

**MINUTES OF THE BOARD OF TRUSTEES OF THE PUBLIC LIBRARY
OF CINCINNATI AND HAMILTON COUNTY**

Date: March 8, 2011

Meeting: Regular

Place: Board Room - Main Library - 800 Vine Street

REGULAR MEETING

ROLL CALL

Trustees Present: Mrs. Khoury, Mrs. LaMacchia, Mr. Moran,
Mr. Sittenfeld, Mr. Wright and Mr. Zaring

Trustees Absent: Mr. Hendon

Present: Kimber L. Fender, Greg Edwards,
Jason Buydos and Patricia Schoettker

PUBLIC COMMENTS

None.

MINUTES OF THE REGULAR MEETING HELD JANUARY 11, 2011

Mrs. Khoury moved that the Minutes of the Regular Meeting held January 11, 2011 be approved as submitted. Mr. Wright seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. (11-2011)

EXECUTIVE DIRECTOR'S REPORT

Ms. Fender reported that:

Staff Service Recognition Program

- the annual Staff Service Recognition Program was held that morning at the Main Library. Staff service recognition pins were presented and Board President Bill Moran announced the winners of the Rookie of the Year Award and President's Award and Bunny Dehner Prize.

LSTA Grant Applications – Conservation Lab & Microform Digitization

- the Library is partnering with the University of Cincinnati (UC) in applying for a Library Services and Technology Act (LSTA) Grant to build a joint Conservation Lab. The lab would serve both the Library and UC, plus bid for conservation work from other organizations. Under this partnership, UC would provide their current Conservation Lab space, staff and some lab equipment. The Library would hire and provide a full time Conservator and our current conservation staff. Both organizations would split supply costs and income from outside conservation work on a 50/50 basis. If funded, the grant would provide \$81,012; a local match of \$27,004.72 would be split between UC and the Library (\$13,502.36 each). A Memo of Understanding will ensure that each partner's responsibilities are clearly defined and that no Library funds are spent on UC.
- in October 2010, the Library applied for an LSTA Grant to purchase a Flexscan microform scanner to expand its digitizing capabilities to include microfilm and microfiche. If funded, the grant would provide \$24,000. The Library would be responsible for the \$8,000 local match and remaining \$41,850 cost. In anticipation of grant approved by the State Library Board on March 31, Ms. Fender requested authorization for the Board President to sign the contract with the State Library to allow the grant to begin before the May Board meeting.

Ohioana Book Festival

- The Ohioana book Festival will be held this year on May 7 at the State Library of Ohio. As a Festival partner, Library staff will assist with the programs and the nearly 100 participating Ohio authors.

Staff Association Officers

- newly elected Staff Association officers for 2010-2011 are:

President:	Stephen Headley, Magazines & Newspapers
Vice President:	Linda Schroeder, Sharonville Branch
Treasurer:	Nancy Greenlee, Library Services Office
Secretary:	Sharon Brandt, Library Services Floater

“Remaking One of the Nation’s Busiest Main Libraries”

- an article written by Assistant Director, Library Services, Greg Edwards and Central Region Manager Paula Brehm-Heeger entitled “Remaking One of the Nation’s Busiest Main Libraries” was chosen for First Place in the annual *Public Libraries* feature article contest. The is presented during the Public Library Association President’s Program at the ALA Annual Conference.

State Library Board Retreat

- at the invitation of our Board, the State Library of Ohio Board and staff will hold their annual retreat at our Library on April 28 and 29. Library staff will showcase our digitization, daguerreotype display, and Early Learning Express program – all projects funded through LSTA grants awarded by the State Library Board and administered by the State Library. She invited the Board to join them for lunch on Thursday, the afternoon presentation by our staff, dinner and tour on Thursday or for breakfast Friday morning.

Asherah Bealer Gift of Artwork

- Asherah Bealer attends the School for Creative and Performing Arts and is a self taught Manga artist. A regular visitor to the West End Branch, Asherah has shown her appreciation for the Library by donating a drawing. Branch Manager Melissa Franek framed and matted this illustration and would like to hang it in the teen area of the West End Branch. Ms. Fender requested that the Board approve acceptance of this gift.

Library Board Meeting Schedule

- at the request of the Board, staff investigated monthly meeting requirements and determined that State law only requires the Board to hold an organizational meeting in January to elect officers and appoint and fix compensation for the Fiscal Officer. The Board Bylaws add to that requiring the Board to appoint and fix compensation for the Executive Director and requiring the Executive Director to make an annual report of the operations of the Library.

Should the Board choose to reduce the frequency of meetings, Ms. Fender proposed the following schedule for the remainder of 2011:

- Tuesday, May 10
- Tuesday, August 9
- Tuesday, October 11
- Tuesday, December 13

Staff Compensation

- in response to a question raised at January meeting, our staff compensation can be compared with other libraries using survey data obtained from the Ft. Wayne Salary Survey, the State Library of Ohio and the Public Library Data Service and through union contracts from other libraries, professional resources and market assessments.

Public sector staff has been criticized recently in the media and General Assembly for receiving compensation above that of their private sector peers. One report from the Buckeye Institute entitled *The Grand Bargain is Dead* compares the total annual cost of median state and private employees. Ms. Fender added the median cost of a Library employee to their chart:

Compensation	State Employee	Private Employee	Library Employee
Wages	\$ 47,507	\$ 38,126	\$ 32,198
Retirement	6,651	1,906	4,508
Health	10,312	8,783	7,560
Sick Pay	<u>1,581</u>	<u>395</u>	<u>1,581</u>
Total	\$ 66,051	\$ 49,210	\$ 45,847

Our total median cost is lower than even the private sector by \$3,363. In actual wages, Library staff lag behind state employees by more than \$15,000 and private employees by a still sizable \$6,000. For this reason, we are undertaking a compensation review to compare our salary schedule, paid time off, job descriptions and all other aspects of compensation to jobs outside the library sector, within the library sector and within the Library.

Strategic Plan Action Plan

- the ideas generated by nearly 200 staff members who attended an Idea Workshop have been reviewed and those that best fit our strategic direction have been incorporated into the Action Plan for our Strategic Plan.

OrangeBoy, the consulting firm that identified the cardholder clusters that form the basis for the plan, will assist with the measurement of success throughout the year. The primary measurement tools will be movement among the clusters and customer satisfaction surveys.

While the Action Plan is expected to take about 18 months to complete, work has already begun:

- A review of staff compensation is underway.
- MP3 players are being purchased for sale at branch libraries, making it easier and affordable for the public to listen to digital books.
- A new database of digital music, Freegal, is being added to the collection to offer a digital alternative to CDs.
- Policy changes like cards that only expire after a period of inactivity and new card types for children, digital and Internet users are under development.
- Library staff met with Sirsi/Dynix to discuss software enhancements that would make Library use easier and more convenient and with Overdrive about digital books for libraries.
- Nearly 50 classes on using e-readers are scheduled through May and we are working with a donor to acquire e-readers to use as prizes for the Summer Reading program.
- We are adding email overdue notices for the date items are due and will urge more cardholders to move to email notification.
- The addition of homework assistants at 8 branches will expand our homework assistance and we plan to increase the number of branches again when school resumes in the fall.
- With the anticipated receipt of a new LSTA grant for digitization, we will expand digitizing to microform.
- We have increased the number of copies purchased for high demand titles, monitor our hold to copy rations weekly and purchase high demand titles in digital format whenever possible.
- We are compiling a listing of our services for residents with visual impairments.
- New program standards were introduced in February.

Streetcar Route

- the streetcar route through downtown Cincinnati will include a stop at the Main Library.

Library Leadership Ohio

- our Library is submitting a proposal to facilitate the next Library Leadership Ohio (LLO), a leadership development program for library staff in Ohio.

Digital Content Changing Library Operations

- As of February 2011, digital borrowing, growing at an unprecedented rate of 200%, is ahead of the borrowing at 15 branch libraries. To keep pace with such fast growth in a very short period of time, we have increased our purchasing in digital formats. But adding new formats without an increase in funding demands that careful purchasing decisions be made. We are also helping our customers learn how to use their new e-book readers through online instructions and hands-on classes and we are expanding into new areas of digital content, including the Freegal digital music database.

Publishers are forcing changes that impact libraries. HarperCollins announced that only 2 of their 150 spring audiobook titles will be published on CD. Further, that library-owned copies of their titles would “expire” after 26 circulations, forcing libraries to purchase the same title multiple times if it proved popular. While we think 26 may be too low, we understand some limit is necessary if publishers are to continue to sell to libraries.

At the conclusion of Ms. Fender's report, Mrs. LaMacchia announced that an anonymous donation of \$30,627 for the purchase of Nooks for Summer Reading prizes would be made through Greater Cincinnati Foundation in honor of Kim's work with the Girl Scouts.

Mr. Wright moved that the Executive Director's Report be approved as submitted, including approval to execute an agreement with the State Library for LSTA funding for microform digitization (if the grant is awarded), acceptance of artwork donated by Asherah Bealer for West End Branch, and approval of a revised Board meeting schedule for the remainder of 2011 (May, August, October and December). Mrs. Khoury seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. (12-2011)

LIBRARY SERVICES AND ADMINISTRATION COMMITTEE REPORTS

LIBRARY SERVICES

Mrs. Khoury introduced Todd Neal, Safety and Security Manager.

Security Service Changes

Todd Neal spoke to the Board about changes underway across the system to ensure greater consistency in the handling of security-related incidents and to present a more customer-friendly appearance at the Main Library. A *Security Philosophy* was developed to emphasize the key points of the Library's approach to security, including proactively addressing minor behavior issues before they escalate, minimizing disruption to the Library while handling incidents, working with minor offenders to find ways to keep them in the building and writing detailed and objective incident reports. To enhance and clarify our *Standards of Library Behavior*, a team will work over the next two months to identify common incidents, then outline how each should be addressed. He also informed the Board that Main Library Security Officers began wearing new uniforms of khaki pants and oxford shirts on March 7.

Mrs. Khoury reported that:

ALA/NEH Civil War Grant

- the Library is applying for a grant from the American Library Association and the National Endowment for the Humanities to participate in a national book discussion program entitled, *Let's Talk About It: Making Sense of the American Civil War* - a scholar-led reading and discussion program for public audiences commemorating the 150th anniversary of the Civil War.

Literacy & Homework Support – Education & Homework Support

- beginning in April, the Literacy & Homework Support department name will change to Education and Homework Support to be broader in scope, and, most importantly, more accurately reflect the department's services – homework assistance, GED practice testing, support and training for in-home certified day care providers through the Early Learning Express program and Kindergarten Readiness Assessment testing.

Universal Class

Mr. Edwards reported that a new database called *Universal Class*, which was added to the Library's collection earlier this year, makes available to cardholders over 500 video-based online courses with real instructors. The courses cover a wide range of topics, including business, office skills, general education, home schooling and self-help. Specific classes include wedding planning, time management, spelling, Microsoft Office and caring for seniors. Library cardholders can enroll in up to five classes and take up to six months to complete each one.

Mrs. Khoury reported that:

Magazines & Newspapers Department Circulating Magazines

- the number of magazines customers may check out from the Main Library will increase this summer. Approximately 150 titles from the Magazines and Newspapers Department, many of which are unique to the Main Library, will begin circulating. Titles include: Digital Photo -- a popular magazine about digital cameras and digital photography, Hola! -- a popular Spanish language newsweekly, Hollywood Reporter -- a well-known trade magazine for the television and movie industry and Running Times -- a magazine for recreational runners.

Bike Friendly Destinations Program

- the Library is a participant in the Bike Friendly Destinations program, which was initiated in Cincinnati last summer to increase the use of bicycles for work, shopping or neighborhood errands. As a participant, the Library will be listed on Bike Friendly Destinations promotional material and will be mentioned as a "bike friendly" destination during a city wide kick-off event on May 2nd. The Library will make available to customers and staff members informational materials such as the *Cincinnati Bike Resource Guide* and the Popular Library Department will host programs related to the topic.

Readers' Advisory E-Newsletter

- Library Services is developing an e-newsletter designed by and for the individual subscriber. Subscribers will select from a list of subjects, genres, or topics, then, each month, new titles added to the catalog will be pulled programmatically and populate the newsletter based on the user's interest. Currently, the Library sends *eLinks* to over 140,000 cardholders and subscribers each month. This new e-newsletter is designed for a smaller but more focused group of users who are passionate about their use of Library materials.

Mr. Edwards reported that:

Library Usage

- overall circulation in February increased by 6.1%, with Main Library increasing 13%, branches 2%. Year-to-date usage is up 7.1%. Downloadable usage increased 199% over the same month last year and, for the first time, accounted for over 1% of total circulation and out-circulated 15 branches.
- Additional statistics of note for the month include:
 - 16.4% increase in number of programs
 - 25.4% increase in program attendance
 - 15.5% increase in audiovisual circulation

- 359,789 active cardholders
 - 5% increase in the number of holds checked-out
 - 12.8% increase in DVD circulation
 - 548,820 visits to Main and branches
 - 97,576 PC usage sessions
- the top circulating items and statistical reports for the month of February 2011 were submitted.

ADMINISTRATION

Personnel Changes

Mrs. Khoury recommended that the Board approve the following personnel changes effective through March 5, 2011:

ACTION	AGENCY	POSITION TITLE	FTE	EMPLOYEE NAME	EFFECTIVE DATE
Retirement	Outreach Services	LSA III	1.00	Davis, Carolyn A	02/28/11
Retirement	Literacy & Homework Support	Literacy & Homework Support Manager	1.00	Scahill, Kathleen A.	01/31/11
Retirement	Wyoming	Branch Manager II	1.00	Shannon Horvath, Eileen	02/28/11
Retirement	Shipping & Receiving	S & R Clerk I	1.00	Whipple, Douglas B.	01/21/11
Promotion	Literacy & Homework Support	Literacy & Homework Support Manager	1.00	Armour, Keith	02/06/11
Promotion	Support Services	Support Services Clerk	1.00	Boyd, Richard C	01/23/11
Promotion	Virtual Information Center	LSA III	1.00	Brannin, Alder M.	01/09/11
Promotion	Popular Library	Reference Librarian I	1.00	Cooper, Stephanie D.	01/09/11
Promotion	Green Township	LSA III	1.00	Dryer, Tonya L.	02/06/11
Promotion	Virtual Information Center	LSA II	1.00	Dumont, Sally K.	01/09/11
Promotion	Wyoming	Library Services Ass't I	1.00	Etterling, Catherine A.	02/06/11
Promotion	Literacy & Homework Support	LSA II	1.00	Eversole, Patricia K.	02/06/11
Promotion	Norwood	LSA II	1.00	Fields, Arleen	01/09/11
Promotion	Green Township	LSA II	1.00	Funk, Kristina E.	02/20/11
Promotion	Monfort Heights	LSA I	1.00	Getz, William J.	02/20/11
Promotion	Processing	Processing Assistant I	1.00	Griffith, Ashley N.	02/06/11
Promotion	Virtual Information Center	LSA II	1.00	Harris, Darryl L.	01/09/11
Promotion	Cataloging Services	Copy Cataloger	1.00	Hofstetter, Robin S.	01/09/11
Promotion	Virtual Information Center	LSA I	1.00	Kleemeier, Mary R.	02/06/11
Promotion	Acquisitions	Acquisitions Assistant I	1.00	Kopp, Paul D.	01/09/11
Promotion	Pleasant Ridge	LSA II	1.00	Kutcher, Paula B.	01/14/11
Promotion	Deer Park	Children's Librarian II	1.00	Lamping, Mary E.	02/20/11
Promotion	Virtual Information Center	LSA I	1.00	McClanahan, Andrew W.	02/06/11
Promotion	Bond Hill	Branch Manager II	1.00	Pearson, Drew D.	01/09/11
Promotion	Processing	Processing Assistant I	1.00	Riley, Brian J.	02/20/11
Promotion	Virtual Information Center	Reference Librarian I	1.00	Schultz, Allison R.	01/09/11
Appointment	Avondale	Children's Librarian I	1.00	Almer, Chelsea L.	02/20/11
Appointment	Children's Learning Center	LSA II	0.50	Barta, Jeannette M.	02/20/11
Appointment	Delhi Township	Student Shelver	0.30	Bauer, Stuart J.	02/06/11
Appointment	Genealogy & Local History	LSA II	0.50	Gehring, Christina M.	01/23/11
Appointment	Norwood	LSA I	0.50	Graham, Cindy L.	02/20/11
Appointment	North Central	LSA I	0.50	Juengling, Laura L.	01/09/11
Appointment	Circulation Services	LSA I	0.50	Lang, Elizabeth M.	01/23/11
Appointment	Materials Retrieval	Page	0.50	Maier, Christopher B.	01/23/11
Appointment	Circulation Services	LSA I	0.50	Meadows, Elizabeth L.	01/23/11
Appointment	Virtual Information Center	LSA I	0.60	O'Connell, Colleen M.	01/09/11
Appointment	Popular Library	Reference Librarian I	1.00	O'Connor, Martin J.	02/06/11

ACTION	AGENCY	POSITION TITLE	FTE	EMPLOYEE NAME	EFFECTIVE DATE
Appointment	Madeira	Student Shelver	0.30	Penn, Shelby K.	01/09/11
Appointment	Virtual Information Center	LSA I	0.50	Rusche, Jennifer W.	01/09/11
Appointment	Marketing & Programming	Youth Services & Programming Coord.	1.00	Smiley, Diane	01/09/11
Appointment	Avondale	Branch Manager I	1.00	Varley, Holly J.	02/06/11
Appointment	Circulation Services	LSA I	0.50	Walters, Chelsey N.	01/23/11
Appointment	Harrison	LSA I	0.50	Ward, Adam C.	01/09/11
Change	Virtual Information Center	Internet Site Coordinator	1.00	Bolek, Sandra C.	01/09/11
Change	Sharonville	LSA I	0.60	Eagan, Rachel B.	01/09/11
Change	Virtual Information Center	LSA I	0.50	Early, Shamekko N.	01/23/11
Change	Virtual Information Center	LSA I	1.00	Heim, Mona L.	01/23/11
Change	Virtual Information Center	Reference Librarian I	1.00	Jump, E. Troy	01/23/11
Change	Virtual Information Center	LSA I	0.50	Kennedy, Laura M.	01/23/11
Change	Virtual Information Center	Reference Librarian I	1.00	Long, Amy C.	01/09/11
Change	Sharonville	LSA I	0.70	Mukuda, Julie S.	02/20/11
Change	Genealogy & Local History	Reference Librarian I	1.00	Powers, Brian F.	01/09/11
Change	Virtual Information Center	LSA I	0.60	Rust, Sarah M.	01/23/11
Change	Madisonville	Branch Manager I	1.00	Smith, Garrette E.	01/09/11
Change	Virtual Information Center	Web Developer	1.00	Snider, Sean M.	01/09/11
Change	Shipping & Receiving	S & R Clerk I	1.00	Todd, Matthew	01/23/11
Change	Virtual Information Center	Web Developer	1.00	Wetmore, Brian B.	01/09/11
Departure	Monfort Heights	Student Shelver	0.25	Dektas, Caroline A.	03/05/11
Departure	Processing	Processing Assistant I	1.00	Ferguson, Casey L.	01/21/11
Departure	Popular Library	Shelver	0.50	Ivey, Stacey D.	01/14/11
Departure	Information & Reference	Grants Resource Librarian	1.00	Katz, Mitchell D.	02/03/11
Departure	Mt. Washington	Student Shelver	0.30	Overmann, Nathaniel J.	01/02/11
Departure	Delhi Township	Student Shelver	0.30	Taber, Kimberly N.	03/05/11
Departure	Reading	LSA I	0.50	Tillis-Gilland, Elizabeth A.	02/05/11
Departure	Children's Learning Center	Children's Librarian I	1.00	Wells, Susanne G.	01/31/11
Departure	Facilities Services	HVAC Controls Specialist	1.00	Wright, Robert J.	02/25/11
Departure	Facilities Help Desk	Facilities Help Desk Clerk I	1.00	Zirkelbach, Judith M.	01/21/11

Mrs. Khoury reported that:

National Library Worker's Day

- National Library Workers' Day, April 12, focuses on the important work done by each and every library staff member and department. As we celebrate the day, staff will wear red along with their service pins. We will ask customers and staff members to identify the staff member who is considered to be "A Star". Photos of support departments will be highlighted on the webpage to remind the public of the responsibilities of the non-public staff and the tasks required to keep the library going.

Volunteer Recognition Brunch

- On April 14, we will take time to celebrate our Library volunteers, who gave the Library a total of 16,974 hours from January 1, 2010 through January 31, 2011. At the dollar value of \$20.25 per hour determined by the Independent Sector (a group of charitable foundations), this translates into \$343,728 in volunteer services.

Mrs. Khoury moved that the Board approve the Library Services and Administration Committee report as submitted, including personnel changes. Mr. Wright seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. (13-2011)

FISCAL OFFICER'S REPORT

Ms. Schoettker reported that:

Public Library Fund – Year to Date Comparison

- Public Library Fund receipts for January and February have exceeding the same period last year by 4.9%.

Budget for 2012

- the Hamilton County Budget Commission, on authority of Ohio Revised Code 5705.281, has approved our request to file a modified tax budget for 2012. As in past years, approval has been granted for one year with a requirement for annual review.

Monthly Financial Report

- financial reports were submitted for the periods ending January 31 and February 28, 2011.

Investment Report

- investment reports were submitted for the months ending January 31 and February 28, 2011.

Mrs. LaMacchia moved that the Board approve the Fiscal Officer's Report including the financial and investment reports as submitted. Mr. Wright seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran (except pass on investment report)... 6 ayes. The motion carried. (14-2011)

FINANCE AND AUDIT COMMITTEE REPORTS

Revision of 2011 Estimated Resources and Annual Appropriations

Ms. Schoettker requested authorization to revise 2011 Estimated Resources and ppropriations to provide for receipt and expenditure of a pending LSTA grant for microform digitization. The revisions will be made only if the grant is approved. Related additional expenses of \$49,850 will be paid using existing funding and appropriations in the General Fund and the Gift Fund.

2011 Estimated Resources:

<u>LSTA Fund</u>	<u>Revision</u>
Intergovernmental Receipts	\$ 24,000.00

2011 Appropriations:

<u>LSTA Fund</u>	<u>Revision</u>
Capital Outlay	\$ 24,000.00

Indemnification Funding

Ms. Schoettker reported that as a political subdivision of the State of Ohio, the Library may not generally execute an indemnification or hold harmless clause for the reason that it constitutes an unsecured and unliquidated obligation in violation of the Ohio Constitution and Revised Code.

At the heart of this issue is the requirement in ORC 5705.41 (D) that “*no subdivision or taxing unit shall ... make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation...has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances*”.

A typical indemnification clause requires the Library to indemnify and hold harmless the other party by defending them against any costs, liabilities, damages or expenses, including attorney fees, that arise out of the Library’s acts or omissions or any third party claims. Agreeing to such a statement is certainly *making a contract involving the expenditure of money* and this expense, outside and in addition to the stated contract cost, must be certified by purchase order.

Some vendors have been willing to delete indemnification and hold harmless clauses. Others have agreed to alternate statements, for example, that they are not liable for any breach of contract provisions by the Library, or, that the Library will continue to remain insured for liability purposes. But when a vendor is not willing to amend, we have two choices – walk away from the contract or set aside and certify funding for the potential obligation.

We have walked away from many contracts; we have funded the expense only once, in 2008, when we began offering our customers the ability to pay fines and fees on our website. The companies providing what we judged to be the best online payment gateway (Payflow Pro) and security (Verisign) would not negotiate their terms and conditions. In May 2008, with input from the Hamilton County Prosecuting Attorney, the Board authorized the ongoing certification of \$30,000 in the Insurance/ Indemnification Fund to meet these indemnification exposures. The funds continue to be reserved for this purpose and the purchase order is reissued in January each year.

Two new instances of indemnification have arisen recently. One concerns a subscription based software application that would extract and analyze data from our library system for our use in managing our library material collection. With the ability to make purchasing decisions on the basis of actual performance, we expect to save hundreds of thousands of dollars in annual operating costs. However, the vendor is unwilling to delete or amend indemnification statements in the contract.

In the second instance – compliance validation services for the Payment Card Industry Data Security Standard (PCI-DSS) – the vendor made concessions to meet our needs. But to address the first issue and the likelihood of others in the future, Ms. Schoettker asked the Board to consider amending the May 2008 authorization. Specifically, she requested that the \$30,000 encumbrance issued to Verisign be cancelled and replaced with a new purchase order issued for “Indemnification” in the amount of \$80,000 to cover multiple contracts. Further, that the Executive Director and the Fiscal Officer together determine in which contracts the acceptance of an indemnification clause is justified and therefore covered by the “Indemnification” purchase order.

She advised that the cash balance of the Insurance/Indemnification Fund is \$230,000. This \$80,000 encumbrance will leave \$150,000 for any payment of our insurance deductible, which is \$100,000.

Mrs. LaMacchia moved that Ms. Schoettker’s request regarding indemnification be approved as submitted. Mr. Wright seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. (15-2011)

FACILITIES COMMITTEE REPORT

Mrs. Khoury reported that the Facilities Committee met on February 14. Committee Chairman Robert Hendon was in attendance. Library Trustee Ross Wright participated via phone. Library staff members Kim Fender and Jason Buydos were also in attendance. She presented Committee recommendation that the Board:

2009/10 Ongoing Maintenance Project

1. confirm the following change orders:
 - Deduct change order in the amount of (\$690.00) from J K Meurer Corporation for asphalt paving work deleted at Mt. Washington Branch.
 - Change order in the amount of \$2,527.00 to Feldkamp Enterprises Inc. for airflow investigation/balancing at Delhi Branch.

Pleasant Ridge ADA Project

2. approve an agreement with Messer Construction for construction management services for the Pleasant Ridge ADA project for an estimated cost of \$237,945 (actual cost could be less or more than estimate).
3. request a revised proposal from DNK Architects for the reduced architectural services now required (review of bid submittals, inspection of the work during construction and verification of the completion of the punch list).
4. publish the following bid advertisement:

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Board of Trustees of the Public Library of Cincinnati and Hamilton County at the Third Floor Administrative Offices of the Main Public Library, 800 Vine St., Cincinnati, Ohio 45202, until 12:00 noon, local time, Tuesday, March 29, 2011, for furnishing of labor, materials, equipment, services and supervision necessary to complete the project titled:

PLEASANT RIDGE BRANCH ADA UPGRADES

Proposals shall be in accordance with the Contract Documents prepared by DNK Architects. The Construction Manager for the Project is Messer Construction Co. (513-242-1541). Bids received after the stated deadline will not be accepted. Bids by facsimile transmission will not be accepted. Proposals will be publicly opened and read aloud. All interested parties are invited to attend.

Individual lump sum bids for trade contracts TC-01 through TC-09 are requested. The estimate for each contract is:

TC-01 General Trades	\$385,256
TC-02 Masonry	\$ 51,053
TC-03 Structural Steel.....	\$ 71,755
TC-04 Glass & Glazing.....	\$ 35,860
TC-05 Roofing	\$ 33,797
TC-06 Elevators	\$ 58,500
TC-07 Plumbing.....	\$135,328
TC-08 HVAC	\$ 87,715
TC-09 Electric	\$107,230
Total	\$966,494

Starting Thursday, March 10, 2011, bidders may purchase Contract Documents (full sets only) at the cost of reproduction from Queen City Reprographics, 2863 Sharon Road, Cincinnati, Ohio, 45241, 513-326-2300.

A pre-bid meeting will be held at the Pleasant Ridge Branch, 6233 Montgomery Road, Cincinnati, Ohio on Tuesday March 15, 2011, at 2:00 p.m.

Bidders shall submit with their bid a bid guaranty in the form of either (1) a combined bid guaranty and contract bond for the full amount of the bid or (2) a certified check, cashier's check drawn on a solvent bank or irrevocable letter of credit in the sum of ten percent (10%) of the bid amount, including base bid and alternates, as bid security. The bid guaranty shall be in strict compliance with Sections 153.54, 153.57, 153.571, as applicable. The Bidder to whom the contract is awarded will be required to furnish a contract bond in the sum equal to 100% of the proposal.

Bidders shall comply with the Prevailing Rates on public improvements in Hamilton County, Ohio as ascertained and determined by the Ohio Dept of Commerce, Bureau of Labor & Worker Safety as provided in Section 4115 of the Revised Code of Ohio.

Submitted bids shall not be withdrawn for a period of sixty days following the date of bid opening.

The Owner will award contracts to the lowest responsible bidders.

The Board of Trustees of the Public Library of Cincinnati and Hamilton County reserves the right to reject any or all bids and to waive any informalities in bidding.

By Order of: The Board of Trustees of the Public Library of Cincinnati and Hamilton County, Ohio

5. authorize the Executive Director to review bids with the Facilities Committee, then enter into contracts with the lowest responsible bidders, provided that the total contract cost does not exceed the total contract estimate. Contracts so awarded will be presented to the Board for confirmation at the next regular meeting.

Capital Planning

6. approve inclusion and priority order of the following capital projects in the 2012 budget:

- Ongoing Maintenance
- St. Bernard Branch Library Project
- Reading Branch Library Project
- Woodlawn Branch Library Project
- Westwood Branch Parking
- Clifton Branch Library Project (funded through private donations)

Mrs. Khoury also reported that:

Pleasant Ridge ADA Project

- a zoning variance was granted for the Pleasant Ridge ADA project (required because current zoning is RM 1.2 with the Library specified as a conditional use).

Monfort Heights Branch

- the Library has contacted structural engineering firm THP Limited Inc. to review cracks on the branch's walls and floors.

Wyoming Branch Library

- in response to a report that Wyoming's Community Development Director has proposed the relocation of the Wyoming Branch to 400 Wyoming Avenue, the Facilities Committee

emphasized that they would consider relocating the Wyoming Branch only if the new branch was constructed at no cost to the Library.

In response to a question about the seriousness of the issues at Monfort Heights, Ms. Fender and Mr. Buydos advised that the work would require public bidding and could cost \$75,000, in addition to engineering fees of approximately \$25,000.

Mrs. Khoury moved that the Board approve the Facilities Committee recommendations as submitted. Mr. Wright seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. **(16-2011)**

Mr. Wright presented recommendations that the Board:

2009/10 Ongoing Maintenance Project

- execute Certificates of Substantial Completion with contractors J.K. Meurer and Solica Construction, effective December 31, 2010:
- confirm the following change orders:
 - Change order in the amount of \$11,898.30 to United Electric Company Inc. for electrical work related to lighting at Green Township.
 - Deduct change order in the amount of (\$27,572.31) to Solica Construction for return of their unused contract allowance.

Reading Branch Lease

- approve an addendum to the Reading Branch lease, replacing the current three-year renewal option at a 3% annual increase to a one year renewal (through July 31, 2012) with no increase in rent.

Mr. Wright moved that the Board approve the Facilities Committee Report as submitted. Mrs. LaMacchia seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. **(17-2011)**

DEVELOPMENT COMMITTEE REPORT

Mrs. LaMacchia reported that:

The Library

- the Library and Foundation were represented at the Cincinnati Bar Association's Advanced Estate Planning Seminar, where materials regarding the Clifton Branch project and the Foundation's new endowment initiative were distributed.

Library Foundation

- at its quarterly meeting on January 20, the Foundation:
 - approved revisions to the services agreement with the Library (necessitated by the hiring of an Executive Director)
 - adopted a new investment policy
 - engaged US Bank as its investment advisor, established a permanent endowment and authorized the transfer of all funds donated for the endowment to the permanent endowment fund account at US Bank
 - hired Whitmer & Co. to conduct an annual financial review and prepare tax forms.

Missy Deters, the Foundation's new Executive Director, was introduced to the Board. She spoke to them about the Foundation's new website and their upcoming event in honor of Joseph S. Stern Jr.

Re-Dedication of Cincinnati Room – Joseph S. Stern Jr. Cincinnati Room

- on May 19, the Foundation will host a donor appreciation event, when the Cincinnati Room will be renamed the Joseph S. Stern, Jr. Cincinnati Room in recognition of Mr. Stern's 40 years of service as a Library Trustee and the Stern family's \$1 million gift to the Library Foundation. Donors will be the first to see the 1848 Cincinnati Riverfront Panorama daguerreotype in its new, interactive display.

Friends of the Public Library

- at their quarterly meeting on January 28, the Friends approved their FY 2012 budget, which includes \$225,000 in Library support, including \$22,500 for purchase of nine Early Literacy Station computers. In addition, they approved funding the purchase of four more stations from unspent FY 2011 funds.
- the most recent book sale at the Bond Hill Branch in February grossed \$1,921; a sale at the Black Book Fair in February at Woodward High School netted \$809. The next scheduled sale will be held at the Symmes Township Branch on April 28-30.

Mrs. LaMacchia moved that the Board approve the Development Committee Report as submitted, including approval of the revised services agreement with the Foundation. Mrs. Khoury seconded.

Voting for the motion: Mrs. Khoury, Mrs. LaMacchia, Mr. Sittenfeld, Mr. Wright, Mr. Zaring and Mr. Moran ... 6 ayes. The motion carried. **(18-2011)**

COMMUNITY AND PUBLIC RELATIONS COMMITTEE REPORT

Mr. Sittenfeld presented a report on programs and related promotional activities, exhibits and notable media coverage and press releases, including:

- Programs for St. Patrick's Day, Jeff Shaara's Author Visit, National Poetry Month, Children's Book Week & Author Marc Brown and the unveiling of 1848 Cincinnati Riverfront Panorama
- Exhibits: *Cincinnati Public Schools City Wide Art Exhibition* and *This Is Strobridge!*

The report was received and filed.

LEGISLATIVE AFFAIRS AND LAW COMMITTEE REPORT

Mr. Wright reported that:

State Biennium Budget

- Governor Kasich is expected to introduce his budget on March 15. Lynda Murray, of the Ohio Library Council (OLC), has been meeting with legislators and House and Senate leadership and has asked every library to provide their legislators with information about the service reductions they've made and the vital services they offer. Mr. Wright presented a letter written by Board President William Moran to Governor Kasich.

Mrs. LaMacchia asked that this letter be shared with other legislators.

OLC Legislative Day

- Library staff members and Foundation Executive Director Missy Deters will meet with each of the 11 legislators representing Hamilton County at OLC's Legislative Day on March 24. As Chair of OLC's Government Relations Committee, Ms. Fender will present testimony on behalf of all Ohio public libraries at our budget hearing before the House Finance Committee.

Retirement System Reform

- House Bill 69 and Senate Bill 3 are companion bills on retirement system reform, including the system covering Library staff, the Ohio Public Employee Retirement System (OPERS). HB 69 includes recommendations OPERS made to the General Assembly last year and would achieve the goal of making OPERS solvent after portfolio losses in 2008-09. Provisions include changes in the number of years used to calculate final average salary, changes to cost of living adjustments for retirees and changes to the number of years of service needed to retire. The legislation includes a provision for staff with 25 or more years of service on the effective date of the legislation to be grandfathered under the current plan if they retire within five years of the effective date of the legislation. This is likely to increase the number of staff retirements in the next 5-6 years. None of these changes directly impact the Library's budget.

Senate Bill 5

- Senate Bill 5, which would change collective bargaining in Ohio, would have no immediate impact on the Library or our staff since our only union was decertified in 2010.

House Bill 3

- House Bill 3, which would eliminate the Estate Tax, would have only a small impact on the Public Library Fund since only 20% of the tax goes into the state General Revenue Fund.

House Bill 88

- House Bill 88 is legislation introduced at the very end of last session (HB 566) to correct a perceived problem in the state statute, specifically that the statute suggested that county prosecutors were not the legal representatives for all public libraries. The bill does not *require* libraries to use their county prosecutor, but rather *allows* them the option of using their county prosecutor or outside counsel. Hamilton County Prosecutor Joe Deters has already indicated that his office will continue to be the legal representative for the Library.

The County Commissioners Association of Ohio (CCAO) plans to introduce legislation that will require libraries and townships to pay for their county prosecutors' legal services. The OLC will

request that the CCAO proposal not be part of this legislation and that their proposal not *require* county prosecutors to charge for their services, but *allow* them to charge a fee.

ALA Legislative Day

- a Library staff member will join the Ohio contingent attending the American Library Association's legislative day on May 10 in Washington D.C.

The report was received and filed.

The Regular Meeting was then adjourned.

President

Attest: Secretary