

DETROIT LIBRARY COMMISSION PROCEEDINGS

Special Meeting

August 23, 2012

In the absence of President Kinloch, Vice-President Bellant called the Special Meeting of the Detroit Library Commission to order at 12:11 p.m.

Present: Commissioners Bellant, Hicks, Lemmons, Quarterman and Thomas

Administrative Staff: Machie and Cromer

Excused: President Kinloch and Commissioner Jackson

Present Also: Janet Batchelder, Cheryl Blessett, Ronald Bryant, Lurine Carter, Medgar Clark, Deborah Dorsey, Julie Fornell, A.J. Funchess, Christine McDonald, Mike McElgunn, Toya McGregor, Trinee Moore, Carolyn Mosley, Maria Norfolk, Cledos Powell, Yvette Rice, Hideaki Sano, Anna Savvides, Alma Simmons, Tiffani Simon, Dortha Simpson, Steve Terri, Dorothy J. Williams, Tracey Wyatt and others.

PUBLIC COMMENTS

There were no public comments.

STATUS OF THE EXECUTIVE DIRECTOR

Commission Action

Commissioner Hicks made a motion to extend the existing contract of Executive Director Jo Anne Mondowney from August 24, 2012 until September 30, 2013. Commissioner Quarterman supported the motion.

Discussion

Commissioner Thomas stated that the action as recommended is a disservice to the Detroit Public Library and the citizens of Detroit. He suggested the existing contract should be forwarded to the Detroit Public Library's attorneys for review and revision. He said the current language in the contract is not in the best interest of the library.

Commissioner Thomas also suggested that until the contract is reviewed and revised, then it should be an at-will, month-to-month engagement.

Commissioner Bellant directed the Human Resources Director to draft a contract extension with modifications for the Executive Director. He said the context of the contract should also include the performance goals he presented, as requirements for the extension of the one-year contract.

Commissioner Quarterman stated she did not object to extending the existing contract, however, she would like to review it.

Commissioner Thomas stated that DPL has counsel that is paid to handle legal matters and any modifications to the contract should be handled by the attorneys. The contract should then be submitted to the Committee on Administration for review with an explanation of the modifications from the attorneys. The contract would then be forwarded to the Commission for approval.

The original contract was signed by the former President of the Commission, Rev. Dr. Georgia Hill and the Executive Director, Jo Anne G. Mondowney but the full Commission did not vote on the contract. The Commission voted on Ms. Mondowney as a candidate for the Executive Director position.

Commissioner Lemmons asked if the Executive Director has any desire to return to the Detroit Public Library.

Mr. Hideaki Sano, Ms. Mondowney's attorney, said if an appropriate contract is presented, Ms. Mondowney is willing to return to the Detroit Public Library as the Executive Director. Mr. Sano also said that Ms. Mondowney is willing to continue her employment as an at-will employee until the terms of her contract are negotiated and agreed upon by the Commission and Ms. Mondowney.

Commission Action Cont'd

The motion was repeated with the following modifications:

Commissioner Hicks made a motion to extend the existing contract of Executive Director Jo Anne Mondowney on a month- to- month basis. The Detroit Library Commission will offer Ms. Mondowney a one year contract not to exceed September 30, 2013. The existing contract will be used as the base and will be subject to mutually agreed modifications. Commissioner Quarterman supported the motion.

A roll call vote was taken with the following results:

Commissioner Bellant	Yes
Commissioner Hicks	Yes
Commissioner Lemmons	Yes
Commissioner Quarterman	Yes
Commissioner Thomas	No

The motion carried

Goals and Benchmark Expectations of the Executive Director

Commissioner Bellant presented the following goals and benchmark expectations of the Executive Director from the Detroit Library Commission:

- Define and propose the Administrative Team for the regular Commission meeting of September 18, 2012.
- Establish staffing levels and points of service for FY 2013.
- Accelerate community and media contacts for educating the public on challenges facing DPL and opportunities for improving conditions for the library system.
- Develop in concert with the DPL Friends Foundation an aggressive fund development program.
- Finalize and implement plans for a community advisory task force to advise the Executive Director and the Library Commission.
- Lay the groundwork for the 2014 millage campaign.
- Inform the Commission through the Executive Director Report at every regular Commission meeting of progress on each goal.

Commission Action

Commissioner Lemmons made a motion to adopt the goals as a negotiating benchmark subject to mutual agreement with the Executive Director. Commissioner Hicks supported the motion.

Comment

Commissioner Thomas asked if the list of goals, if needed, could be expanded. Commissioner Lemmons said he would accept the suggestion as a friendly amendment to the motion.

A roll call vote was taken with the following results:

Commissioner Bellant	Yes
Commissioner Hicks	Yes
Commissioner Lemmons	Yes
Commissioner Quarterman	Yes
Commissioner Thomas	Yes

The motion carried.

Discussion

Commissioner Bellant asked Ms. Trinee Moore, Human Resources Director, if she would facilitate a meeting between DPL's legal counsel and Ms. Mondowney's legal counsel to negotiate the terms of the offer made to Ms. Mondowney.

Ms. Moore replied "yes" if that is Commission's request, however, she believed President Kinloch had been involved in conversations with DPL's legal counsel regarding this matter.

Commissioner Bellant stated since the Commissioners are volunteers, this matter should be handled by a staff person.

Ms. Moore said her role in this matter would be to contact DPL's counsel and share the information that has been discussed at today's meeting. The counsel would draft a letter from the Commission to be signed by the Commission's President and sent to Ms. Mondowney, with the direction to contact either Ms. Moore or the Commission's President.

Commissioner Quarterman said a letter needed to be drafted by the Commission inviting Ms. Mondowney to return to work as the Executive Director. She said the communication should come from the Commission and not a staff member.

Ms. Moore said that the letter should come through DPL's legal counsel instead of the Commission.

Commissioner Hicks disagreed. He said the Commission could draft a letter to send to Ms. Mondowney indicating her contract is being renewed on a month to month basis until the terms of the contract are mutually agreed upon. If the President of the Commission is unavailable to sign the letter then it would be signed by the Vice President of the Commission.

Commissioner Hicks drafted a letter and made a motion to send the following communication to Ms. Mondowney:

This communication is to advise that the Detroit Library Commission has authorized a month-to-month contract with Jo Anne G. Mondowney as the Executive Director of the Detroit Public Library with the same terms and conditions as the current contract that is scheduled to expire August 24, 2012. It is the expectation that the Executive Director will return to work on Monday, August 27, 2012.

Commissioner Quarterman supported the motion. The motion carried.

Human Resources Report

Ms. Machie reported that the Human Resources Department Report indicates personnel actions for retirements, potential retirements, separations and employee headcount. These actions have been approved by Administration.

RETIREMENTS (1)

Employee Name	Last Day Worked	Retirement Date
Joan Brand	June 30, 2012	September 1, 2012

SICK LEAVE PAYOUTS (2)

\$82,985.39 sick leave/pro-rated longevity payout made on 6/8/2012 to two (2) employees

POTENTIAL RETIREMENTS (0)

No new requests for retirement letters have been submitted by DPL staff

SEPARATIONS (2)

Raymond Lambert, effective June 7, 2012
April Williams, effective June 15, 2012

EMPLOYEE HEADCOUNT

Current Fiscal Year	Comparison W/Previous Fiscal Year
FY 2011/2012 as of June 15, 2012	FY 2010/2011 as of June 15, 2011
339 Active Employees (FTE)	378 Active Employees (FTE)

Discussion

Commissioner Hicks said that he had suggested adjusting the headcount number to reflect variations from month to month. He also asked for an explanation regarding sick leave payouts. He asked if DPL has some restrictions on sick leave payouts.

Ms. Moore explained that once an employee retires, they are entitled to their reserved sick leave payout. Currently an employee can take 60% of the payout and roll 25% of the 60% over into pension. However, with the new City of Detroit Consent Agreement, sick leave payouts will be capped.

Commissioner Hicks said he would like to be updated on the vacation and sick leave payouts.

Commission Action

Commissioner Quarterman made a motion to approve the Human Resources Report. Commissioner Thomas supported the motion. The motion carried.

Discussion Cont'd

Commissioner Bellant asked if there had been new hires or promotions.

Ms. Moore replied that DPL has not had any new hires because of a freeze on hiring. However, there have been internal re-assignments to cover critical areas but when that happens, it leaves other areas uncovered. Staff is being shuffled to where they are most needed.

Finance Committee Report Ending Fiscal Year 2012

Mr. Cromer reviewed an unaudited report that was only for informational purposes. It states that currently DPL's expenses have exceeded its revenues by \$461,000.00. DPL has collected nearly 93% of projected revenues.

There is still \$2 million to be collected, which includes \$520,000 from the Industrial Facilities Tax and \$1.5 million from the Neighborhood Empowerment Zone. These collections will bring DPL's projections closer to its targeted budget. DPL still anticipates revenues being overstated by \$943,000.

Mr. Cromer stated that a more detailed report will be presented at the next Committee on Finance meeting.

Review of Administrative Actions Report – May – August 2012

Cognizant Grant to DPL's HYPE Center:

DPL's HYPE Center is the recipient of a \$30,000 grant from Cognizant - *Making the Future Education Program*. The grant was used to implement a "Maker-Space" Camp at the HYPE Center, providing an opportunity for our teens to participate in science, technology, engineering, and math (STEM) related hands-on activities, as well as workshops in business development and leadership. The grant was initiated by HYPE Center staff, Linda Curvey-Brown and Steven Teeri, and was administered through the Friends Foundation. The HYPE Center also received a \$2,500 grant from the Rotary Club of Detroit, for summer camps.

Update on Tax Capture Discussions:

As directed by the Committee of the Whole on May 15, 2012, Tim Cromer, Maria Norfolk and Juliet Machie met with Clark Hill representatives on June 12 to initiate strategy on addressing the tax capture issue. Clark Hill had worked with DPL on this issue for several years. DPL has also advanced conversations with city council staff on this matter. It is the recommendation of DPL's staff to continue developing strategy to move this issue towards legislative action. In addition, DPL would like to explore strategy towards a petition to Governor Snyder, to return and fund DPL's designation as a state resource.

Brownfields Hearing at City Council:

On June 14, 2012, Tim Cromer, Maria Norfolk and Juliet Machie attended a hearing at City Council regarding Harbortown and Cardinal Health Brownfields projects. Ms. Machie spoke at the hearing to raise Council's awareness on the impact of Brownsfield and other tax capture projects on DPL's budget. DPL recognizes that legislative action is needed to exempt the library from tax captures; however, DPL's purpose was to create an opportunity to begin dialog with the city to explore ways to mitigate the costs of the tax capture programs to the library. Commissioner Russ Bellant also attended and spoke at the hearing.

Capital Improvements Agenda:

DPL submitted a five-year capital agenda to the City of Detroit on August 15th. The last five-year plan was submitted to the city in 2010 and mirrors the capital agenda outlined in the library's Strategic Directions. The city's budget office toured the Main Library in late 2008 to help them understand the issues that are recurrent in the library's facilities plan. DPL was included in the city's 2009 bond approval for \$25 million. The 2012 Capital Improvement Plan requests \$13 million of the \$25 million bond that was approved for DPL in 2009, to address the first half of the agenda that was included in the 2009 bond proposal. A strong outreach to the city is needed to facilitate this request. The 2012 Capital Improvement Agenda will be forwarded to the Buildings Committee for review.

FY 2012/2013 Programs:

A programs agenda for FY2012/13 was presented to the Finance Committee on August 15th. This is the first time that DPL has articulated all major programs and funding sources in one document. Efforts will be made to embrace other program opportunities.

Library Hours & Staff Recalls:

DPL presented a proposal for staff recalls at the Finance Committee meeting of June 14, 2012. The Finance Committee authorized a budget of \$485,000, and directed staff to present a plan to the Committee on Administration. A recall plan was developed and shared with Commissioners via email, pending a COA meeting. Some Commissioners responded to Ms. Machie's email with additional budget questions. Responses to these questions have been articulated, pending a COA meeting.

Update on Lost Items:

DPL presented a proposal to the Committee on Administration on May 15th and received authorization to negotiate a contract with Unique Management Services (UMS) for the recovery of lost library materials. A contract approval was included in the June 26th library commission meeting and is awaiting Commission approval. In the interim, DPL has negotiated a no cost 90-day trial with UMS, pending Commission's approval of their contract.

Discussion

Commissioner Bellant asked if there had been any steps been taken in terms of notifying personnel, unions or bargaining units regarding the recall plan?

Ms. Machie replied that once approval was received from the Finance Committee to move forward with a plan to be presented to the Committee on Administration, the staff notified the union leaders that a plan that was moving forward. However, no staff members were notified regarding recalls because the staff was not authorized to do so.

Commissioner Hicks raised concerns regarding the contract awarded to Clark Hill for their work on Tax Captures without approval from the full Commission. The contract stated that Clark Hill would receive \$5,000 per month for 5 months which totals \$25,000. He said the amount for payment would exceed the \$15,000 cap the staff is allowed to approve without Commission authorization.

Commissioner Quarterman also expressed her concerns regarding the contract. She said at the August 15th Committee on Finance meeting, the contract was reviewed but returned to Clark Hill for modifications. The contract would then be brought back to the Finance Committee for approval.

Commissioner Thomas asked the Commission not to act precipitously regarding this issue. He explained that Clark Hill attended a Finance Committee meeting and discussed the issues relating to tax captures and they proposed a plan of action relative to getting DPL out of tax captures.

Commissioner Thomas stated that Clark Hill operates on an at-will basis and if the Commission decides to terminate their engagement with Clark Hill, they may do so in less than thirty days' notice. He said Clark Hill was directed to modify the agreement that was presented at the Finance Committee meeting and present it at the next Committee on Finance meeting. He also said that acting precipitously could harm the Detroit Public Library.

The meeting was adjourned at 2:00 p.m.