiian Gardens	City or Town	Los Angeles
City of Huntington Park	City or Town	Los Angeles
City of Irwindale	City or Town	Los Angeles
City of La Mirada	City or Town	Los Angeles
City of La Puente	City or Town	Los Angeles
City of Lynwood	City or Town	Los Angeles
City of Malibu	City or Town	Los Angeles

Agency	Agency Type	County
City of Manhattan Beach	City or Town	Los Angeles
City of Paramount	City or Town	Los Angeles
City of Redondo Beach	City or Town	Los Angeles
City of Rolling Hills	City or Town	Los Angeles
City of San Gabriel	City or Town	Los Angeles
City of Santa Fe Springs	City or Town	Los Angeles
City of Sierra Madre	City or Town	Los Angeles
LA County Community Development Commission	Housing Authority/Redevelopment Agency	Los Angeles
Compton Creek Mosquito Abatement District	Mosquito Abatement District	Los Angeles
CRA/LA, a Designated Local Authority	Housing Authority/Redevelopment Agency	Los Angeles
Greater Los Angeles County Vector Control District	Vector Control District	Los Angeles
Housing Authority of the City of Los Angeles	Housing Authority/Redevelopment Agency	Los Angeles
La Puente Valley County Water District	Water/Flood Control District	Los Angeles
Las Virgenes Municipal Water District	Water/Flood Control District	Los Angeles
Los Angeles Community College District	School District	Los Angeles
Los Angeles County Sanitation District No. 2	Sanitation (Garbage/Sewer) District	Los Angeles
Los Angeles County West Vector Control District	Mosquito Abatement District	Los Angeles
Metropolitan Water District of Southern California	Water/Flood Control District	Los Angeles
Newhall County Water District	Water/Flood Control District	Los Angeles
Orchard Dale Water District	Water/Flood Control District	Los Angeles
Pico Water District	Water/Flood Control District	Los Angeles
Santa Monica Community College District	School District	Los Angeles
Southern California Association of Governments	Other	Los Angeles
Three Valleys Municipal Water District	Water/Flood Control District	Los Angeles
Water Replenishment District of Southern California	Water/Flood Control District	Los Angeles
West Basin Municipal Water District	Water/Flood Control District	Los Angeles

A list of agencies that have prefunded OPEB may be found at:

<https://www.calpers.ca.gov/index.jsp?bc=/employer/retiree-ben-trust/list-part-agencies.xml>.

MEMORANDUM

DATE: December 17, 2013

TO: Board of Law Library Trustees

FROM: Sandra Levin, Executive Director
Malinda Muller, Director, Programs and Partnerships

RE: Members Program Borrowing Rules and Fee Schedule

INTRODUCTION

As part of Strategic Plan Objective “Comm(1)E” the Board is asked to consider changes to the Borrowing Rules and Borrowing Fees and Deposits for the Members Program to implement a new tiered membership structure, allowing members to choose the membership level that best fits their needs while also improving the cost efficiency of the program. The new structure is described here and the proposed documents to accomplish the new structure are attached.

SUMMARY OF CHANGES

Currently, the Members Program has only one membership option, which includes access to the Members Study, use of remote databases, discounted document delivery, room rental fees, classes and other services, a dedicated members librarian and unlimited parking.

Under the new proposal, there would be three membership levels. All of the membership levels would be annual and have access to the Members Study, remote databases and discounted E-delivery, room rental, MCLE classes and other services. The remaining benefits would be as follows:

Gold Membership Level (\$995 per year)– Gold Members receive unlimited parking in the Members Parking Lot, subject to availability and reservation rules. Gold Members also receive a Gold Member card and may check out and have up to 30 items in their possession at any one time. In addition, Gold Members have direct access to the Members Reference phone line and email address for expedited reference service and E-delivery.

Silver Membership Level (\$495 per year) – Silver Members receive 30 parking sessions per membership year, subject to availability and reservation rules. Silver Members may check out and have up to 15 items in their possession at any one time. In addition, Silver Members have direct access to the Members



Reference phone line and email address for expedited reference service and E-delivery.

Bronze Membership Level (\$195 per year) – Bronze members do not receive a parking benefit or have access to the Members Reference phone line or email address. Bronze Members may check out and have up to 15 items in their possession at any one time.

Thus, while each membership level would include core membership benefits, membership levels differ in terms of parking privileges and the number of items that may be checked out at a given time.

Currently, individual attorneys employed by law firms may only participate in the Members Program if **all** attorneys within the firm participate. Staff believes this deters some firm attorneys from participating. Therefore, a new membership category, Individual Attorneys in a Law Firm, is also proposed to be added to the Borrowing Rules. This addition will allow individual attorneys to join the program even where an attorney's entire firm may not wish to join.

The proposed changes would take effect pending development of revised marketing material for the program and implementation of an online automated parking reservation system, but in any case no later than June 1, 2014. Once in effect, the new membership options would be available to new members immediately and to existing members upon expiration of their existing terms.

OPTIONS

1. Approve the revised Members Program Borrowing Rules and Borrowing Fees and Deposits.
2. Approve with modifications.
3. Continue the matter for further information and future discussion.
4. Reject the recommendation and take no action.

RECOMMENDATION

Staff recommends that the Board approve the revised Members Program Borrowing Rules and Borrowing Fees and Deposits.



LA Law Library Members Program Borrowing Rules

Effective _____, 2014

Books and materials may be borrowed from the LA Law Library in accordance with the following Borrowing Rules.

REGISTRATION

To borrow books and materials as a Member of the LA Law Library: (1) complete the Members Program Application; (2) submit the appropriate Security Deposit; and (3) pay the annual charge, and any additional established and approved charges.

Any subsequent changes to the Members Program account must be made in writing.

ANNUAL MEMBERSHIP CHARGES AND RENEWALS

Annual membership charges are neither refundable nor transferrable.

The annual membership year is on an individual anniversary basis, beginning the day the Members Program account is opened. All Members Program benefits will be terminated if the annual renewal is not paid within 30 days of the date the renewal is due.

Prior to renewing a Members Program account, all outstanding fines and charges must be paid in full and the Security Deposit made whole.

MEMBERS PROGRAM BORROWER CATEGORIES

Sole Practitioner – Individual attorney in a solo practice. Sole practitioners are eligible to join as Bronze, Silver, or Gold Members (see “Membership Levels and Parking Benefit,” below).

Individual Attorney in a Law Firm – An attorney in a law firm who wishes to join the program on an individual basis is eligible to join as a Bronze or Silver Member.

Law Firm – Any law firm, corporate legal department, or public interest law office with two (2) or more attorneys. A firm may join collectively (all attorneys in the firm) as a Bronze, Silver, or Gold Member.

Non-Attorney – Any individual holding a valid LA Law Library card is eligible to join as a Bronze, Silver, or Gold Member and shall receive the same benefits and have the same obligations as Sole Practitioners within that category.

Judge or Research Attorney – Any superior court, appellate court or federal district court judge or his or her judicial research attorney may join the program as Bronze Members at no charge.

MEMBERSHIP LEVELS AND PARKING BENEFIT

Access to the Members Parking Lot and certain other membership benefits varies based upon the membership level selected by the Member.

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Gold Membership Level – Gold Members receive unlimited parking in the Members Parking Lot, subject to availability and reservation rules. Gold Members also receive a Gold Member card, are permitted to check out a greater number of library items at a given time (see “Loan Periods,” below).

Gold Members also have access to the Members Study, remote databases, discounted E-delivery and room rental, and all of the other Members benefits described herein. In addition, Gold Members have direct access to the Members Reference phone line and email address for expedited reference service and E-delivery.

Silver Membership Level – Silver Members receive 30 parking sessions per membership year, subject to availability and reservation rules.

Silver Members also have access to the Members Study, remote databases, discounted E-delivery and room rental, and all of the other Members benefits described herein. In addition, Silver Members have direct access to the Members Reference phone line and email address for expedited reference service and E-delivery.

Bronze Membership Level – Bronze members do not receive a parking benefit or have access to the Members Reference phone line or email address. However, Bronze Members do have access to the Members Study, remote databases, discounted E-delivery and room rental, and all of the other Members benefits described herein.

AFFILIATES

A Member may, in writing, designate their support staff as affiliates on the account. Affiliates may not be members of the Bar. Affiliates may retrieve and return books for the Member. The affiliate must present proper identification when borrowing materials. The Member will be responsible for all fines and charges. Affiliates may use all areas of the library open to the general public; however, they may not use the Members Study or park in the Members Parking area.

MESSENGERS

A Member may, in writing, designate persons or services to function as messengers to retrieve and return books for the Member. The messenger must present proper identification when borrowing materials. The Member will be responsible for all fines and charges. There is no cost for designating up to two (2) messenger services on the account.

SECURITY DEPOSIT

The appropriate security deposit for each Member category will be collected and placed in a trust account with the treasurer of the county (Cal. Bus. & Prof. Code § 6320). Any interest earned on the trust account will be paid to the Law Library and used for its expenses.

Upon written request by a Member, and following a three (3) month period from the date of registration, a security deposit, less any outstanding fines or charges, will be refunded, provided all borrowed materials have been returned. All Members Program and borrowing privileges will cease upon receipt of the written request for refund of the security deposit. Refund of the security deposit will be issued in the form of a check. The security deposit is non-transferrable.

If the Security Deposit is not claimed within three (3) years after the member account has expired, it will become the property of the LA Law Library (Gov. Code § 50050).

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REFERENCE SERVICES

Reference staff is available to suggest materials in print or electronic format on a particular topic and to arrange for those materials to be placed on hold, or sent to the member via e-delivery or UPS. To avoid engaging in the unauthorized practice of law (Cal. Bus. & Prof. Code § 6125) reference staff does not conduct legal research, but will provide assistance in locating and using materials.

CIRCULATION SERVICES

Circulation staff are available during Library open hours to help Members as follows: (1) review a Member's record; (2) provide a list of items checked out; (3) identify due dates for items checked out; (4) provide a status report on items requested to be reserved; and (5) provide a status report on any fines or fees that are owed.

LOAN PERIODS

Library materials are loaned for five (5) days. Sole Practitioner, Individual Attorney in a Law Firm, Non-Attorney and Judge or Research Attorney Bronze and Silver Members may check out and have up to 15 items in their possession at any one time. Gold Members may check out and have up to 30 items in their possession at any one time. Law Firms may check out and have up to 30 items in their possession at any one time. A maximum of five (5) non-book items may be checked out at any given time.

Library materials may be returned in person or through a book drop at the Main Library. A freestanding book drop is located at the service entrance on Broadway.

A Member may not borrow an item on the same day in which it was returned.

If a Member fails to return an item within 30 days after its due date, his/her borrowing privileges will be suspended.

RENEWING LIBRARY MATERIALS

Items may be renewed a maximum of two (2) times. However, items may not be renewed if there is a pending "hold" on the item. If the item is overdue at the time of renewal, the standard overdue fine will be assessed.

Materials may be renewed in person or over the phone by calling 213-785-2555 or emailing: members@lalawlibrary.org.

CHARGES AND FINES

If materials are returned or renewed late, overdue fines will be assessed at the rate set forth in the current schedule of fees and charges ("Schedule of Fees and Charges") approved by the Board of Trustees. Failure to pay accrued fines may result in the Member's account being suspended and/or turned over to a collection agency.

Library materials are not due on Sundays or on holidays when the Library is closed, but such days will count as days of the circulation period and for calculation of overdue fines.

If Library material is overdue for more than 30 days, the item will be deemed lost and replacement steps initiated. Replacement costs in the amount set forth in the Schedule of Fees and Charges will be assessed and added to the overdue fines.

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A Member who reports an item as lost, and who confirms the loss in writing, will be charged the amount of the fines accrued at the time of the initial report, plus the replacement cost and the processing charge. If an item deemed lost is returned before a replacement is ordered, the charges will be reduced to the overdue fines as stated in the charge schedule.

The Library will charge a replacement fee for lost library cards in the amount set forth in the Schedule of Fees and Charges.

SUSPENSIONS / TERMINATIONS

Once a Sole Practitioner, Individual Attorney in a Law Firm, Judge or Research Attorney, or Non-Attorney Member reaches a fine equal to \$30, or a Law Firm reaches a fine equal to \$60, no additional circulation privileges will be allowed until the fine is paid in full.

If a Member fails to return library materials or to pay the due amount of fines or charges within 30 days of a mailed invoice, all borrowing privileges and parking benefits, if any, will be suspended until the amount due is paid. If the outstanding amount is not paid within 30 days following the date of the suspension, the amount owed will be deducted from the Member's Security Deposit. Borrowing privileges and parking benefits, if any, will remain suspended until the outstanding amount is paid.

If the outstanding amount is greater than the Security Deposit, the entire deposit will be taken and the Member's account will be interrupted. For members who were not required to provide a Security Deposit, accrual of unpaid fines or charges in excess of the standard deposit for Sole Practitioner/Non-Attorney Members or Law Firms, as applicable, will result in account interruption.

All Members Program related services will cease during the time of interruption. The Members Program account will be reinstated upon payment of all outstanding fines and charges, and replenishment of the Security Deposit, if one was initially required. The Members Program account will be closed at the end of the membership year if all outstanding amounts are not paid and the Security Deposit, where applicable, is not made whole.

A Member whose borrowing privileges and parking benefits, if any, have been suspended will not qualify for another borrowing category until the suspension has been removed, outstanding amounts have been paid in full and the Security Deposit has been made whole.

A Member whose borrowing privileges and parking benefits, if any, have been suspended may, in writing, request the return of their security deposit, less any fines or charges accrued, at any time within three (3) years after their borrowing privileges have ceased. Any balance of the Security Deposit remaining and not requested in writing at the end of the three (3) years will become the property of the LA Law Library.

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Members Program Borrowing Charges and Deposits

Membership Level/ Borrower Category	Annual Borrowing Fee	Security Deposit
Bronze Level – Sole Practitioner, Individual Attorney in a Law Firm, or Non-Attorney	\$195	\$140.00
Silver Level – Sole Practitioner, Individual Attorney in a Law Firm, or Non-Attorney	\$495	\$140.00
Gold Level – Sole Practitioner, or Non-Attorney	\$995	\$140.00
Law Firm	Varies by membership level and firm size	\$400.00
Charge Name	Specifics	Charge
Overdue Fines	5-day Loan	\$1.00 / day
	Special Loan	\$25.00 / day
	Maximum, 5-day Loan	\$60.00 / item
	Maximum, Special Loan	\$225.00 / item
Replacement Charges	In-Print item	Invoice Price
	Out-of-Print Item	\$150.00 (not replaced) or Reproduction Price
Processing Charges	For each item/volume	\$70.00
	Binding (if applicable)	\$25.00 / volume
Collection Agency Fees	Initiation Fee	\$11.95
	Transaction Charge	\$135.00
Audio / Disc	Box Replacement	\$10.00 / item
Library Card	Replacement	\$30.00

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Fee Name	Specifics	Fee
Document e-Delivery	Scanned document	\$12.00 / document For the first 50 pages, 20¢ per page thereafter
	Key Cite or Shepard's Report	\$2.00 / citation
	Case or Annotated Statute	\$3.00 / citation
	Case/Statute and Key Cite/Shepard's Report	\$4.00 / citation
Photocopy Service	Self-service copies	15¢ / copy
	Staff-assisted copies	20¢ / copy
Public Fax	Pages sent or received	\$1 / page
UPS/FedEx of Library Materials	Library's UPS Account	For each box of up to ten items: \$10 for the first volume plus \$1 for each additional volume, plus cost of shipping
	Member's UPS or Fed Ex Account	For each box of up to ten items: \$10 for the first volume plus \$1 for each additional volume, plus cost of shipping
Messenger Service	For picking-up/returning library materials	Service paid by Member directly; varies by location
Annual Fee to Designate a Messenger	Members get first two designations at no cost	\$16.25 per designation
Classes	Public	\$18.00 / class
	MCLE	\$32.50 / 1 credit hour
	MCLE	\$45.00 / 1.5 credit hours
	MCLE	\$63.00 / 2 credit hours
Room Rental	Private Office Space 1-4 people	\$12.50 / hour
		\$50 / half day \$100 / all day
	Conference Room 10-12 people	\$37.50 / hour
		\$150 / half day \$225 / all day
Training Center 30-50 people	\$150 / hour	
	\$450 / half day \$800 / all day	
Parking Violations	Failure to show for reservation	\$25
	Overstay of reservation	\$50

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AGENDA ITEM 5

CLOSED SESSION

- 5.1 Personnel (G.C. 54957). Public Employment. Title(s): Head of Cataloging; and Library Technician, Serials and Acquisitions.
- 5.2 Conference with Labor Negotiator (G.C. 54957.6). Library Negotiator: Patrick O'Leary and Sandra J. Levin; Employee Organization: SEIU Local 721