

FRESNO COUNTY PUBLIC LAW LIBRARY

Business Meeting – November 7, 2017

REVISED AGENDA

1. Call to Order
2. Public Comment
3. Minutes pg. 1 (Action)
-- Disposition of Minutes September 5, 2017
4. Finance pg. 3 (Action)
-- June and July Expenditures/Revenue pg. 4
-- Revolving Fund pg. 5

Unfinished/Old Business

5. Presentation and Acceptance of Annual Report (Action)

New Business

6. None

Staff and Committee Reports

7. Librarian's Report pg. 6
 - IT upgrade
 - Unfunded Pension Liabilities
 - Form 700
 - New Payroll vendor
 - New West contract
 - Patron issues

Other Business

8. Announcements/Correspondence
9. Adjourn - Next Regular Meeting December 5th, 2017

2017 Law Library Trustee meetings: December 5th.

FRESNO COUNTY LAW LIBRARY BOARD OF TRUSTEES
Meeting of September 5th, 2017

Minutes

A business meeting of the Fresno County Law Library Board of Trustees was held September 5th, 2017 during the lunch hour, at the Fresno County Law Library, 1100 Van Ness Avenue, Room 600, Fresno, CA 93724, for the purpose of conducting such library business as might properly come before the Board of Trustees. Trustee Alvarez called the meeting to order at 12:06. Trustees present at the call to order: Hon. Gregory Fain, Hon. Rosemary McGuire, Hon. Brian Alvarez, Hon. Kimberly Gaab and Robert Towne. Library Director Peter Rooney was present and served as secretary to the Board. No member of the public was present.

The minutes of the June 6th, 2017, upon motion (Fain) and second of (Towne) were approved.

Director Rooney discussed current status of expenditures, revenue, and revolving checking for the month of June and July 2017. Director Rooney presented that overall expenditures were in line with budget expectations and were trending lower than originally budgeted. The June expenditure was slightly lower than projected and July was slightly higher. This was due to expenses in June shifting to July because of payment timing. Revenue remains pretty stable and consistent. Upon motion (Towne) and second (Gaab) all financial reports were unanimously accepted.

Director Rooney presented the fiscal 2016-2017 audit. There were some technical issues in preparing and some corrections that need to be made to, but the overall report was in compliance. Trustee Alvarez asked about any recommendations from the auditor. Director Rooney said they recommended moving more of the reporting and authorization to online systems. It was not the reflection of a deficiency. It was suggestion for improvement. The board was comfortable with moving some of the reporting to a new system, but did not adopt all of the suggestions.

Director Rooney Presented the annual report for the 2017 fiscal year. There were errors in some in the page placement and numbers reported, so the board deferred approval until November, so that the report can be corrected.

Director Rooney presented the librarian report. He updated them on the department's new hires. The IT upgrade project is moving forward, albeit at a really slow pace. Director Rooney then began a discussion about the agency's unfunded pension liability. He outlined the problem with the ongoing unfunded liability and the cost to the institution. He then presented a suggestion of paying off the liability in a lump sum to avoid the ongoing cost. This led to an extensive discussion about the process, the variables, and the pitfalls of proceeding with this approach. Ultimately, the board requested Director Rooney seek out more information about this issue and to retain and expert to render an opinion on proceeding with plan.

Director Rooney reported on difficulties with West Contract negotiations. Trustee Towne asked if that was related to numbers reported in the audit and Director Rooney confirmed the numbers were related to the potential lapse in contract commitments going forward.

Trustee Fain suggested that food no longer be provided at the meeting and the rest of the board unanimously agreed.

The board concluded the meeting and adjourned on motion (Alvarez) and second (Towne) at 1:02pm.

Respectfully submitted,

Peter K Rooney, Library Director
Secretary

Law Library Agenda Summary

Item 4 – EXPENDITURES

Expenditures for August and September are approximately the same as the prior year and in line with current budget expectations. Law Library expenditures will start to decrease this month. We should see lower continuation and revision expenditures (line 1) going forward.

Item 4 – REVENUE

Revenue for August & September is approximately 5% lower than the prior year. However, considering the vagaries of filing fee reporting and our current expenditure budget, I am not concerned at this time.

Item 4 - REVOLVING CHECKING

There were no revolving checking transactions during August or September.

L
I **BALANCE 7/1/17**
N **\$1,089,833.15**
E RESERVE (general) \$300,000
SET ASIDE: \$330,225
LIABILITY: \$42,783

	BUDGET AMOUNT	AUGUST	SEPTEMBER	YTD EXPEND	BUDGET BALAI
1 CONT/REVISIONS	\$370,000.00	29895.63	30286.81	74132.57	295867.43
2 SUBSCRIPTIONS	\$20,000.00	2872	589	3740.61	16259.39
3 NEW ACQUISITIONS	\$1,000.00			0	1000
4 e-SUBSCRIPTIONS/CD-ROM	\$33,750.00	1852.13	1852.13	7408.52	26341.48
5 AUDIO/VISUAL	\$0.00			0	0
6 REPLACEMENT	\$300.00			0	300
7 BINDERY	\$100.00			0	100
8 LIAB/PROP INSURANCE	\$12,500.00			3613.55	8886.45
9 Professional Serv/Memberships	\$1,450.00			0	1450
10 Education/Travel	\$2,500.00	100		100	2400
11 SOFTWARE w/ maint	\$7,000.00		6633.48	6633.48	366.52
12 ITSD	\$20,300.00	938.79	1101.12	4034.54	16265.46
13 BOARD MEETINGS	\$300.00			32.75	267.25
14 COMMUNICATION	\$600.00			0	600
15 OFFICE SUPPLIES	\$850.00	21.62	26.74	75.16	774.84
16 POSTAGE	\$350.00	15.99	15.99	47.97	302.03
17 LIBRARY SUPPLIES	\$500.00	59.39		59.39	440.61
18 COPIER SUPP/MAINT	\$1,800.00	149.55	149.55	448.65	1351.35
19 EQUIP SUPPLIES	\$250.00			0	250
20 MAINT EQUIPMENT	\$300.00			0	300
21 MAINT FACILITY	\$400.00			0	400
22 EQUIP/FURNISHINGS (NEW)	\$250.00			0	250
23 Library Development	\$150.00	142.66		142.66	7.34
24 Library Programs/PR	\$350.00			29.03	320.97
25 CAP IMPROVE				0	0
26 GASB 45 Actuarial Services	\$0.00	700		700	-700
27 AUDIT	\$7,200.00		7200	7200	0
28 Calpers deficit	\$0.00			5907	-5907
29 Reserve/Sp Fund Expenditure				0	0
PERSONNEL					0
30 SAL/DIRECTOR	\$88,000.00	7333.34	7333.34	22000.02	65999.98
31 SAL/REF LIBRARIAN	\$67,000.00	4354.05	5583.34	14291.44	52708.56
32 SAL/ASST II (TECH)	\$0.00			0	0
33 SAL/ASST II (CIRC)	\$35,000.00	2750	2750	6896.56	28103.44
34 EXTRA HELP	\$12,000.00	1239.5	660	3543.5	8456.5
35 Payroll Processing	\$840.00	72.54	72.54	217.62	622.38
36 RETIREMENT	\$15,000.00	943.31	979.15	2777.26	12222.74
37 SOC SECURITY	\$13,940.00	971.97	1012.26	2897.36	11042.64
38 MEDICARE	\$2,984.00	227.31	236.73	677.58	2306.42
39 COMP INSURANCE	\$1,700.00		1500	1500	200
40 HEALTH INS	\$5,700.00	903.96	451.98	1355.94	4344.06
41 HEALTH INS - retirees	\$15,600.00	1295.01	1295.01	3885.03	11714.97
42 CERBT ARC	\$0.00			0	0
43 GASB 45 Actuarial Services	\$1,500.00			0	1500
44 Other Payroll Expense	\$0.00	227.05	-500.31	-383.8	383.8
45					
46 TOTAL EXPEND	\$741,464.00	57065.8	69228.86	173964.39	567499.61
47					
48 RECEIPTS	Projected			Cumulative	
49 FILING FEE RECEIPTS	\$697,000.00	66184.47	59373.49	182171.03	514828.97
50 COPIER / CARDS	\$3,500.00	384.12	308.4	975.98	2524.02
51 OVERDUES	\$1,250.00	120	31	246.5	1003.5
52 RENTALS	\$0.00			0	0
53 COPY SERVICE(mail)	\$0.00			0	0
54 INTEREST	\$22,500.00		6110.13	6953.14	15546.86
55 BOOK SALES	\$350.00	24	13.02	59.02	290.98
56 CERBT TRUST REIMBURSEMEN	\$15,250.00			7738.56	7511.44
57 MISC (cd-rom/other)	\$0.00			1852.13	-1852.13
58 Cancelled Checks/credits	\$300.00			308.19	-8.19
59 Payment for lost book				0	0
60 Set Aside Fund Transfer	\$0.00			0	0
61 Donation				0	0
62 (shortage/overage)		-3.75	3.43	1.77	-1.77
63 TOTAL RECEIPTS	\$740,150.00	66708.84	65839.47	200306.32	
65 MONTH END		1119564.47	1116175.08		

FRESNO COUNTY LAW LIBRARY		Account: 04-970402	
Revolving Fund Checking Account			
Bank of the West		2035 Fresno St.	
DATE	CK No.	PAYABLE TO:	PURPOSE:
9/1/2017		Balance 8/31/17	AMOUNT
		no activity	DEPOSIT
10/1/2017		Balance 9/30/17	BALANCE
		no activity	\$3,500.00
11/1/2017		Balance 10/31/17	\$3,500.00
			\$3,500.00

Law Library Agenda Summary

Item 5 – Annual Report

Corrected annual report is attached to the end of the packet.

Item 7 – Librarian’s Report

IT Upgrade-

IT upgrade is still moving forward at a snail’s pace. My hope is to have it completed sometime before I retire. At this point, I put the odds at 50/50. As a consequence, introducing the bookkeeping software will be delayed.

Unfunded Pension Liability-

I spoke to several of my colleagues about the issue with unfunded pension liability and how to tackle it. Generally speaking, they are attempting to pay it down aggressively when possible. They are also uncomfortable with the level of uncertainty that the CalPERS organization has presented in taking this sort of action, but see little positive alternative in just maintaining the status quo. I have also contacted our CERBT actuary (North Bay Pensions) about possibly preparing a report or opinion letter to give the board guidance in how to proceed. At this time, he was unsure if it would be possible, but asked for some additional information and said he would get back to me for further discussion.

Form 700 -

As I am sure you are aware, it is Form 700 filing season. As I am sure you are also aware, this year the county is requiring that all filings be made electronically. Due to the issue we had last year with filing electronically (the system does not seem to be able to see those who hold both state and local positions as one person), so I contacted the county for guidance on how we should proceed this year. As of today, I was told they would seek guidance from county council and get back to me. I am not sure exactly what that means, but I will update you as I get more information.

New Payroll Software-

We have almost completed the transition from ADP to the Paychex payroll software. It looks like we will see a couple of benefits from this transition going forward and save a few dollars each month as well.

New West Contract-

I reported last contract negotiations with West Publishing were at an impasse over the library’s LMA. A deal has been struck. I am not totally happy with it, but it accomplished many of goals I wanted to achieve.

Patron Issues-

Around the time of the last board meeting, we had a couple of confrontational incidents with a patron. These incidents escalated to the point where I told the patron that she was permanently banned from using the library. Approximately a week after being banned, she came back into the library and requested to have access again. I told her "no" and she requested to speak to my supervisor. I explained to her the petition process and she left. I then contacted Judge Petrucelli and apprised him of the situation. As of today, I have not heard from the patron.

FRESNO COUNTY PUBLIC LAW LIBRARY FRESNO, CALIFORNIA



ANNUAL REPORT 2017

The following annual report for the fiscal year ended June 30, 2017 is prepared Pursuant to Sections 6349 and 6350 of the California Business & Professions Code and was accepted by the Fresno County Law Library Board of Trustees on November 5, 2017. All financial declarations herein have been reviewed by an independent auditor and conform to audit released in September 2017.

Peter K. Rooney
Library Director
Secretary to the
Board of Trustees

Fresno County Public Law Library
www.fresnolawlibrary.org
1100 Van Ness, Room 600
Fresno, California 93721
(559) 600-2227

TABLE OF CONTENTS

Summary	2
Trustees & Staff	4
Collection & Services	5
Missing Material	6
Finance Summary	7
Receipts – Detail	8
Disbursements – Detail	9
Special Funds	10
GASB Financial Disclosure	11

FRESNO COUNTY PUBLIC LAW LIBRARY SUMMARY OF FISCAL YEAR 2016--2017

Public law libraries in California serve as legal information centers. The librarians organize and educate to ensure the public can access and utilize information and to support all those seeking access to justice. This report provides a brief overview of the year and serves to meet the requirements of California Business and Professions Code Section 6349.

SERVICE

The law library continued its partnership with the court and Central California Legal Services to offer a guardianship clinic for Fresno County. This clinic provides prospective guardians with education, training, and document filing assistance for their guardianships. The partners have worked well together and have increased outreach and coordination. This has led to more frequent clinic offerings and has increased patron assistance. Attendance has increased 10% over the prior fiscal year and now almost 66% of all guardianship filings in the county attend the clinic.



Mark Masters presenting at
Guardianship Clinic

For the fifth year, the law library participated in *Law Day in Courthouse Park* as part of the Law Day 2017 celebration. Though public attendance was noticeably lower than prior years, it still offers the law library an opportunity to do public promotion.

Public pro se patrons now represent approximately 70% of the law library's patrons. This continues to pose a challenge to staff to provide reference assistance and support to a more demanding patron base. To address this, the law library continues to look for self-help resources and materials.

LIBRARY RESOURCES

The law library continues to offer patrons a comprehensive collection of research tools to address any legal topic or transaction type. For many publications, researchers had the option of print or online formats. Although the number of print volumes in the law library continues to decline, the amount of resources available through the library's online subscriptions has increased to meet almost all patron needs. For pro se litigants, the online Nolo Press self-help library continues to be one of the most popular resources offerings and can be accessed by patrons remotely. The library staff continues to update and increase the self-help collection and resources. Brochures, developed by staff, are updated and revised to assist patrons with procedures for filing civil and criminal forms. The staff also continues to create and distribute more sample pleadings and templates to patrons.

FINANCE

The objective of the law library is to maintain a balanced budget. This year, the law library experienced a 1.8% increase in filing fee revenue. However, this did not alleviate the budgetary pressure from the annual publisher price increases (6-10%). To meet this continuing financial challenge, the library made adjustments to its holdings. These adjustments accomplished the objective and the fiscal year ended with a small increase to the overall cash balance. Details of revenue and expenditures follow on pages 7 through 9.

**FRESNO COUNTY LAW LIBRARY
BOARD OF LAW LIBRARY TRUSTEES**

NAME AND TERM

Honorable Brian Alvarez, 2011 – Current
Supervisor Andreas Borgeas, 2013 -- Current
Honorable Gregory Fain, 2005 – Current
Honorable Kimberly Gaab, 2009 – Current
Honorable Rosemary McGuire, 2011 - Current
Honorable James Petrucelli, 2008 – Current
Robert Towne, 2013 - Current

LAW LIBRARY STAFF

Peter K. Rooney
Director

Mark J. Masters
Reference

Janette Gallardo
Library Assistant II

Jennifer Montalvo
Library Assistant I

FRESNO COUNTY LAW LIBRARY

Collection and Services

COLLECTION

Titles Reported July 1, 2016	3,147
Titles Added Fiscal Year 2016-17	11
Titles Withdrawn	< 96 >
TITLES JUNE 30, 2017	3,062
Volumes Reported July 1, 2016	46,255
Volumes Added Fiscal Year 2016-17	71
Volumes Withdrawn	< 183 >
Inventory Adjustment	0
VOLUMES JUNE 30, 2017	46,143
Microfiche Volumes	50,647
Text CDs & Disk	163
Audio Recordings	5
Revisions/Update Transactions	1,472
Revised/Replaced Volumes	730

CIRCULATION

All Items	1,230
In-house Usage	1,783
Number of Registered Borrowers	989

SERVICES

Reference	1,727
Directional	1,913
Interlibrary Loan	5
Room Reserves	29

Missing Material

During the course of shelving or inventory it comes to the attention of library personnel that material is missing from the library collection. The following is a list of those items discovered missing from the collection.

1. How to Handle your Small Claims Case (No replacement. Replaced with update)	\$34
2. Bernhardt's California Real Estate Laws (No replacement. Waiting for 2017 ed.)	\$56
3. California Juvenile Dependency Practice (No replacement. Waiting for update)	\$48
4. How to Manage a Contested Divorce in CA 2016 (No replacement. Replaced with update)	\$39
5. American Jurisprudence Proof of Facts 3d v.72 (No replacement ordered)	\$775
6. Is it Admissible? (No replacement. Replaced with update)	\$228
7. California Search and Seizure 2016 (No replacement. Replaced with update)	\$145

**FRESNO COUNTY LAW LIBRARY
FINANCIAL STATEMENT FOR FISCAL YEAR 2016-17**

SUMMARY:

BALANCE JULY 1, 2016	\$ 1,088,675
Receipts	753,219
Filing Fee Reserve Transfer	3,000
<hr/>	
SUBTOTAL	1,844,984
Total Disbursements/Deductions	747,858
BALANCE 6/30/17	1,089,941
RESERVE:	
Insurance Retention	5,000
Unemployment Insurance Reserve	5,000
Equipment Reserve	20,000
Annual Leave Payoff Reserve	12,783
(Annual Leave Liability 6/30/17= \$9379.96.)	
Filing Fee Set Aside & Other Reserve	630,225
Reserve Transfer to Available Trust Fund	(3,000)
RESERVE BALANCE	670,008
<u>Other Funds Held by Law Library (funded, deposited with county)</u>	
Frank Wells Fund	108
<u>Other Funds Held by Law Library (funded, deposited outside of county)</u>	
Revolving Fund	3,500
Account 00102-18570 Bank of America	
Payroll – EFT Tax Payments	27,238
Account 097-091144 Bank of the West	
CALPERS Deferred Compensation Program	35,192
Plan 4-50070	

FINANCIAL STATEMENT DETAIL - RECEIPTS

Court Filing Fees		\$ 704,181
<u>Other</u>		\$ 47,055
Copywork	4,322	
Overdues	1,133	
Audio Rentals	0	
Interest	25,510	
Book Sales	389	
Misc.	0	
CERBT Reimbursement	15,696	
Canceled Checks/Credits	0	
Payment for lost book	0	
Shortage/Overage	5	
Transfer from Reserve	0	
TOTAL RECEIPTS		\$ 753,219

INTEREST RATES FOR FISCAL YEAR 2016-17

Quarter Ending	Interest Rate
09/30/16	1.421%
12/31/16	1.319%
03/31/17	1.598%
06/30/17	1.560%

FINANCIAL STATEMENT DETAIL - DISBURSEMENTS

<u>Library Resources</u>		\$474,021
Continuations	419,859	
New Titles	0	
Subscriptions	18,894	
e-Subscriptions/Databases	32,875	
Audio/Visual	0	
Replacement	0	
Bindery	0	
Memberships	939	
Education & Training	1,454	
<u>Personnel</u>		\$239,008
Salaries	172,519	
Extra Help / Hourly	13,521	
PERS - Retirement	14,725	
Health Insurance – Actives	7,223	
Health Insurance – Retirees	14,228	
Social Security/Medicare	14,204	
Workers Comp Insurance	1,514	
Payroll Process Fees	1,074	
<u>Other</u>		\$34,829
Insurance	11,500	
Communications	338	
Postage	376	
Board Meetings	183	
Library Programs/Marketing	0	
Office Supplies	715	
Library Supplies	465	
Facility Maintenance	372	
Copier Supplies & Maintenance	1,753	
Equipment Maintenance	94	
Fund Set Aside/Exp	0	
Actuary Services	1,300	
Audit	0	
Software Maintenance	6,258	
Network / IT	11,475	
Total Disbursement and Deductions		\$ 747,858

FRESNO COUNTY LAW LIBRARY / FINANCIAL STATEMENT
REPORT OF SPECIAL FUNDS

LEVY DOMESTIC VIOLENCE FUND

Funded by private donations for the purchase of books on the topic of domestic violence. The collection is maintained in honor of Justice Herbert I. Levy.

Fund Balance June 30, 2017 \$ 0

WITKIN FUND

Funded by private donations for the development of the B.E. Witkin Room. Although no activity occurred in this fiscal year the fund remains active to allow future improvements to the facility.

Fund Balance June 30, 2017 \$ 0

FRANK WELLS FUND

Funded by private donations this fund is used to purchase books of local historical interest. The collection is maintained in honor of attorney Frank Wells.

Fund Balance June 30, 2017 \$ 108

REVOLVING FUND CHECKING ACCOUNT

Funded by law library trust fund. Established as petty cash and used for small purchases requiring immediate payment. Increased balance amount to avoid bankfees.

Fund Balance June 30, 2017 \$ 3,500

PAYROLL BANK ACCOUNT

Funded by law library trust fund. Account held at Bank of the West for the sole purpose of payroll and the electronic transmission of mandated payroll taxes. Balance established to cover funds withdrawn my payroll processor (ADP) as needed and to avoid all service fees.

Fund Balance June 30, 2017 \$ 27,238

CALPERS SUPPLEMENTAL INCOME 457 PLAN

Funded by employees. A tax deferred employee saving program established pursuant to Internal Revenue Code Section 457 and held In trust by California Public Employees' Retirement System.

Fund Balance June 30, 2017 \$ 35,432

Notes to Financial Statements
Post Employment Benefits

The Fresno County Public Law Library is a miscellaneous public agency member of the California Public Employees' Retirement System (CalPERS). The library participates in an employer/employee shared cost defined benefit pension program. Effective June 30, 2003 the library was moved to a mandated risk pool for all public agencies. The employer contribution rate for fiscal year ended June 30, 2017 was 7.159% of payroll for those employees on the payroll prior to January 1, 2013 and 7.00% of payroll for those employees on the payroll beginning January 1, 2014.

The most recent actuary provides the following financial data:

Net employer Normal Cost	\$ 9,899
Risk Pools Payment (Amortization Bases)	6,101
Amortization of Side Fund	(0)
Total Employer Contribution	10,589
Normal Accrued Liability	1,277,572
Actuarial Value of Assets	1,012,679
Funded Ratio	79.3%

The Fresno County Public Law Library is a miscellaneous public agency member of the California Public Employees' Retirement System (CalPERS). The library contracts with CalPERS to provide health benefits for active employees and retirees. The law library contributes toward the monthly premium at an amount not to exceed \$450 for covered members with or without dependent coverage. Members are responsible for any premium amount that exceeds the law library contribution.

Beginning April 16, 2008 the Fresno County Law Library contracted with California Employers' Retiree Benefit Trust to manage post employment benefit funds. The Law Library elected to fully prefund the liability.

The most recent actuarial provides the following financial data for June 30, 2015:

Number of covered employees:	Actives 2	Retirees 3
Actuarial Present Value of Projected Benefits	Actives:	\$ 89,270
	Retirees:	<u>\$ 75,028</u>
Total APVPB		<u>\$164,298</u>
Normal Cost		\$ 2,630
Actuarial Accrued Liability (AAL) (Combined)		\$143,087
California Employers' Retiree Benefit Trust Balance (6/30/17)		\$350,441