

**MINUTES OF THE SPECIAL 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.**

June 14, 2011

The Special Board Meeting of the Board of Law Library Trustees of Los Angeles County was held on Tuesday, June 14, 2011 at 4:30 p.m., at 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 to the Library, and transacting such other business as might properly come before the Board of Trustees.

ROLL CALL/QUORUM

Trustees Present:

Susan Steinhauser, Esquire
Judge Reva Goetz
Judge Ann Jones
Judge Mark Juhas
Judge Luis Lavin
Kenneth Klein, Esquire
Judge Jan Plum

Trustees Absent:

Staff Present:

Marcia J Koslov, Executive Director

Also Present:

Benjamin Goldman, Littler Mendelson, P.C.
Sandra Levin, Colantuono & Levin, P.C.

President Steinhauser determined a quorum to be present, convened the meeting at 4:40 p.m. and thereafter presided. Executive Director Marcia Koslov recorded the Minutes.

1.0 PUBLIC COMMENT

There were no requests for public comment.

2.0 PRESIDENT'S REPORT

There was no President's report.

3.0 EXECUTIVE DIRECTOR'S DISCUSSION AND ACTION ITEM

Mildred L Lillie Main Library Building: Building Envelope Repair and Exterior Restoration. Discussion and Award of Contract. Recommendation: Award the bid to Swinerton Builders, the lowest responsive and responsible bidder, and, authorize the Executive Director to negotiate and enter into a contract with Swinerton Builders for the completion of the project.

Trustee Klein entered the meeting at 4:55 p.m.

Marcia Koslov, Executive Director, Jaye Nelson, Senior Director and Jeff Fyffe, Principal, CLEO Management, Inc. addressed the Board and responded to numerous questions and concerns from Board members. Among the issues addressed were the overall cost of the project, comparison of the second bid to the first bid, explanation of the base bid as well as the deductive and additive items, time and length of the project, the development of the contract and oversight of the project. Following full discussion, Trustee Plum moved, and Trustee Juhas seconded, the adoption of the following resolution.

RESOLUTION:

WHEREAS, the Mildred L Lillie Main Library Building ("Building") was built in 1950-52 with an expansion added in 1970-71, and

WHEREAS, in 2007 several issues regarding the Building's (i) safety and security and (ii) structural integrity were brought to the attention of the Board of Trustees of the Los Angeles County Law Library ("Board"), and

WHEREAS, the Board hired Commercial Real Estate Inspectors, LLC ("CREI") to complete a Risk Assessment Review of the Building's interior and exterior, and CREI subsequently issued a report addressing the Building's structure, mechanics, plumbing, electrical, HVAC and roof, and assessing each component's soundness and useful life if well maintained, and

WHEREAS, CREI stated that the "typical life for a building of this size and type of construction with proper maintenance is at least 100 year, but acknowledged that many of the needed repairs and maintenance had been deferred for several years, and

WHEREAS, the Board engaged the services of building, architect and engineering professionals including PCW Contracting Services, Troller, Mayer Associates, Inc. (TMA), and Alana+Buick+Bers (ABB), CLEO Management, Inc. , and

WHEREAS, the LA Law Library staff worked in conjunction with the above named professionals and under the guidance of County Counsel and Colantuono & Levin to prepare a public bid proposal , including detailed specifications and drawings that would (i) resolve safety and security

issues, (ii) resolve structural issues, including water damage and roof repairs, that threaten the Building's integrity and the collection; and (iii) significantly improve access to the Building for all library users, including the disabled, and

WHEREAS, two independent bid proposals for the Building Envelope Repair and Exterior Restoration resulted in a number of bids;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Los Angeles County Law Library does hereby award the Building Envelope Repair and Exterior Restoration contract to Swinerton Builders, identified as the lowest responsive responsible bidder, and

BE IT FURTHER RESOLVED that the Board of Trustees of the Los Angeles County Law Library authorizes the Executive Director to negotiate and enter into an agreement with Swinerton Builders in a form acceptable to library's general counsel, not to exceed \$5,100,000 (including a 10% contingency) that includes the additives and deductives identified in Chart 2 a. and b. below.

CHART 2

a) **Deductives:** Staff recommends deducting the following alternates:

Parking structure work	-189,500
Elastomeric paint in lieu of elastomeric coating	-15,200
Replacement of sealant	-76,500
Total Deductives	281,200

b) **Additive:** Staff recommends adding the following alternates:

Wet seal south strip of Admin office	8,800
Replace insulation, pipe hangers, protective jacketing at lower roof	51,600
Power wash existing aggregate panels	30,900
Provide rear door ADA access	88,000
Rehabilitation of rear side of parapets of book Stacks roof	68,700
Roof replacement, book stacks & upper roofs of original library bldg.	393,300
Roof replacement, lower roof of original bldg.	215,300
Apply roofing material at rear side of parapets of the book stacks	58,500
Total Additives	915,100

The Board approved the motion, 5-2, with Trustees Jones and Lavin voting "nay."

At 5:50 p.m. President Steinhauser requested that all persons, with the exception of counsel, to vacate the room for Closed Session, Item 4.1.

Trustee Goetz left the meeting at 5:52 p.m.

4.0 CLOSED SESSION

4.1 Closed Session. Conference with legal counsel – existing litigation. The Agency finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation. Government Code Section 54956.9(a). Grant v. Los Angeles Law Library, LASC Case # BC 452165.

Reconvene Open Session. The Board concluded its closed session and reconvened in open session at 6:02. Counsel Sandra Levin announced that the Board unanimously approved, 6-0, the settlement offer made by the plaintiff on the terms that were recorded in court at the settlement conference; further court approval is required, but no further Board action is needed.

At 6:03 p.m., President Steinhauser requested that all persons, with the exception of counsel, to vacate the room for Closed Session, Item 4.2.

4.2 Closed Session. Conference with labor negotiation (G.C. 54957.6) Labor Negotiator: Ben Goldman. Employee Organization: SEIU Local 721; Library Classifications 1 - 5. Non-represented Employees: All employees who are not represented by SEIU Local 721 (Library Classifications 4 (Support Supervisors / Executive Staff) and Classifications 6 – 10.); and Retirees.

Trustee Lavin left the meeting at 6:15 p.m.

Reconvene Open Session. At 6:30 p.m., the Board concluded its closed session and reconvened in open session. Labor Negotiator Ben Goldman announced that the board unanimously approved the MOU, 5-0, and that all employees will participate in the State Disability Insurance program.

5.0 AGENDA BUILDING

There were no items for Agenda Building.

6.0 ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:30 p.m. The next Regular Meeting of the Board of Law Library Trustees is scheduled for Tuesday, July 28, 2011.

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