

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

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

December 16, 2008

The Regular Board Meeting of the Board of Law Library Trustees of Los Angeles County was held on Tuesday, December 16, 2008, at 12:00 p.m., at the offices of the Los Angeles County Law Library headquarters at 301 West First Street, Los Angeles, California 90012, for the purposes of considering reports of the affairs of the Library, and transacting such other business as might properly come before the Board of Trustees.

1.0 ROLL CALL/QUORUM

Trustees Present:

Kenneth Klein, Esquire
Judge Susan Bryant-Deason
Judge John Wiley
Judge Abraham Khan
Judge Jan Pluim (*entered meeting at 12:30 p.m.*)

Trustees Absent:

Susan Steinhauser, Esquire
Judge Lee Edmon

Staff Present: Marcia J. Koslov, Executive Director

Trustee Klein determined a quorum to be present, convened the meeting at 12:07 p.m. and thereafter presided. Executive Director Marcia Koslov recorded the Minutes.

No requests to speak from the public were received.

2.0 CONSENT CALENDAR.

Trustee Klein asked if there were agenda items to be removed from the Consent Calendar to the Agenda for discussion. No requests were made. Upon motion made by Trustee Wiley and seconded by Trustee Khan, the Consent Calendar was unanimously approved, 4-0.

The Items approved on consent were:

- 2.1 Minutes of the November 18, 2008 Regular Board Meeting
- 2.2 List of Checks and Warrants (October, 2008)
- 2.3 Draft FY 09 Financials July – October, 2008

3.0 ACTION ITEM

Approval of 2009 Regular Board Meeting dates. The Executive Director presented the 2009 Regular Board Meeting Schedule. The Regular Meetings are scheduled for the fourth Tuesday of each month with the exception of November and December, which will be held the third Tuesday. It was also the consensus of the Board to move the January 27th meeting date to January 29th. The suggested schedule was approved unanimously by the Board, 4-0.

4.0 DIRECTOR'S REPORT

The Executive Director highlighted the following items from her report:

- **Financial Update**
In response to the Board of Trustees' request for additional information about the Local Agency Investment Fund (LAIF), the Executive Director reviewed the history of the LA Law Library's participation in the Local Agency Investment Fund. The Executive Director stated that the LAIF fund is part of the Pooled Money Investment Agency (PIMA), managed by the Investment Division of the State Treasurer's Office. In addition, the Executive Director provided information on the current distribution of investment funds and analysis of annual performance yields. The Law Library began its participation in LAIF in November 1986 when it moved funds from the County general fund into LAIF.

- **Earthquake Insurance**
The Executive Director addressed the Board's request to revisit the cost of Earthquake Insurance. Currently the LA Law Library has a loss cap of \$38 million. If the Board wants to reduce the cap to \$15 million, the Law Library's premium will change from \$178,000 to \$130,000, saving \$47,000 during the premium period. The Board tabled discussion on earthquake insurance until 2009.

- **Facility Update**
As a follow-up to the Risk Assessment Report from Bob Pace, Commercial Real Estate Inspectors, LLC, the executive Director met with Curtis Murrell, Vice President / Sales Manager, of PCW Contracting Services and Rick Mayer and Greg Maher, Troller Mayer, Landscape Architects. The discussion and a walk-through of the building and property, identified a number of waterproofing issues in both the Mildred L Lillie Building and the free-standing parking structure on the corner of Hill and First that is owned by the Board of Trustees. The Executive Director requested that Mr. Murrell develop a proposal and a plan of action for repairing and/or otherwise correcting the identified problem areas. Together with the other exterior building issues, those plans will be presented at the February 2009 Board meeting.

5.0 DIRECTOR'S DISCUSSION

Michael DeCastro, Principal, and Helen Chu, Manager, Thompson, Cobb, Bazilio & Associates, PC presented the Board with the LA Law Library 2008 Draft Fiscal Year Financial Audit. Two items were noted: (1) the TCBA restated the value of the land, which historically had been carried at \$108,800, or the amount paid by the Law Library Board of Trustees for the property. The total cost of the land was \$580,333 that included a \$471,333 payment by the County. (2) Because the rare book collection is stated at 1986 appraisal values, it does not conform with generally accepted accounting principles. The result is that although all other portions of the financial statements are presently fairly, the firm issued a qualified opinion. TCBA stated that in the 2009 fiscal year audit, the Law Library would have an option to remove the rare book collection from its individually identifiable assets. Barring other issues, the result would be an unqualified opinion from the auditors. *The Board agreed that this recommendation would be implemented during the 2009 Fiscal Year Audit.* TCBA issued a separate report on Internal Controls / Financial Reporting and Compliance which indicated there were no internal control weaknesses and no non-compliance matters. Upon motion made by Trustee Wiley and seconded by Trustee Bryant-Deason, the LA Law Library 2008 Draft Fiscal Year Financial Audit was accepted, 4-0.

Trustee Plum entered the meeting at 12:30 p.m.

6.0 CLOSED SESSION

At 12:30 p.m. Trustee Klein announced that the Board would go into closed session for:

6.1 Conference with legal counsel – anticipated litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 Government Code - 2 cases. The first claim was made by Olga H Garau, dated November 25, 2008. It is a claim for Damages made pursuant to Government Code section 910, et seq. for premises liability, dangerous condition of public property, failure to warn, general negligence, negligence per se, negligent undertaking, negligent training and supervision, breach of mandatory duty, invasion of privacy and intentional and negligent infliction of emotional distress.

The second claim was made by Susan Niemeyer dated December 8, 2008. It is a claim for Damages made pursuant to Government Code section 905 and 910, et seq. for emotional distress and loss of past and future earnings.

6.2 Conference with legal counsel – existing litigation (Subdivision (b) of Government Code Section 54946). Betty Beard, an individual, Diane Reynolds, an individual vs. Los Angeles County Law Library, et al., Superior Court of the State of California, County of Los Angeles, Case No. BC381575.

6.3 Reconvene Open Session. The Board of Trustees reconvened the Open Session at 2:00 p.m. having concluded an executive session. The Board discussed and gave direction to Legal Counsel and the Executive Director in regards to items 6.1 and 6.2.

7.0 PUBLIC COMMENT

There was no public comment.

8.0 AGENDA BUILDING

No agenda building items were identified.

9.0 ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:00 p.m. by Trustee Klein. The next regular meeting of the Board of Law Library Trustees scheduled for January 29, 2009.

Marcia J. Koslov, Executive Director and Secretary
Los Angeles County Law Library Board of Trustees