

CLEVELAND PUBLIC LIBRARY

Special Board Meeting

July 16, 2009

**RESOLUTION TO ACCEPT THE STATE LIBRARY OF OHIO FUNDING FOR
THE OHIO LIBRARY FOR THE BLIND AND PHYSICALLY DISABLED
(FORMERLY LIBRARY FOR THE BLIND AND PHYSICALLY HANDICAPPED)**

- WHEREAS, Cleveland Public Library began its first organized service to visually disabled patrons as early as 1903; and
- WHEREAS, Cleveland Public Library was designated a regional library for the blind for Northern Ohio counties under the federal Pratt-Smoot Act of 1931, and under the direction of the Library of Congress; and
- WHEREAS, Cleveland Public Library has provided excellent library service to blind and physically disabled residents needing specialized materials and equipment and where individual libraries cannot provide such services; and
- WHEREAS, As of July 1, 2009, the State Library of Ohio mandated Cleveland Public Library's newly renamed Ohio Library for the Blind and Physically Disabled, its agency to now provide complete statewide services for blind and disabled residents who are eligible for the service and reside in any of the 88 Ohio Counties; and now therefore be it
- RESOLVED, That the Board of Library Trustees agrees to administer statewide library services to blind and physically disabled residents; and be it further
- RESOLVED, That the President of the Board of Library Trustees or her assignee is authorized to execute any agreements or amendments necessary or appropriate to implement said services; and be it further
- RESOLVED, That the Board of Library Trustees accepts the State Library of Ohio funding award of \$1,274,194.00 to be paid from the General State Revenue Fund, recognizing the uncertainty of State Fiscal Year 2010-2011 funding that may result in a different amount from the General State Revenue Fund listed above; and be it further
- RESOLVED, That the Board of Library Trustees also accepts the State Library of Ohio award of \$200,000.00 to be paid from FFY 2008 LSTA carry over funds and \$23,892.00 to be paid from FFY 2009 LSTA funds, to assist with the transition to state-wide service delivery; and be it further
- RESOLVED, That the Board of Library Trustees expresses its appreciation to the State Library of Ohio.

THE STATE LIBRARY OF OHIO
COLUMBUS, OHIO
43201

OHIO FFY 2009
LSTA
CFDA 45.310
PROJECT # VIII-9-09
SERVICES TO TARGETED
POPULATIONS PROJECT
FUNDED WITH FFY 2008
AND FFY 2009 FUNDS
IMLS

AGREEMENT

Ohio Library for the Blind and Physically Disabled

Fiscal Year 2010

THIS AGREEMENT, made and entered into this 25th day of June, 2009, between THE STATE LIBRARY OF OHIO, hereinafter referred to as the STATE LIBRARY, and the BOARD OF TRUSTEES OF THE CLEVELAND PUBLIC LIBRARY, hereinafter referred to as the LIBRARY, witnessed:

WHEREAS, it is the policy of the STATE LIBRARY to assure the provision of excellent library service to every resident of the State of Ohio; and

WHEREAS, due to the need for specialized materials and equipment to provide library services for blind and physically disabled residents, individual libraries cannot provide such services; and

WHEREAS, the LIBRARY has been designated by the Library of Congress as a Regional Library for the Blind and Physically Handicapped, and the STATE LIBRARY has concurred in this designation; and

WHEREAS, the STATE LIBRARY has designated the LIBRARY as its agency to provide services for those blind and physically disabled readers who are eligible for the service, and who reside in any of the 88 Ohio counties; and

WHEREAS, the services are necessary and valuable to the blind and physically disabled residents of Ohio,
and

WHEREAS, such library service is one within the purposes of the law,

NOW THEREFORE, for and in consideration of the mutual undertaking and covenants of the parties as herein set forth, and for other good and valuable consideration, the receipt and sufficiency of which are mutually acknowledged, the parties do hereby agree and covenant as follows:

THAT the LIBRARY shall be administered in the following manner:

Part A

1. The CLEVELAND PUBLIC LIBRARY shall administer the program in accordance with the Annual Plan of Service (Appendix A) and the budget submitted to the STATE LIBRARY as outlined in Appendix B attached to this Agreement. The Cleveland Public Library will serve all 88 counties in Ohio.
2. The CLEVELAND PUBLIC LIBRARY will submit a quarterly narrative report to the STATE LIBRARY by the 15th day of the months of October 2009, January 2010, and April 2010. The narrative reports shall describe the activities carried out toward reaching the goals of the project.
3. Staff of the State Library shall visit the CLEVELAND PUBLIC LIBRARY during April 2010 to review the program with personnel of the CLEVELAND PUBLIC LIBRARY. This review shall be based upon the annual budget and plan of service. The STATE LIBRARY shall furnish a written report of this evaluation.
4. The CLEVELAND PUBLIC LIBRARY will work with the State Library by providing publicity, training, monitoring and evaluation of the CLEVELAND PUBLIC LIBRARY.

Part B

The STATE LIBRARY shall:

1. Pay the LIBRARY for expenses for the period of July 1, 2009 - June 30, 2010 an amount not to exceed \$1,498,086.00. \$200,000.00 shall be paid from FFY 2008 LSTA carryover funds, \$23,892.00 shall be paid from FFY 2009 LSTA funds, and \$1,274,194.00 shall be paid from Fund 5GB0 Funds from ALI 350-605.

Payment shall be made as follows:

FUND 5GB0	LSTA	
\$174,522.00	\$200,000.00	AS SOON AS POSSIBLE AFTER SIGNING OF THIS AGREEMENT BY BOTH PARTIES.
\$350,630.00	\$23,892.00	IN OCTOBER 2009. AS SOON AS POSSIBLE AFTER SUBMISSION AND ACCEPTANCE OF QUARTERLY FINANCIAL AND PROGRAM REPORTS FOR JULY 1, 2009 THROUGH SEPTEMBER 30, 2009.
\$374,521.00		IN JANUARY 2010. AS SOON AS POSSIBLE AFTER SUBMISSION AND ACCEPTANCE OF QUARTERLY FINANCIAL AND PROGRAM REPORTS FOR OCTOBER 1, 2009 THROUGH DECEMBER 31, 2009.
\$374,520.00		IN APRIL 2010. AS SOON AS POSSIBLE AFTER SUBMISSION AND ACCEPTANCE OF QUARTERLY FINANCIAL AND PROGRAM REPORTS FOR JANUARY 1, 2010 THROUGH MARCH 31, 2010.
		A QUARTERLY FINANCIAL REPORT FOR APRIL 1, 2010 THROUGH JUNE 30, 2010 WILL BE REQUIRED FOR REVIEW BY THE STATE LIBRARY. THIS FINAL REPORT IS DUE NO LATER THAN SEPTEMBER 1, 2010.

FFY 2008 federal funds will be obligated by September 30, 2009 and disbursed by October 31, 2009.

The State Librarian, at her discretion, may negotiate the percentage of state funds to be received each quarter by the LIBRARY.

Part C

The LIBRARY SHALL:

1. Make available services outlined under provisions of its annual plan of service for blind and physically disabled readers as approved by the STATE LIBRARY.
2. Provide to the STATE LIBRARY quarterly financial reports and three narrative reports against the approved plan of service and budget. Fiscal reports must be submitted in reporting format required by the State Library.
3. Provide to the STATE LIBRARY no later than September 1, 2010 a financial and narrative report of all receipts and expenditures incurred pursuant to the implementation of this agreement.
4. Recommend policy for the program to the STATE LIBRARY.

Part D

Conditions:

1. Any special grants or gifts from sources other than the STATE LIBRARY shall not be deducted from the LIBRARY's appropriation as set out in Part B, Section 1 and may be used to further the implementation of the annual plan of service.
2. Any changes either in the operating budget or in the service in general from the approved annual plan of service shall be approved in advance in writing by the STATE LIBRARY.
3. Funds received by the LIBRARY from the STATE LIBRARY under this agreement shall be designated for the LIBRARY and shall be expended pursuant to the provisions of the attached plan of service. FFY 2008 federal funds must be disbursed by October 31, 2009 and FFY 2009 federal funds and SFY 2010 funds must be expended by June 30, 2010. Any funds not expended shall be returned to the STATE LIBRARY. Said plan of service may be updated or otherwise amended by mutual agreement between the LIBRARY and the STATE LIBRARY to meet ongoing program needs.
4. All receipts and expenditure relating to this program shall be subject to audit. The CLEVELAND PUBLIC LIBRARY agrees to submit to the STATE Library within 30 days from the date the report is issued, one copy of its audit report for each fiscal year which includes any part of this project period.
5. This agreement is subject to annual review by the parties hereto.
6. It is expressly understood and agreed to by the parties that none of the rights, duties, and obligations herein shall be binding on either party, until all statutory provisions of the Ohio Revised Code, including but not limited to section 126.07, have been complied with and until such time as all necessary funds are available or encumbered.


In the event the state and/or federal funds included in this contract become unavailable to the State Library, the STATE LIBRARY shall modify or cease the terms of this agreement based upon the financial restrictions imposed by the State of Ohio or the federal government.

IN WITNESS WHEREOF, the respective parties hereto have caused this Agreement to be executed the day and year first above written.

CLEVELAND PUBLIC LIBRARY

THE STATE LIBRARY OF OHIO

President, Board of Trustees



State Librarian

Cleveland Public Library
 Ohio Library for the Blind and Physically Disabled
 FY 2010 Approved Budget

Appendix B

	STATE	FEDERAL	LOCAL	TOTAL
1. Salaries	\$600,679.00	\$223,892.00	\$53,168.00	\$877,739.00
2. Benefits	241,188.00	-0-	15,551.00	256,739.00
3. Computer costs	81,099.00	-0-	-0-	81,099.00
4. Space rental	288,102.00	-0-	-0-	288,102.00
5. Materials/Equipment/Telephone Services	33,746.00	-0-	-0-	33,746.00
6. Administrative Services	22,686.00	-0-	-0-	22,686.00
7. Travel	6,694.00	-0-	-0-	6,694.00
8. Volunteer program	-0-	-0-	-0-	-0-
TOTAL	<u>\$1,274,194.00</u>	<u>\$223,892.00</u>	<u>\$68,719.00</u>	<u>\$1,566,805.00</u>