

CLEVELAND PUBLIC LIBRARY
Minutes of the Special Board Meeting
July 23, 2008
Trustees Room Louis Stokes Wing
12:00 Noon

Present: Ms. Butts, Mr. Corrigan Mr. Seifullah, Ms.
Rodriguez, Mr. Hairston, Mr. Werner

Absent: Ms. McClung

Ms. Butts called the Special Board Meeting to order at
12:08 p.m.

OATH OF OFFICE CEREMONY FOR NEW TRUSTEE

Mr. Corrigan administered the oath of office to new trustee John M. Hairston, Jr.; trustee newly appointed by the Board of Education to the Library Board for a seven-year term, expiring on July 2, 2015.

Ms. Butts stated that a formal swearing in ceremony will take place at the September Board Meeting.

Resolution Regarding Equal Opportunity in Contracting and Services

Mr. Corrigan moved approval of the following resolution. Ms. Rodriguez second the motion, which passed unanimously by roll call vote.

WHEREAS, The Cleveland Public Library Board of Trustees adopted on June 17, 2008 an amendment repealing and suspending operation of its December 16, 1993 Affirmative Action/Equal Employment Opportunity Policy; and

WHEREAS, The Library wishes to employ and contract with as many residents of the Library's service area as possible in its Programs consistent with applicable civil rights and equal employment opportunity laws; now, therefore, be it

RESOLVED, That the Library's contracting policies operate in a non-discriminatory manner. The Library shall not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract on the basis of race, color, religion, sex, national origin, disability or age in compliance with all applicable civil rights and equal employment opportunity laws; and be it further

RESOLVED, That the Library will make every effort not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives set forth herein with respect to individuals of a particular race, color, religion, sex, national origin, disability or age in compliance with applicable civil rights and equal employment opportunity laws; and be it further

RESOLVED, That the Library will make every effort to maximize the use of race-neutral measures in contracting; and be it further

RESOLVED, That the Library will require its contractors and subcontractors to not discriminate on the basis of race, color, religion, sex, national origin, disability, age in compliance with applicable civil rights and equal employment opportunity laws in the performance of any contract; and be it further

RESOLVED, That the Library shall seek to expand opportunities for contracting by qualified individuals in compliance with applicable civil rights and equal employment opportunities laws by, where possible, advertising contracting opportunities as widely as possible, breaking down contract components, developing notification lists to publicize bidding opportunities along with all statutory notice requirements, and requiring its contractors and subcontractors to respectively certify their compliance with all applicable civil rights and equal employment opportunity laws.

Mr. Corrigan introduced Attorney Peter N. Kirsanow of Benesch Friedlander Coplan & Aronoff, LLP who gave historical background on this resolution as well as its benefit Cleveland Public Library as it was prepared to

demonstrate the Library's commitment to ensure that appropriate procedures were in place to make available equal opportunity for Cleveland residents and contractors interested in participating in Library capital improvement projects.

Mr. Kirsanow recommended the Library engage in a pre-disparity study that would support the Library in the use of race conscious programs.

Mr. Corrigan advised staff to construct a resolution to engage in a pre-disparity study for consideration and at its September Board Meeting.

Responding to a query from Ms. Butts, Ms. Rodriguez stated that she would ensure that contractors working on Woodland and Rice Branch Libraries have appropriate certifications and are compliant with anti-discrimination laws and regulations.

Holly Carroll, Interim Director, stated that Library architects have been requested to break down contract components to increase the probability of minority contractor participation in Rice and Woodland Branch construction projects.

Mr. Seifullah recommended that the Library seek input from the NAACP and Urban League as a resource in addressing anti-discrimination issues relative to minority contractors.

Mr. Ken Bender, Vice President, Black Contractors Group, Inc. stated that people of Cleveland voted to pass the tax levy to pass and stressed the importance of minority representation on Library construction projects.

Mr. Perry Roberts, Secretary, Black Contractors Group, Inc. stated that the Library consider employing a compliance officer and monitors that will report findings and make recommendations to the Board.

Mr. Corrigan stated that the Library should consider assigning a staff member to monitor contract compliance and complaints.

Ms. Rodriguez stated that architects of both Rice Branch and Woodland Branch are being held to higher standards to ensure appropriate compliance to increase minority participation within the law.

Mr. Corrigan stated that the Library should also consider wrapping insurance policies purchased by the Library for each construction project instead of requiring contractors to individually pay for insurance.

Mr. Hairston stated that this resolution is important and recommended ongoing dialogue with minority contractors and staff.

Ms. Butts moved to conclude the Special Board Meeting. Mr. Corrigan seconded the motion, which passed unanimously by roll call vote.

The Special Board Meeting adjourned at 12:58 p.m.

Alice G. Butts
President

Maritza Rodriguez
Secretary