

MINUTES
SPECIAL MEETING OF THE BOARD OF TRUSTEES
OF THE
BUENA PARK LIBRARY DISTRICT
July 9, 2011

CALL TO ORDER: President Niccum called the meeting to order at 1:03 p.m.

PLEDGE OF ALLEGIANCE: President Niccum led the flag salute.

ROLL CALL

Board Members Present: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi and Trustee Salts

Staff Present: Patti Hanley, Library Director; Patricia Rivera, Public Services Manager; Mary McCasland, Support Services Manager; and Marcia Miyoshi, Librarian I

I. ORAL COMMUNICATION

a) From Public concerning non-agenda items

Director Hanley addressed the Board saying that she had sent a written request that this meeting be held in Open Session. She asked if that was the Board's intent. President Niccum said that Item II a) will be held in Closed Session pursuant to the Government Code. As a result of her request, Item II b) will be removed from the Closed Session and will be held in Open Session as Item III a). The Director said she would reserve her comments until then.

II. CLOSED SESSION

Before recessing into Closed Session, President Niccum re-stated that the Library Director asked that Item II b) be held in Open Session. While it is the position of the Library District that circumstances that authorize her to make this request do not pertain in this case and are therefore not applicable. As a gesture of courtesy to her, the Board is extending the opportunity for that to occur in Open Session. So, the remaining Closed Session item will be Item II a) the performance evaluation. The Board will recess into Closed Session and conduct that discussion and return to Open Session to proceed with the balance of the Agenda.

The Board recessed into Closed Session at 1:07 p.m.

a) Public Employee Performance Evaluation (pursuant to Gov. Code Section 54957)

-Library Director

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The Board reconvened into Open Session at 1:59 p.m.

President Niccum stated that while in Closed Session the Board conducted a performance evaluation of the Library Director pursuant to Government Code Section 54957 and took no reportable actions during the evaluation.

III. OPEN SESSION

- a) Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957)

President Niccum addressed Director Hanley saying that earlier she had indicated that she wanted to make a statement.

Director Hanley said she wanted to make a request and then a statement. First, she wanted to renew her request pursuant to the Brown Act to see the written statements, or in the alternative, to talk to each complainant. There was nothing written on them that said they were, or was it known to her that they were, secret. And even if they were confidential, given the proceedings at hand, that confidentiality disappears. So she is asking again and renews her request to be given copies of the statements from each and every person, not just employees but any person, who made a complaint about her.

President Niccum said that certainly to the second element about talking to complainants, she may talk to anyone she wishes to during their non-assigned hours if she wants to get a sense from those individuals about what they might have said if they are willing to discuss that with her it is within her rights and abilities. In terms of reviewing the written documents, as he indicated in his email to her, the Board is not going to do that.

Trustee Salehi added in response that it was important to mention that the Board was not using that as a basis for anything. Director Hanley responded that since he had said that on the record she wanted to say that they absolutely did say on Tuesday evening that they were using those as a basis. Trustee Salehi asked if he had said that. Director Hanley said that President Niccum did the talking and he indicated that those were the basis. Since this is being recorded, she wanted to be sure that it is on the record that it was said on Tuesday evening. There are no take backs on that right now.

President Niccum said that Director Hanley had a request and a statement. Director Hanley stated that she felt this was almost the perfect job for her and she was very, very happy when they hired her and she looked forward to a long and mutually agreeable and progressive working relationship. She was very proud of the things she accomplished during her time here and she wanted to thank the Board for the opportunity to serve them and the community people of Buena Park.

President Niccum thanked her and responded that she had accomplished a number of very good things here. He wanted to acknowledge that. He thought some of those things

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will have impact on into the future. But he also wanted to say that in terms of the elements of their evaluation that Board members came to their judgments in this circumstance based on their own individual reactions and interactions and individual judgments and did not need third party input in order to form those judgments. With that he said he would entertain a motion on Item III a).

MOTION by Trustee Ganer to dismiss the Library Director with 30-days paid salary, commencing today. Second by Trustee Miller.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

The motion passed unanimously.

President Niccum stated that they were at the end of the posted agenda and he asked if there was anything else. Patti Hanley asked for clarification about when her medical, dental and vision benefits would end. President Niccum stated that it was his intention when voting for the motion, and he asked if the other trustees had the same intention, that with the pay went all the benefits associated with salary and they would expire when the 30 days pay expired. Patti said the benefits would go through August since benefits expire at the end of a month. President Niccum indicated that for the record all Board members have indicated their assent to that interpretation to the motion.

ADJOURNMENT

MOTION by Trustee Salts to adjourn the meeting. Second by Trustee Miller.

AYES: Trustee Ganer, Trustee Miller, Trustee Niccum, Trustee Salehi, Trustee Salts

Motion was approved unanimously.

The meeting stood adjourned at 2:06 p.m.

Submitted by,

Patricia M. Ganer
Board Secretary