

CLEVELAND PUBLIC LIBRARY  
Joint Finance and Human Resources Committees Meeting  
June 17, 2008  
Trustees Room                      Louis Stokes Wing  
12:00 Noon

Present:        Mr. Corrigan, Ms. Rodriguez, Mr. Seifullah, Ms. Branham, Mr. Werner (arrived 12:21 p.m.)

Absent:        Ms. McClung, Ms. Butts

Mr. Corrigan called the joint meeting of the Finance and Human Resources Committee to order at 12:11 p.m.

**FINANCE COMMITTEE**

Resolution to Accept LSTA Grant to Administer KnowItNow

Sandy Kuban, Finance Administrator reviewed the resolution and stated the new grant revenue totals \$448,631.56 not including an estimated \$100,000 carry over from the previous year for a total of \$548,631.56. Ms. Kuban stated that pending evaluation at the end of June, estimates could slightly change. Comparing to the previous year, funding is approximately the same. The KnowItNow Grant saw some savings because of a platform switch from Tudor.Com to the SourceNsolution.

Mr. Venable stated that Cleveland Public Library had an initial leadership role in KnowItNow.

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

Third Amendment to the 2008 Appropriation

Sandy Kuban, Finance Administrator, gave a brief overview of the revenue changes outlined in the Third Amendment which included, in Appropriations three items increased, \$1,000 for the Boorstein Award received from the Library of Congress; Ohio Center for the Book award , LBPH LSTA Grant \$129,572 which is the same as last year's amount; and KnowItNow Grant 448,632 related to the above resolution, both for fiscal years beginning 7/1/08.

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

### Resolution for Agreement for Elevator Maintenance Services

Myron Scruggs, Facilities Administrator recommended that Cleveland Public Library renew its agreement with Kone, Inc. to provide elevator maintenance services. The past agreement with Kone, Inc. was executed satisfactorily and warrants consideration for renewal. Kone, Inc.'s service benefits include preventive maintenance services as well as shorter response times.

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

### Resolution to Approve Agreement Between Cleveland Public Library and Cleveland Metropolitan School District for Site Improvements to the Harvey Rice School/Rice Branch Library Campus

Holly Carroll, Deputy Director, gave an overview of the agreement that has also been reviewed by Cleveland Public Library counsel. The agreement provides for improvement additions of a storm water retention system and parking lot area totaling \$90,532. The storm water retention system and parking area were added as alternates to the Cleveland Metropolitan School District's construction bid document for the new Harvey Rice School Building.

Ms. Branham informed the Board of the Cleveland Metropolitan School District's name change to Cleveland Municipal School District and advised that the resolution be amended accordingly prior to the June Board Meeting.

Mr. Corrigan stated that with the recommended amendment, this item would go to the full Board for approval.

Mr. Corrigan concluded the Finance Committee meeting.

## **HUMAN RESOURCES**

### Resolution to Approve Health Care Consultant.

Sharon Tufts, Human Resources Administrator gave background on this resolution and stated that it is a requested continuation of the Library's relationship with Herbruck Alder as a consultant for a third year to negotiate health care coverage, life insurance, and short term disability.

Ms. Branham requested that the resolution be amended to reflect June 1, 2008 as the correct date of service engagement with Herbruck Alder.

Ms. Branham stated that with the recommended amendment, this item would go to the full Board for approval.

### Resolution Sanctioning a Succession Planning Program for Cleveland Public Library

Ms. Branham gave background on the Succession Planning Program, its purpose, summarized its activities to present, and ultimately the purpose of the resolution sanctioning a Succession Planning Program. Ms. Branham stated that specific names of Administrators, Library Board representatives were listed in the resolution to assist in program implementation.

Mr. Corrigan thanked Ms. Branham for her leadership in overseeing this committee and noted the importance of this committee and its work.

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

### Resolution Relating to the Cleveland Public Library Flexible Spending and Computer Benefits Account

Sharon Tufts, Human Resources Administrator introduced Cheryl LeKan and Steve Root of Automatic Data Processing, Inc. (ADP) who discussed the Flexible Spending Account Plan. The detailed presentation included background information on ADP Benefit Services' experience in successful administration of the Flexible Spending Account Plan. Also included in the presentation was background on the Flexible Spending Account Plan including website support services; general information Health Care Spending Account (HCSA) Benefits; and Dependent Care Spending Account (DCSA) Benefits. These plans permit employees to make pre-tax contributions to Health Care Spending Accounts, Dependent Care Spending Accounts for out-of-pocket medical, dental, vision care costs, and dependent care costs, will be effective October 1, 2008. Commuter Expense Accounts to be set up shortly, also to be effective October 1, 2008.

Sharon Tufts stated that this plan was a part of District 1199 negotiations and as a result of the subsequent bid process; ADP was selected as third-party administrator of the Flexible Spending Account Plan and the Commuter Benefits Plan.

Mr. Venable stated that the Flexible Spending Account Plans have become the standard in the public library community as seven other Ohio public libraries are currently have this benefit.

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

### Implementation of Race-Neutral Disadvantaged Business Enterprise Policy

Mr. Venable stated that he was concerned with the Library's compliance to its current affirmative action policies that had not been revised in years, and recommended in light of the Library's current construction projects with the Woodland and Rice Branches that they be reviewed and the Board be updated on current legal options available to public entities.

Mr. Venable introduced Attorney Peter N. Kirsanow of Benesch, Friedlander, Coplan & Aronoff LLP who gave a presentation on Cleveland Public Library's current affirmative action policy in comparison to current US Constitutional law and discussed possible liability as a result of failure

to follow current law for public agencies. To move the Library toward compliance, Mr. Kirsanow advised that the Library conduct a pre-disparity study that justifies the use of a race-conscious program increasing opportunities for minorities and enlarging pools of minority participants on public contracts for Library construction projects. In addition, Mr. Kirsanow stated that bid and contracting documents relating to Library construction projects should remove references to race-conscious policies and substitute race-neutral policies, until a disparity study is completed.

Mr. Corrigan stated that taxpayers as well as minorities should have an opportunity to participate in the Library's capital improvement projects especially in their respective neighborhoods and communities.

In response to Mr. Werner's query about the Library's existing affirmative action policy, Mr. Kirsanow agreed that the policy should be immediately suspended.

Mr. Corrigan asked that staff draft a resolution that suspends the Library's existing affirmative action policy pertaining to contractors and vendors and directs the staff to work on race-neutral policies designed to achieve maximum resident participation in all Library capital improvement projects.

Mr. Werner stated that the Board is on official notice by legal counsel that the Library's current affirmative action policy is no longer appropriate under existing law and the resolution should reflect our commitment to adherence to appropriate policy as well as the law.

Mr. Kirsanow agreed to assist in preparing the resolution and advised the Library meet with contractors informing them that the Library is operating in good faith and desires the maximum minority participation in capital improvement projects.

Mr. Corrigan stated that pending the preparation of the resolution, this item would go to the full Board for approval.

Mr. Corrigan motioned to adjourn the joint meeting of the Finance and Human Resources Committee. Mr. Seifullah second the motion, which passed unanimously by roll call vote.

Mr. Corrigan adjourned the joint meeting of the Finance and Human Resources Committee at 1:44 p.m.