

CLEVELAND PUBLIC LIBRARY
Joint Finance and Community Services Committee Meeting
October 16, 2012
Trustees Room Louis Stokes Wing
12:00 Noon

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

Absent: Mr. Hairston, Mr. Parker

Ms. Rodriguez called the joint meeting of the Finance and Community Services Committee to order at 12:13 p.m.

FINANCE COMMITTEE MEETING

Sixth Amendment to the Year 2012 Appropriation

Carrie Krenicky, Chief Financial Officer, stated that this Amendment will increase in Other Sources-Special Revenue by \$40,000 relating to the Thomas Lynch trust distribution and a \$10,000 transfer from Purchased/Contracted Funds into Other Objects to accommodate travel mileage reimbursements.

Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution to Advance Cash from the General Fund to the Schweinfurth Fund

Carrie Krenicky, Chief Financial Officer, stated that this is a yearly advance of cash from the General Fund to the Schweinfurth Fund as the Schweinfurth Fund is a reimbursement grant that funds must be expended before reimbursement.

Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution to Join the Ohio Multi-Agency Radio Communication System (MARCS) and to Purchase Radio System for Cleveland Public Library Safety & Protective Services

Tim Goergen, Manager, Safety & Protective Services, stated that an analysis of the current radio system highlighted multiple problems such as the inability of the radio system to facilitate communication among branch patrol and Lake Shore Safety & Protective Services and the subsequent failure of key functionality of the radio system. In addition, the Federal Communications Commission has mandated the exclusive use of digital radios, eliminating use of analog radios, which the Shelf Division currently uses. Library management reviewed proposals and recommends the Library join the Ohio Multi-Agency Radio Communication System (MARCS), to provide the Library's Safety & Protective Services with reliable communications and the ability to communicate with surrounding Police, Fire and EMS agencies. This resolution also authorizes a \$71,536.00 purchase agreement with Motorola

Solutions to purchase the necessary radios and accessories necessary to join MARCS. This resolution also authorizes a Subscription Agreement with the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office (MARCS) for MARCSIP subscription service at an annual fee of \$31.00 per year per radio, totaling \$775.00 for 25 radios.

Mr. Corrigan stated that the MARCS system is a part of the 911 Solution.

Mr. Goergen stated that the Motorola Radios have a 25 year shelf life and includes technology updates through the MARCS system as provided by the yearly subscription fee.

Responding to an inquiry by Mr. Werner, Mr. Goergen stated that an RFP was not a part of this process, as Motorola is selling the radios to the Library directly below the State contract bid price the Library is able to take advantage of the significant cost reductions because of the participation of other Ohio counties in the MARCS systems.

Joyce Dodrill, Chief Legal Officer, stated that the Library is not required by law to competitively bid this purchase and the subscription of the MARCS program. However, Ms. Dodrill stated she would investigate if this was the equivalent of a sole source justification and report back to the Board.

Ms. Rodriguez stated that after additional review by Ms. Dodrill, this item would go to the full Board for approval.

Resolution to Enter into Agreement With Interstate Gas Supply, Inc. for the Purchase of Natural Gas

Myron Scruggs, Director of Property Management, stated that the Library is currently under agreement with Interstate Gas Supply, Inc. (IGS) for the purchase of natural gas for the library's 29 locations at a fixed rate contract pricing of \$5.29 per thousand cubic feet (MCF) for the period of December 2011 through November 2012. After reviewing natural gas prices, Mr. Scruggs finds that IGS has the best rates with the current rate lower than \$5.29 per MCF. This resolution authorizes the execution of a two (2) year contract with Interstate Gas Supply, Inc. if at the time of the adoption of the resolution, the rate is less than \$5.00 per MCF; if the rate is \$5.00 or above, but is less than or equal to \$5.29 per MCF, the Director of Property Management is authorized to enter into a one (1) year contract for the period December 2012 through November 2013 for the purchase of natural gas covering the Library's 29 locations.

Carrie Krenicky, Chief Financial Officer, stated that this resolution would provide flexibility, after the contract expires, to enter into an agreement with another supplier if natural gas price rates with IGS are not satisfactory.

Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution to Enter Into Agreements With Republic Services, Inc. for Waste Materials Services

Myron Scruggs, Director of Property Management, stated that the Library is under agreement with Republic Services, Inc. for waste materials services for Main Library, the Lake Shore

Facility and Woodland Garage with the current term automatically renewing on December 22, unless notice of termination is given by October 23, 2012 which is sixty (60) days prior to the end of the current term. The Library received two (2) other bids for waste materials services. Republic Services, Inc. offers the best price at a cost savings of approximately \$1,200.00 per month. This resolution authorizes a Customer Service Agreement with Republic Services, Inc. to provide waste material services for the Main Library, the Lake Shore Facility and the Woodland Garage in the amount of \$1,706.00 per month, plus an additional cost for an extra pick up when needed at a cost of \$75.00 per pick up, for a 36 month period, in an amount not to exceed \$25,000 annually.

Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution to Enter Into Agreement With Xerox Corporation for Maintenance of Multifunction Device Virtual Cash Acceptors

Joyce Dodrill, Chief Legal Officer, stated that this resolution authorizes maintenance by Xerox for the multifunction device virtual cash acceptors. For a sixty month period, Xerox has offered to service and maintain the Library's 38 Boscop Virtual Cash Acceptors on a \$30 per month per device basis. Because a service plan was not originally included for the cash acceptors in the "Xerox Solution", this resolution provides authority to enter into a maintenance agreement.

After some discussion about staff orientation to the Multifunctional Devices, Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution to Retain Legal Services from Ogletree Deakins for Labor and Employment Matters

Joyce Dodrill, Chief Legal Officer, stated that this resolution authorizes the Library to engage the services of Ogletree Deakins to provide labor and employment legal advice and services on an as-needed basis at the discounted hourly rate of \$275 for partners, \$195 for Of Counsel, \$150 for Associates, and \$130 for Paralegal services. This also authorizes Library to enter into agreement with Ogletree Deakins with relationship to the four (4) EEOC complaints filed by current and former Library employees. The insurance company has assigned Ogletree to defend the Library in these matters. The Library is required under its insurance policy retainage to pay the first \$50,000 in legal fees in employment litigation matters after which the insurance company will pay all legal fees. This resolution also approves expenditures for legal services paid to Ogletree fro the period of January 1 through September 30, 2012 for \$111,830.67.

Mr. Corrigan stated that past practices have been that the Director historically viewed these professional services paid monthly subject to Board review although the Board was always involved in the selection. This improves our transparency which is always a goal of the Library.

Carrie Krenicky, Chief Financial Officer, stated that these expenditures will be reported to the Board quarterly as done with Purchases.

Ms. Rodriguez stated that this item would go to the full Board for approval.

Resolution Accepting Bid and Awarding Contract for Jefferson Branch Parking Lot Improvement

Joyce Dodrill, Chief Legal Officer, stated that bids were received for the Jefferson Branch Parking Lot Improvement project. The bids were reviewed, tabulated and evaluated by Library Administration with the assistance of URS Corporation, the Library's engineering consultant as to compliance with the specifications and bid documents as written, investigated responsiveness and responsibility of the lowest bidder. It is recommended that TAD Construction, LLC be awarded the contract for the Jefferson Branch Parking Lot Improvement with the low bid of \$80,957.00.

Ms. Dodrill also stated that TAD, an off shoot of Alphonso & Sons, Inc., is a new company formed in June 2012 with no financial records to speak of. TAD provided a letter for consideration. Because TAD is bonded, the Library would be protected in terms of job completion; with the presence of URS on site, TAD would be closely monitored and remain on task.

Myron Scruggs, Director of Property Management, stated that excavation is the largest piece of the project which is a specialty of TAD. Blacktopping will be subcontracted.

Mr. Corrigan stated given the experience that the owner has had with the prior company, this risk is worth taking. The performance bond takes most of the risk from the Library.

A representative from URS Corporation was available to answer questions about the project and the timeline.

After some discussion, Ms. Rodriguez stated that this item would go to the full Board for approval.

Amending Resolution Authorizing Amendment to Agreement with Gallagher Benefits Services, Inc. to Authorize Library to Enter Into Agreement Directly with Bravo Wellness LLC for Wellness Incentive Program

Joyce Dodrill, Chief Legal Officer, stated that in September, the Board approved a resolution authorizing an amendment to its existing contract with Gallagher to provide Wellness Program Provider services to the Library through a subcontract with Bravo. Since then, Library Administration was informed by Gallagher that they did not want to enter into a subcontract with Bravo. This resolution authorizes an amendment to the previous resolution giving the authority to enter into a direct contract with Bravo for a three year Wellness Incentive Program for approximately \$194,700 through the end of 2015.

Gallagher will pay a large portion of the cost of the contract for the first year which is anticipated to be approximately \$77,000. The cost of the contract of the first year would be over \$90,000. We do not know what Gallagher will pay in the second and third year, as they are being paid a commission from Medical Mutual for the Library's enrollment in the program for one year and applying the commission to the Bravo contract. Next year, following enrollment, they have verbally agreed to commit their commission from Medical Mutual the following year towards

the Bravo contract on the Library's behalf as well. The Library will be responsible to pay Bravo contract charges in excess of Gallagher's contribution. Contributions depend on employee participation in health screenings as well as the total number of employees enrolled in the Wellness Program. At the end of each contract year, the Fiscal Officer shall report to the Board the total number of employees participating in the Wellness Program, health screenings, and the total cost to the Library of the Bravo contract for the applicable year.

Mr. Corrigan stated that since the Library is not locked into years two and three with Gallagher, the Library has flexibility to consider other options.

Carrie Krenicky, Chief Financial Officer, gave background on the Wellness Incentive Program.

After some discussion, Ms. Rodriguez stated that this item would go to the full Board for approval.

Amending Resolution for Purchase of Access Control Systems for Cleveland Public Library Main Campus, Lakeshore, Garden Valley, and Rice Branch Facilities to Include Authority to Enter Into Maintenance Agreement

Joyce Dodrill, Chief Legal Officer, stated that in September 2012, the Board adopted a resolution to purchase the Access Control System from Integrated Precision Systems, Inc. At the time, the maintenance contact for the system was not discussed. This resolution amends the resolution to authorize a one-year maintenance agreement with Integrated Precisions Systems, Inc. for maintenance of the access control systems for the Cleveland Public Library Main Downtown Campus, Lake Shore, Garden Valley, and Rice Branch facilities in an amount not to exceed \$31,000.

Mryon Scruggs, Director of Property Management, gave background on the Access Control System and that with this maintenance agreement, the Library will be ensured of the continued operation of the system beyond the warranty period.

After some discussion about the Access Control Systems and making the system available at all Cleveland Public Library facilities, Ms. Rodriguez stated that this item would go to the full Board for approval.

COMMUNITY SERVICES

Resolution to Close Broadway Branch

Director Thomas stated that Library Administration held two community meetings to discuss the possible closing of Broadway Branch and seek input from the community. Based on the input from those meetings, Director Thomas proposed the following alternatives: (1) close the branch and investigate ways to provide library services to the North Broadway community from the Fleet Branch; or (2) table the closing of the branch and continue to examine the situation for alternatives.

Mr. Corrigan gave an historical perspective on the original Broadway Branch and the recommendation for its closing as a result of the Library's 1976 facilities study. He also

discussed the current storefront at which Broadway Branch resides and how the branch has been affected by declining neighborhood population, diminished resources and low circulation statistics.

Discussion continued about alternative ways to provide needed services to the North Broadway community via Mobile Services and Homebound Services to senior citizen facilities, the Boys & Girls Club, University Settlement and other neighborhood organizations.

After discussing community meeting attendance, landlord concerns regarding the responsibility of furnace maintenance, alternative sites in North Broadway for library services, and the walking distance between Broadway and Fleet Branches, Mr. Werner stated that the Board should consider the long-term ramifications of keeping facilities open that do not meet the minimum standard levels of comfort, safety and service for library patrons.

Finally, Mr. Corrigan stated that this resolution will remain on the agenda for the regular board meeting and will be considered following discussion.

Adoption of Policy on Meeting Room Use

Anastasia Diamond-Ortiz, Knowledge Manager, stated that this Policy on Meeting Room Use formalizes the procedures in place to be provided for the equitable use of its facilities into a policy that can be communicated to the public. This policy can be put on the Library's website. The policy notes that smoking is prohibited. Fee adjustments and cancellation fees are reflected in the policy. The policy is inclusive as it also notes that meeting rooms are available for meetings that are education, cultural, religious, or civic in nature.

After some discussion about meeting room use and inclusion of the word "religious" in the policy, the charge of admissions for events, dinners, receptions, and weddings in the Eastman Reading Garden, Mr. Werner stated that this item would go to the full Board for approval.

Amendment to Fines & Fees Schedule

Anastasia Diamond-Ortiz, Knowledge Manager, stated that this amendment accommodates the Library's new Policy on Meeting Room use to charge fees and a charge for using the MakerGear 3D printer in TechCentral as well as sales tax that is included in fees charged for self-service copying, printing, scanning, and faxing from library multifunction devices.

Mr. Werner stated that this item would go to the full Board for approval.

Ms. Rodriguez adjourned the joint meeting of the Finance and Community Services Committee at 1:58 p.m.