

CLEVELAND PUBLIC LIBRARY
Minutes of the Special Board Meeting
August 29, 2019
Trustees Room Louis Stokes Wing
12:00 Noon

Present: Ms. Butts, Mr. Seifullah, Ms. Rodriguez,
Mr. Corrigan, Ms. Washington,
Mr. Parker (arrived, 12:18 p.m.)

Absent: Mr. Hairston

Ms. Rodriguez called the meeting to order at 12:01 p.m.

Motion to Temporarily Suspend the Regulations

Ms. Rodriguez stated that because this is a Special Board Meeting, there was no Finance Committee Meeting previously scheduled and moved to temporarily suspend the Regulations of the Board of Trustees in Article IX and X requiring referral of resolutions to committees, to consider the following resolutions. Mr. Seifullah seconded the motion, which passed unanimously by roll call vote.

OATH OF OFFICE FOR REAPPOINTMENT OF ALICE G. BUTTS

Mr. Corrigan administered the Oath of Office to Alice G. Butts. Ms. Butts was reappointed by the Cleveland Board of Education on June 25, 2019 to a third full term on the Library Board, commencing on July 2, 2019 expiring on July 2, 2026.

Ms. Butts expressed here gratitude to the Board of Trustees and Library Administration for the opportunity to serve for another term.

Resolution to Engage Jaros Strategy LLC for Capital Fundraising Consulting Services

(See page 1099)

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

MOTION TO
TEMPORARILY
SUSPEND THE
REGULATIONS
Approved

OATH OF OFFICE
FOR
REAPPOINTMENT
OF ALICE G. BUTTS
Administered

RESOLUTION
TO ENGAGE
JAROS
STRATEGY LLC
FOR CAPITAL
FUNDRAISING
CONSULTING
SERVICES
Approved

WHEREAS, The Cleveland Public Library has long been the recipient of generous donations from community members and well-known philanthropists alike; and

WHEREAS, The Library Administration recognizes the importance of strong community support and desires to engage the services of an experienced consulting firm to assist the Library in assessing and planning for a capital fundraising campaign; and

WHEREAS, Jaros Strategy LLC ("Jaros") was founded in 2010 and has experience working with many of Northeast Ohio's most important civic and cultural organizations and fundraising campaigns; and

WHEREAS, At the Library's request, Jaros submitted a proposal to assist the Library in assessing the feasibility of a capital fundraising campaign, identifying key strategies for fundraising and communication, and identifying opportunities to expand the Library's pool of engaged donors for a total fee of \$75,000; and

WHEREAS, The Library Administration finds Jaros' fee to be fair and reasonable and recommends that this Board authorize the Library to engage Jaros to provide capital fundraising consulting services; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library authorizes the Executive Director, CEO, or his designee, to enter into an agreement with Jaros Consulting LLC, subject to the approval of the Chief Legal Officer, to provide capital fundraising consulting services in an amount not-to-exceed \$75,000 (including reimbursables) to be charged to the General Fund Account 11200053-53710 (Professional Services).

Shenise Johnson Thomas, Chief of External Relations and Development, stated that the Library is entering into an agreement with Jaros Strategy to assess the feasibility of the Library going out to market for a capital campaign. Jaros Strategy will do the work to determine what the palate is like externally for the Library to go out for capital program and collections. Jaros Strategy will be assessing the Development Office and other areas internally to determine if we could go out to market for

a capital campaign or collections campaign for programmatic support for Cleveland Public Library.

Ms. Johnson Thomas introduced Susan Jaros, Principal, and Julie Conrad, consultant, Jaros Strategy, who were available to answer any questions the Board may have had.

Mr. Corrigan stated that he has known Ms. Jaros for a long time and is very pleased that she is on board. Mr. Corrigan shared Ms. Jaros' association with James Conway, former Development Director at John Carroll University and then Case Western Reserve University, whose accomplishments caused institutions to understand capital needs and the importance of endowments.

Ms. Washington explained that she began her career as a fundraiser and Ms. Jaros was a model that she admired. Ms. Washington stated that she was happy that Jaros Strategy is engaged in this important project.

Ms. Jaros expressed her appreciation to the Board for this opportunity to be of service.

Resolution to Approve the Use of Lockwood Thompson Endowment Funds for Travel

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

WHEREAS, The terms and conditions of the Lockwood Thompson Endowment provide that the income be used for "the purchase of books or periodicals in the field of Fine Arts, or to defray expenses of employees of the Library while attending conventions deemed by the Director and the Board of Trustees of the Library to be beneficial to the Library's aims and purposes"; and

WHEREAS, As the Library moves forward with the new Martin Luther King, Jr. branch and continues to conceptualize the new library's civil rights and social justice space, the Library Director has determined that it would be beneficial for members of this Board and certain employees to visit the National Civil Rights Museum in Memphis, Tennessee and to meet with representatives of the Museum; and

RESOLUTION TO
APPROVE THE
USE OF
LOCKWOOD
THOMPSON
ENDOWMENT
FUNDS FOR
TRAVEL
Approved

WHEREAS, The total cost for Board members and employees to visit the National Civil Rights Museum is estimated to be \$12,000, which includes air and ground transportation, lodging, meals and admission, and related expenses; and

WHEREAS, The Library Director recommends this travel request as being beneficial to the Library's aims and purposes and the Board of Library Trustees has approved the appropriation measure for the Thompson permanent fund (510), which includes this travel expense; now therefore be it

RESOLVED, The Board of Library Trustees determines that a trip to visit the National Civil Rights Museum in Memphis, Tennessee and to meet with representatives of the museum is consistent with the intent for which funds can be used from the Lockwood Thompson Endowment fund, and that it would be beneficial to the Library's aims and purposes, and authorizes the Fiscal Officer to use Lockwood Thompson Endowment funds to defray the costs in the amount not to exceed \$12,000, incurred by Board members and employees, which shall be charged to account 51015103-53100 (Travel).

Carrie Krenicky, Chief Financial Officer, stated that the terms and conditions of the Lockwood Thompson Endowment provide that the income be used for "the purchase of books or periodicals in the field of Fine Arts, or to defray expenses of employees of the Library while attending conventions deemed by the Director and the Board of Trustees of the Library to be beneficial to the Library's aims and purposes". Director Thomas is recommending that we use the Lockwood Thompson Endowment Funds for the Board and a few select employees to travel to the National Civil Rights Museum in Memphis, Tennessee. The estimated amount is approximately \$12,000 for a total of 10 to attend.

Ms. Krenicky stated that attendees will be meeting with representatives of the Museum which will deem this as a convention and would authorize Board members to attend as they are not "employees" of the Library as noted in the stipulations of the Endowment Fund.

Mr. Corrigan recalled when he first had the opportunity to visit the National Civil Rights Museum and stated

that this visit will be a very helpful and inspirational guide to what we are trying to do with the new Martin Luther King, Jr. branch.

Mr. Corrigan stated that a building was constructed next to the Lorraine Motel where Dr. Martin Luther King, Jr. was assassinated in 1968.

After Mr. Corrigan shared additional details and insights from his visit to the Museum, Sadie Winlock, Chief Equity, Education & Engagement Officer, stated that this is directly related to what we are trying to do at the new Martin Luther King, Jr. branch to develop a social justice center. This visit will hopefully give us inspiration on what we want to do here in Cleveland.

Ms. Rodriguez agreed that this will give us ideas on what we can incorporate at the new Martin Luther King, Jr. branch.

Mr. Corrigan reminded the Board that Cleveland was a part of this historical movement advised that we keep in mind that this trip is not supported by taxpayer funds but by the Lockwood Thompson Endowment Funds for which it is purposed.

Mr. Parker stated that his national church is the owner of the Bishop Charles Mason Temple which is the church where Dr. King gave his last speech in Memphis.

Director Thomas stated that he would like to add a visit to the Bishop Charles Mason Temple as a part of the schedule as well.

Resolution Authorizing Agreement with Kastner, Westman & Wilkins LLC for Legal Services Related to Upcoming Local 860 Labor Negotiations

Ms. Rodriguez moved approval of the following resolution. Mr. Seifullah seconded the motion, which passed with four in favor and one abstention by Ms. Washington.

WHEREAS, The Cleveland Public Library and the Laborers International Union of North America, Local 860 (Local 860) are parties to a collective bargaining agreement that will expire on December 31, 2019; and

RESOLUTION
AUTHORIZING
AGREEMENT WITH
KASTNER,
WESTMAN &
WILKINS LLC FOR
LEGAL SERVICES
RELATED TO
UPCOMING LOCAL
860 LABOR
NEGOTIATIONS
Approved

WHEREAS, Kastner Westman & Wilkins, LLC (KWW) has proposed to assist the Library in the upcoming labor negotiations with Local 860; and

WHEREAS, On March 21, 2019 this Board authorized the Library to enter into an agreement with KWW for legal services in connection with labor negotiations with the Service Employees International Union (SEIU), District 1199, and the Library has been pleased with the services provided by KWW; and

WHEREAS, KWW has agreed to offer the Library the same hourly rates for the Local 860 negotiations as for the SEIU negotiations. KWW's hourly rates are \$270 for partners, \$150 for associates, and \$130 for paralegals; and

WHEREAS The Library Administration believes that it is in the Library's best interests to retain the services of KWW for assistance with the upcoming labor negotiations with Local 860; now therefore be it

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or his designees, to enter into an agreement with Kastner Westman & Wilkins, LLC for legal services in connection with labor negotiations with Local 860 at the fees set forth in this Resolution for a total amount not-to-exceed Fifty Thousand Dollars (\$50,000), which expenditure shall be charged to General Fund Account 11400053-53710 (Professional Services), and which agreement shall be subject to the approval of the Chief Legal Officer.

Lynn Sargi, Chief Talent Officer, stated that Kastner Westman & Wilkins, LLC, was selected to represent the Library with labor negotiations with District 1199. Because of this, it is in the best interest of the Library to use the same legal counsel to represent the Library in the upcoming labor negotiations with Local 860 as both contracts expire at the end of this year.

Ms. Sargi stated that Kastner Westman & Wilkins, LLC, has a lot of experience working with libraries and safety and security forces as well. They have negotiated on behalf of the University of Akron Campus Police as well as Youngstown. They also negotiated police contracts with several cities including Kent, Stow,

Medina and Twinsburg and the Sherriff's Department for Cuyahoga County.

Mr. Corrigan asked, for the record, asked for clarification on the selection process to select a firm that had expertise in labor negotiations.

Joyce Dodrill, Chief Legal Officer, stated that Kastner Westman & Wilkins, LLC, was recommended by former deputy director Tena Wilson who has had personal experience with them. Therefore, an RFP was not issued.

Director Thomas stated that they had a long history of success with labor negotiations.

Mr. Corrigan again asked that this be reflected on the record.

Resolution Selecting and Ranking Most Qualified Architect/Engineering Firms and Authorizing Negotiation of Agreements with Top-Ranked Firms for Master Plan Projects

(See page 1100)

Ms. Rodriguez moved approval of the following resolution. Ms. Washington seconded the motion, which passed unanimously by roll call vote.

WHEREAS, The Cleveland Public Library placed ads in the Cleveland Plain Dealer on June 19 and July 10, 2019 announcing its request for statements of qualifications from architectural/engineering firms for the implementation of Phase One of the Facilities Master Plan; and

WHEREAS, On August 2, 2019, the Library received statements of qualifications from 17 architectural/engineering firms; and

WHEREAS, A selection committee was formed to evaluate the statements of qualifications and to create a short list of firms that it considered the most qualified. The short listed firms, in no particular order, are:

RESOLUTION
SELECTING AND
RANKING MOST
QUALIFIED
ARCHITECT /
ENGINEERING
FIRMS AND
AUTHORIZING
NEGOTIATION OF
AGREEMENTS
WITH TOP-
RANKED FIRMS
FOR MASTER
PLAN PROJECTS
Approved

1. Bialosky and Partners, Architects, LLC and Robert P. Madison International, Inc.;
2. Bostwick Design Partnership, Inc. and Ubiquitous Design, LTD.;
3. Moody Nolan, Inc.;
4. VOCON Partners, LLC; and
5. Wanix Architects, L.L.C. and Williams Associates Architects, LTD.;and

WHEREAS, During the week of August 19, 2019, the selection committee interviewed the short listed firms and subsequently met to select no fewer than three firms that it considered most qualified for each of the following projects: 1) Hough, relocation and new building; 2) Jefferson, renovation with minor addition; 3) Walz, new building on expanded site; 4) West Park, renovation with addition; and 5) Woodland, major renovation with new central distribution facility; and

WHEREAS, The selection committee recommends ranking the firms in order of most qualified for each of the five projects as set forth in the table attached hereto as Exhibit "A"; now therefore be it

RESOLVED, That the Board of Library Trustees hereby accepts the recommendation of the selection committee, and announces the selection and ranking of the architectural/engineering firms as set forth in Exhibit "A"; and be it further

RESOLVED, That the Board authorizes the Executive Director, CEO or his designees, to enter into negotiations for an agreement for each of the five projects with the most qualified architectural firm in accordance with the requirements of Ohio Revised Code Section 153.69 which provides, among other things, that if the Library fails to negotiate an agreement with the highest ranked firm for a price that is fair and reasonable, it shall terminate negotiations with the highest ranked firm and enter into negotiations with the architectural firm ranked the second highest. This process shall be repeated again with the third ranked

firm in the event negotiations fail with the second highest firm; be it further

RESOLVED, That upon completion of negotiations, the Executive Director shall submit the agreements to this Board for final approval.

Mr. Swetel stated that a new process has been developed for the Library relative to diversity and inclusion in our selection of design firms for our first five branches and introduced Sadie Winlock, Chief Equity, Education & Engagement Officer, to discuss the process in detail.

Ms. Winlock stated that she was excited with the final result and shared that the process worked well for us. A team was assembled that included Cassandra Johnson, Consultant, Johnson Randolph Advisors, LLC, and we put a lot of thought about how the public would know how committed we are about diversity and inclusion.

Ms. Winlock stated that a Pre-Proposal Meeting was held for Design Firms & Professionals and was attended by approximately 93 professionals. As a result, 17 organizations submitted proposals that were extremely diverse. The final list indicates that these organizations clearly understand the Library's commitment to diversity and inclusion. Included in the final list is a female-owned business, a minority-owned business and the remaining firms have minority-owned business partners. Because this process worked well, it has been decided that we will implement this same process in the future for other selections in this construction.

Various Trustees stated that they attended the Pre-Proposal Meeting and were pleased with its success.

Mr. Swetel stated these are the first five projects that will kick off how we transform our branches and shared that the Selection Committee was formed and in addition to himself, consisted of Sadie Winlock, Joyce Dodrill, Eric Herman, Harriette Parks, and Jasmine Sims.

Cassandra Johnson served as a consultant and advisor to the process.

Mr. Swetel stated that the shortlist of firms were (1) Bialosky and Partners, Architects, LLC and Robert P. Madison International, Inc.; (2) Bostwick Design Partnership, Inc. and Ubiquitous Design, LTD.; (3) Moody Nolan, Inc.; (4) VOCON Partners, LLC; and (5) Wanix Architects, L.L.C. and Williams Associates Architects, LTD.

After the selection committee interviewed the shortlisted firms and subsequently met to select no fewer than three firms that it considered most qualified for each of the following projects: 1) Hough, relocation and new building; 2) Jefferson, renovation with minor addition; 3) Walz, new building on expanded site; 4) West Park, renovation with addition; and 5) Woodland, major renovation with new central distribution facility.

Below are the top-ranked firms matched with their respective projects:

- Hough - Moody Nolan
- Jefferson - Wanix and Williams
- Walz - Bialosky and Robert P. Madison
- West Park - VOCON
- Woodland - Bostwick and Ubiquitous

This resolution seeks authorization to negotiate as the statute states for the top-ranked firms.

In response to Ms. Rodriguez's inquiry, Mr. Swetel stated that Ubiquitous has offices located in Shaker Square.

Mr. Swetel further explained that we have five separate firms for five different projects. The partnership between Wanix and Williams is a direct result of the Pre-Proposal Meeting. This process helped firms partner that would have not otherwise been together. Because this process has proven beneficial, it will continue to be used moving forward.

Mr. Corrigan stated that when the Louis Stokes Wing was built, the Library broke through ceilings that had never been broken through before and we are doing that again with this process. Mr. Corrigan stated that he was very proud of the effort and thanked the Committee for their hard work to make this happen.

Ms. Washington stated that she is looking forward to the consistency of this and that this process is incorporated moving forward.

Resolution Authorizing Off-Step Salary for Substitute Employees

Ms. Rodriguez moved approval of the following resolution. Ms. Washington seconded the motion, which passed unanimously by roll call vote.

WHEREAS, On January 18, 2007, the Board of Library Trustees adopted the classification/compensation schedule, as recommended by the Hay Group, with the ratification of the agreement with SEIU District 1199, effective February 4, 2007; and

WHEREAS, On February 15, 2007, the Board of Library Trustees adopted the Hay Group classification/compensation schedule for staff not covered by a collective bargaining agreement, effective March 4, 2007; and

WHEREAS, The Hay Group classification/compensation schedule established minimum annual salaries for each pay grade and step, including for the position of "substitute"; and

WHEREAS, The Library currently employs substitutes in three different positions: clerk substitutes, library assistant substitutes, and librarian substitutes. Each substitute position is paid on an hourly basis based on the pay grade for the corresponding non-substitute position; and

WHEREAS, The Library Administration has determined that it is in the best interest of the Library to align all substitute employees into a single classification with a

RESOLUTION
AUTHORIZING
OFF-STEP
SALARY FOR
SUBSTITUTE
EMPLOYEES
Approved

uniform salary of \$20 per hour for all new substitutes, which salary is not an existing grade in the Hay Group classification and compensation schedule; and

WHEREAS, The Library Administration recommends that the salary of \$20 per hour be adopted for all new substitutes hired after the date of this Resolution and that the salaries of all current clerk substitutes be raised to \$20 per hour beginning the first pay period after this Resolution. The Library Administration further recommends that no change be made to the compensation of current library assistant and librarian substitutes; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby authorizes and approves the off-step salary of Twenty Dollars (\$20.00) per hour for all new substitutes hired after the date of this Resolution and for all current clerk substitutes, which increase for clerk substitutes shall be effective beginning on the first pay period after this Resolution.

Lynn Sargi, Chief Talent Officer, stated that the Human Resources Department has been working with the Public Services Department looking at the substitute work force. As a part of the process, we refreshed the job description which was formerly two job descriptions. As things have evolved from which we once called branch clerk substitutes and branch library assistant substitutes each with different rates of pay and educational attainment. As we looked at the work that they do, it was determined that the work is very similar if not identical.

Ms. Sargi stated that in the future substitutes will be hired at a flat rate of \$20 per hour which is believed to be an appropriate rate of compensation for the work that is being done. The current rate of clerk substitutes who are compensated at approximately \$17 per hour will be raised to \$20 per hour. There are only 2 people in that category. The existing library assistant substitutes who receive a rate of \$24 per hour will be grandfathered in. The \$20 rate is only for future hires.

In response to Ms. Rodriguez' inquiry, John Skrtic, Director of Public Services, stated that the Library currently has a full compliment of 24 substitutes. However two will be going into the SEIU Pool and will no longer be classified as substitute staff. We have three clerk substitutes and the remainder are library assistant substitutes

Amendment to Fines and Fees Schedule

(See page 1101)

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

WHEREAS, The State Auditor requires that the fines and fees assessed by Cleveland Public Library be approved by the Board of Library Trustees; and

WHEREAS, The Fines and Fees Schedule ("Schedule") is revised and updated, as needed; and

WHEREAS, The new multi-function devices, being installed throughout the system, require the Library to charge the public for all faxing and scanning services or not charge for any; and

WHEREAS, Thousands of Clevelanders depend on the Library's faxing and scanning services to access critical public benefits such as work programs; childcare assistance; Medicaid; and Supplemental Nutrition Assistance Program (SNAP); and

WHEREAS, Rather than charging for faxing and scanning services that do not have the same cost to the Library as printing and copying services, the Executive Leadership Team recommends that these services be offered to the public for free; now therefore be it

RESOLVED, That the Board of Library Trustees approves the revised Fines and Fees Schedule, as attached, to be effective August 30, 2019.

Carrie Krenicky, Chief Financial Officer, stated that the current Fines and Fees Schedule charges ten cents per page for faxing and ten cents per page for self-service scanning to an email address. Now that the

AMENDMENT
TO FINES AND
FEES
SCHEDULE
Approved

Library has implemented our full print management system the new multifunction printers can no longer distinguish between the scan or fax. Therefore, we would either have to charge for all or none.

Ms. Krenicky stated that the Leadership Team met and decided that this was such an imperative service to our patrons that we should not charge. This amendment would update the Fines and Fees Schedule to not charge for faxing or scanning to an email address.

Ms. Rodriguez stated providing this free service to patrons was a wonderful idea and would especially benefit those who would otherwise be unable to afford it. Ms. Rodriguez recommended that this free service be advertised on the Library's social media platforms.

Director Thomas stated that this is something that we like to publicize and noted that Library managers and staff will be very helpful in spreading the word with Library patrons and communities. The Library will launch a campaign as well.

In response to Mr. Seifullah's inquiry, Ms. Krenicky stated that we fax approximately 20,000 pages per month and we were paying ten cents per page. We are now paying twelve cents per page because we are not sure if that is the real quantity until we get the new multifunction devices up and running. Over the past year, the cost to the Library has been approximately \$20,000 per year.

In response to Ms. Rodriguez' inquiry, Ms. Krenicky stated that she anticipates that this cost would decrease as there are so many options to email instead of fax although patrons are not yet aware. This really is not an email service; but a digital fax.

After considering the cost of what the Library pays for Fregal services, he stated that it seems more than reasonable. Since we have made the decision that the access to sound and related entertainment should be made available at no cost, it is obvious that we should assist in patrons with their fax and scanning needs as well.

Ms. Krenicky stated that this is really not a tangible service. When a patron prints they actually receive a

piece of paper and we are charging ten cents. Faxing is more of a service and is not a tangible item.

Resolution Urging E-Content Publishers to Reconsider Policies Limiting Library Access to E-Books and Audiobooks

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

WHEREAS, Ohio's public libraries have the highest use per capita in the nation and serve more than 8.4 million individuals; and

WHEREAS, More than 1 million people in Ohio live below the poverty line which makes eBooks an unaffordable luxury, and rely on libraries to provide them with e-content to support acquisition of literacy skills, complete school assignments, and pursue interests; and

WHEREAS, The "Community Reading Event Impact Report," released by the Panorama Project has shown that access to eBooks through libraries has led to increased eBook sales; and

WHEREAS, Major publishers have announced new policies for eBooks and eAudiobooks that severely limit public libraries' ability to purchase, or delays the purchase of, digital copies of materials and information; and

WHEREAS, These restrictive policies directly impact the ability of Ohio's public libraries to serve the 11.7 million people of Ohio and adequately provide access to materials and information; and

WHEREAS, The new eBook and eAudiobook policies represent a significant financial burden impacting taxpayer-supported public libraries' overall operations and services. Cleveland Public Library expended more than \$1,000,000 in 2018 on eBooks and eAudiobooks; now therefore be it

RESOLVED, That on this day of August 29, 2019, the Board of Trustees of the Cleveland Public Library calls upon Blackstone Audio, Hachette, Macmillan, and Simon & Schuster to: 1) reconsider these recently announced restrictive policies; and 2) engage in a meaningful and

RESOLUTION
URGING E-
CONTENT
PUBLISHERS
TO
RECONSIDER
POLICIES
LIMITING
LIBRARY
ACCESS TO E-
BOOKS AND
AUDIOBOOKS
Approved

direct dialogue and exchange of information with libraries, library consortia, library associations, authors, executives from Amazon, Overdrive, and other relevant stakeholders for the purpose of devising new policies that ensure equitable access to Ohio's 8.4 million library users.

Jean Duncan McFarren, Collection Services Director, stated that although this has been a controversial issue with libraries over the past couple of years, it has spiked recently with not only the Macmillan decision to limit libraries' ability to maintain e-materials that they purchased but to actually embargo their new materials for six months. We are not able to purchase new materials until after the first six months. We are only permitted to have one copy.

Ms. McFarren continued to explain that other publishers have also developed more of a "renting" concept so that we are paying for e-materials and then our license for them expires in two years or after a certain number of circulations. This has huge financial implications for the Library's collections budget in the area of collections and circulations that have been skyrocketing for our patrons. There is an obvious demand from our patrons.

Ms. McFarren stated that we have been working with the Metro Libraries of Ohio to express concern about this and to make sure that publishers are aware that we do not agree with the approach that they are taking. The publishers' concern is that library borrowing is cannibalizing sales which has been proven not to be true.

Ms. McFarren stated that it is important to establish that neither the Board nor the Library agrees with this approach as it does a huge disservice to our patrons.

Ms. Butts noted that this resolution stated that there are more than 1 million people in Ohio who live below the poverty line which makes eBooks unaffordable. Ms. Washington asked for the clarification on the strategic approach for this issue.

Director Thomas stated that the Metro Libraries have sent letters on behalf of the libraries and we all are preparing resolutions indicating that our respective

boards and libraries are in support of this. In addition, the Urban Libraries Council, Public Library Association and American Library Association have been sending letters to Macmillan and other publishers to express concern. There will be a larger campaign with our DC Office to bring this to the attention of federal legislators.

Ms. McFarren noted that the Library was paying more than two million per year for e-materials. The demand for these materials is evidenced by the Library's continually growing holds list. The financial implications are huge for the Library.

Ms. McFarren stated that there is room in the digital copyright law to look at fair use language that is not in there now. This may be ALA's focus when lobbying the federal government on behalf of libraries.

Director Thomas stated that this is really an equity issue as people who can afford to purchase these materials can have access to them. Those who cannot afford these materials, who would normally have access to them through libraries, are now unable.

Mr. Corrigan stated that he was very concerned and has been communicating with those he used to work with in Cincinnati. Mr. Corrigan stated that he will keep his eye on this issue and was pleased to see this item on the agenda.

Ms. McFarren stated that this step in our response to this issue will include the letter from Director Thomas and a resolution from our Board. We will continue to work with staff to bring them up to speed on this issue and we will continue to work with the Metro Libraries for further communication efforts to the public as well as other things that we can be doing.

Ms. Washington expressed her appreciation for this update.

Director Thomas stated that this issue occurred during the same time as the South Brooklyn incident.

Ms. Butts recalled the letter writing campaign by regular Ohioans that occurred during the time that the library budget was being threatened and suggested that

generating a similar letter writing campaign may be appropriate in this instance.

In response to Ms. Rodriguez' inquiry, Director Thomas stated that Steve Potash, Founder & CEO, OverDrive, wrote a passionate letter to the publisher regarding this issue and expressed his disapproval of the recent changes in this lending model.

Mr. Corrigan recommended that Trustees read the letter authored by Steve Potash and stated that he references all of the data based research in detail.

Ms. McFarren stated that OverDrive has set up the Panorama Project where they are actually trying to collect the evidence-based data about how the interaction between the publishers and OverDrive and the libraries really work.

EXECUTIVE SESSION

Ms. Rodriguez moved to adjourn into Executive Session to consider the employment and compensation of a public employee. Mr. Seifullah seconded the motion, which passed unanimously by roll call vote.

Executive Session began at 12:40 p.m.

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

The Special Board Meeting resumed at 1:06 p.m.

Resolution Authorizing Employment Agreement with the Chief Operations Officer of the Cleveland Public Library

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

WHEREAS, The Chief Operations Officer is responsible for overseeing the Library's Property Management, Safety and Protective Services, and Shipping Departments as well as administering and supervising the Library's construction and capital projects; and

WHEREAS, On April 18, 2019, this Board approved Group 1 of the Facilities Master Plan, which will include renovating, expanding, consolidating, or relocating fourteen (14) branches over a five year period; and

WHEREAS, The Chief Operations Officer will play an integral role in the implementation of Group 1 of the Facilities Master Plan; and

WHEREAS, The Library desires to enter into a five-year employment contract with the Chief Operations Officer beginning on September 1, 2019 and expiring on August 31, 2024, which term is intended to coincide with the schedule for the implementation of Group 1 of the Facilities Master Plan and the spend-down period for bond proceeds; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library authorizes the Executive Director, CEO or his designee, to negotiate and execute an employment agreement with Jeremiah Swetel, Chief Operations Officer of the Cleveland Public Library, for a term of five (5) years and with a total contract amount in excess of \$25,000, which agreement shall be subject to the approval of the Chief Legal Officer and the Chief Talent Officer.

Ms. Rodriguez adjourned the Special Board Meeting at 1:10 p.m.

Maritza Rodriguez
President

Thomas D. Corrigan
Secretary

JAROS STRATEGY

SUSAN JAROS, Principal

For over 30 years, Susan has provided exceptional fundraising counsel and guidance to diverse nonprofit organizations. She has designed and executed major comprehensive and capital fundraising campaigns, provided strategic leadership and managed day-to-day development and external affairs functions for educational and cultural institutions.

Susan served as the Deputy Director for Development for the Cleveland Museum of Art. In that role, she was responsible for planning and implementing a strategic campaign to fund the museum's transformational expansion and renovation, the first significant capital campaign undertaken in the museum's history and the largest ever launched by a cultural institution in Ohio. During her tenure, the museum raised \$217 million.

Prior to the Cleveland Museum of Art, Susan was Associate Vice President of Development and Alumni Affairs at Case Western Reserve University. She was instrumental in planning and executing the university's \$350 million campaign, completed in 1994 with an attainment of \$417 million.

A Cleveland native, Susan earned a BA from Denison University and a JD from Case Western Reserve School of Law. She practiced law and taught at CWRU Law School. Susan's civic and professional affiliations include Order of the Coif, former trustee of Cleveland Public Art (now LAND studio) and the Court of Nisi Prius. She was in the Leadership Cleveland Class of 2003 and received the Northern Ohio Live Rainmaker Award in Community Service in 2007.

JULIE CONRAD, Consultant

Julie's communications work across diverse industries and organizations brings a valued perspective to JarosStrategy clients as she partners with organizations to define and persuasively tell their stories. She is recognized for her effective communications plans and her ability to help client missions and programs resonate with target audiences and align with fundraising goals.

Julie dedicated her early career to public relations agencies, including Cohn & Wolfe in New York and Dan Pinger Public Relations in Cincinnati. Since then she has immersed herself in Northeast Ohio's cultural organizations and nonprofit institutions. She serves as an Advisory Board Member for the "We Solve Problems Essay Contest," which brings together Northeast Ohio high school students, business and civic leaders to solve a significant issue impacting the community.

Julie holds a bachelor's degree in speech communications from Miami University and is an accredited member (APR) of the Public Relations Society of America. She has led a variety of training seminars on public relations and employee communications and engagement.

EXHIBIT "A"

	Hough	Jefferson	Walz	West Park	Woodland
Most Qualified	1) Moody Nolan	1) Wanix and Williams	1) Bialosky and Robert P. Madison, International	1) VOCON	1) Bostwick and Ubiquitous
Second Most Qualified	2) Bostwick and Ubiquitous	2) VOCON	2) Moody Nolan	2) Bostwick and Ubiquitous	2) Bialosky and Robert P. Madison, International
Third Most Qualified	3) Bialosky and Robert P. Madison International	3) Bostwick and Ubiquitous	3) Bostwick and Ubiquitous	3) Moody Nolan	3) Moody Nolan

CLEVELAND PUBLIC LIBRARY

FINES AND FEES SCHEDULE: PART A

OVERDUE FINES

ADULT MATERIALS

Circulating Items.....	\$0.00 per day/item
Reference Item.....	\$1.00 per day/item
Interlibrary Loan Material.....	\$3.00 per day/item

NO OVERDUE FINES are charged for:

Children's materials
Young Adult materials
Materials at University/College Libraries

NO OVERDUE FINES are charged to the following patrons:

CPL-GB (age 60 and over)
CPL-DISABLD
CPL-HOMBD

BILL THRESHOLD.....\$25.00

MATERIAL RECOVERY REFERRAL

Fee for account referral to collection agency.....\$15.00

REPLACEMENT PRICES

Borrower pays list price for material as shown online. If database shows no list price, patron is charged as follows:

Hardcover Book.....	\$26.00
Adult Paperback Book.....	\$16.00
Children's Paperback Book.....	\$5.00
Audiobook.....	\$50.00
Blu-Ray.....	\$25.00
Comic Book.....	\$3.50
Compact Disc.....	\$14.00
DVD.....	\$15.00
DVD Set.....	\$60.00
Interlibrary Loan Material.....	Value of item
Magazine.....	\$6.00
Pamphlet.....	\$2.00
Reference Material.....	Value of item
Mobile Hotspot Device.....	\$75.00
Mobile Hotspot Case.....	\$15.00
Mobile Hotspot Cable.....	\$6.50
Self-Playing Device.....	\$80.00
Misc. uncataloged material.....	\$5.00/item

LOST OR STOLEN LIBRARY CARD.....\$1.00

DAMAGE FINES

Major.....Replacement price

PASSPORT APPLICATION FEES

Application Processing fee.....	\$35.00
Passport photo fee.....	\$10.00

INTERLIBRARY LOAN

LOAN FEES CHARGED TO LIBRARIES

Ohio Libraries.....	No charge
Out-of-State Libraries.....	\$10.00 per item
Foreign Libraries.....	\$20.00 per item

DUPLICATION FEES

Scans (1-30 images).....	minimum \$15.00/Item
Paper (1-30 Images).....	minimum \$30.00/Item

Additional fees may be charged. See Fines and Fees Schedule; Part B for list of fees for scans and printouts made by staff.

FEES CHARGED TO INDIVIDUAL BORROWERS

Borrowing.....No charge

LOST ITEMS

Replacement price.....Value of item

SELF-SERVICE COPY/PRINTING

8½" x 11" and 8½" x 14" B&W.....	\$0.10 per page
11" x 17" B&W.....	\$0.20 per page
8½" x 11" and 8½" x 14" Color.....	\$0.25 per page
11" x 17" Color.....	\$0.50 per page

Copies from Microform Reader/Printer:

8½" x 11" and 11" x 17" B&W.....\$0.10 per page

Use of one's own paper.....Charge based on paper size

FAXING

Self-service faxing from multifunction device.....No charge

SCANNING

Self-service scanning on MFD sent to email address.....No charge

Self-service scanning on KIC Scanner in CDPL.....No charge

Self-service scanning to one's own device.....No charge

PHOTOGRAPHING/TAPING/FILMING ON LIBRARY PROPERTY

Wedding photography.....\$100.00

Commercial filming.....Charge quoted upon request

MISCELLANEOUS

Tote Bags (non-complimentary).....\$0.10 per bag

Earbuds.....\$1.00/pair

Flash drive.....\$7.00/each

SALES TAX

Ohio sales tax is included in fees charged for self-service copying, printing, scanning, and faxing from library multifunction devices, and for miscellaneous items such as passport photos.