

DETROIT LIBRARY COMMISSION PROCEEDINGS

REGULAR MEETING

SEPTEMBER 18, 2012

President Kinloch called the Regular Meeting of the Detroit Library Commission to order at 1:55 p.m.

A roll call vote was taken with the following results:

Commissioner Bellant	Present
Commissioner Hicks	Present
Commissioner Jackson	Present
Commissioner Lemmons	Present
Commissioner Quarterman	Present
President Kinloch	Present

Administrative Staff: Mondowney, Machie, Cromer, Moore and Norfolk

Excused: Commissioner Thomas

Present Also: Jamil Allah, Cheryl Blessett, Margaret Bruni, J. Randolph Call, Lurine Carter, Enid Clark, Deborah Dorsey, Lawanda Felder, A.J. Funchess, Fran Harris, Romondo Locke, Mike McElgunn, Patrice Merritt, Carolyn Mosley, Maria Norfolk, Pat Petrone, Cledos Powell, David Rambeau Yvette Rice, Hideaki Sano, Alma Simmons, Tiffani Simon, Laurie Stuart, Dr. John Telford, Steve Terri, Dorothy Williams, Tracey Wyatt and others.

Approval of Meeting Minutes

The minutes of the Re-Scheduled Regular Meeting of June 26, 2012, Special Meeting of August 22, 2012 and Special Meeting of August 23, 2012 were received with any necessary corrections.

Minutes were approved at the October 16, 2012 DLC meeting

Public Comments

Laurie Stuart – Expressed her concerns regarding the Commissioners adhering to the time limit of 2 minutes for public comments. She said people should be allowed to speak without interruptions. She asked that the Commissioners utilize Roberts Rules of Order and follow parliamentary procedures. She also asked the Commissioners to continue listening to the administrative staff of the library as they present ideas for the library as DPL move forward into the millage of 2013.

Jamil Allah – Expressed his concerns regarding the Commissioners providing the public with plain everyday language in reference to the status of the library. He referred to Mr. David Rambeau, a library customer, who has a program on Saturday mornings and how he explains the state of the library to the public in plain English. He suggested Mr. Rambeau become a member of the Detroit Library Commission Board.

Comment

Commissioner Hicks suggested to Mr. Allah that he should send a letter to the appointing authority of the Detroit Library Commission expressing his concerns relative to the appointment of Mr. Rambeau to the Commission.

David Rambeau – Expressed his gratitude to Mr. Allah for the recommendation of serving on the Detroit Library Commission and he would like to offer his services. He disagreed with limiting the public to 2 minutes for comments. He said the issues regarding the library are too important to allot 2 minutes to the concerns of the citizens of Detroit.

Fran Harris – Expressed her gratitude regarding the signage that was replaced at the Redford Branch Library. She referred back to an October 2011 Commission meeting that indicated DPL's finances were catastrophic. She questioned how the suspension of furlough days for exempt employees and deferring the 10% wage reduction for executive staff would impact DPL's current financial situation.

Comment

President Bellant responded by saying DPL started repairing the financials issues in the previous year and had the opportunity to adjust staffing levels in the interest of providing the best service for the citizens of Detroit.

Report of the President

President Kinloch announced that Commissioner Russ Bellant has been appointed to Audit Committee and Commissioner Gregory Hicks has been appointed to the Finance Committee.

President Kinloch acknowledged Dr. John Telford, Interim Superintendent for Detroit Public Schools, and invited him to say a few words.

Dr. Telford said the situation with the Detroit Public School and the Detroit Public Library is dire and there will be a state takeover if Public Act 4 is not repealed. He said he is trying to save the school district that has been taken over by the state before. He says the Detroit School Board now has the opportunity to stand up for the students.

Report of the Executive Director

2012 Staff Development Day

Ms. Mondowney reported that the Detroit Public Library system will be closed for public service on Wednesday, September 26, 2012 for Staff Development Day. This year's theme will be "DPL Vision: A Call to Action: Shaping our Preferred Future." Staff will hear updates about DPL's priorities, financial outlook and strategic planning directions.

State Aid

Ms. Mondowney reported that DPL received a total of \$527,308 in State Aid for Fiscal Year 2012. The Library for the Blind and Physically Handicapped received \$45,180; the Detroit Library Cooperative received \$162,467; and the Detroit Public Library received \$319,660.

Summer Reading 2012

Ms. Mondowney reported that approximately 3500 young children and teens participated in DPL's Summer Reading Program. This year's themes were "Own the Night" for teens and "Dream Big Read" for children ages 7 -12. DPL appreciated the hard work of DPL librarians and the financial support of the Friends Foundation that make this annual program possible.

War of 1812 Commemoration

Ms. Mondowney reported that on September 6, 2012, representatives from the U.S. Navy presented DPL with copies of the book "Yardarm to Yardarm: The Rise of the United States Navy" by Mark Collins Jenkins & David A. Taylor in commemoration of the 200th anniversary of the War of 1812. The books will be added to the Main Library's SSER & Burton collections and selected branches.

Used Book Sale

Ms. Mondowney reported that the DPL Friends Foundation will sponsor a Used Book Sale October 26 & 27, 10 am – 5 pm, on the “A” - Level of Main Library. Thousands of books sorted by subject, along with CDs, DVDs and audio books will be for sale. Proceeds from the book sale will support the Summer Reading program.

Family History Festival

Ms. Mondowney reported that the Burton Historical Collection’s 7th Annual Family History Festival will be held on Saturday, September 29, 10 am – 6 pm at Main Library. Featured speakers will be genealogists George G. Morgan and Dr. Deborah A. Abbott. The Family History Festival is free and open to the public; however, there is a charge for a pre-ordered lunch. The Detroit Society for Genealogical Research will sponsor morning refreshments.

Charity Cookbooks

Ms. Mondowney reported that the Friends Foundation will sponsor “Charity Cookbooks and the Empowerment of Women” on Friday, September 21 at 6:30 pm, in the Friends Conference Room. A lecture will be presented by Janice Bluestein Longone, proprietor of the Wine and Food Library, America’s oldest antiquarian culinary bookshop. The event is free to members of The Friends and members of the Book Club of Detroit. There will be a \$10 cost for non-members and guests.

Skillman Noontime Concert

Ms. Mondowney reported that a generous grant to the Friends Foundation from Compuware will underwrite a monthly noontime concert series at the Skillman Branch Library. The series will be launched on Wednesday, October 17 with a performance by Dennis Coffey, an outstanding guitarist, who played with the Funk Brothers, the legendary Motown studio band.

Early Literacy Program through the Franklin Branch

Ms. Mondowney reported that the Franklin Branch Library, together with their Friends group, is supporting a coordinated effort to reduce infant mortality by sharing information on library resources with new moms. The information, which is packaged in a gift bag, includes a free children's book, a flier listing library locations and hours, a library card application, and printed advice for parents about the importance of reading aloud. The bags are distributed free-of-charge to participants in the “Sew up the Safety Net” program, which coordinates health care and support services for at-risk pregnant women in the Brightmoor, Chadsey-Condon, and Osborn neighborhoods.

Never Too Late to Learn to Read Exhibit

Ms. Mondowney reported that the “Never Too Late to Learn to Read” Exhibit is sponsored by the AIGS, Detroit Chapter. The Detroit Chapter kicked off its 6th year of “Shout” by challenging area high school students to use their voices in the creative process to make their community better. Through graphic design, the students shared their perspectives on the importance of reading. The black and white posters are powerful and impressive.

Dlectricity

Ms. Mondowney reported that the Main Library will be in the center of “Dlectricity: Detroit’s Nighttime Exhibition of Art & Light,” a free nighttime, outdoor contemporary art festival which has invited emerging and established artists, lighting designers, performers and architects to make site-specific installations of light and sound. The Festival will be held October 5 – 6 and will transform the Woodward corridor into creative urban spectacle.

Detroit Design Festival 2012

Ms. Mondowney reported that as part of the 2012 Detroit Design Festival, Main Library will be the site of a four- day exhibit entitled “Surveying Greatness: The Work of Corrado Parducci,” a sculptor whose work is in many Detroit buildings including the Masonic Temple and the landmark Fisher and Penobscot Buildings. The exhibit is sponsored by the Parducci Society and will be in Main Library’s Adam Strohm Hall September 19 – 22.

Committee on Administration

Routine Human Resources Report - June 2012

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)

Approval is requested to accept the Human Resources Report as presented.

Commission Action

Commissioner Quarterman made a motion to approve the Human Resources Report for June 2012. Commissioner Jackson supported the motion. The motion carried.

Routine Human Resources Report - July 2012

The Human Resources Department Report indicates personnel actions for retirements, potential retirements, separations and employee headcount. These actions have been approved by Administration.

RETIREMENTS (2)

Employee Name	Last Day Worked	Retirement Date
Joan Brand	June 30, 2012	September 1, 2012
Edward Burleigh	July 27, 2012	September 11, 2012

SICK LEAVE PAYOUTS (4)

\$61,009.66 sick leave/pro-rated longevity payout made on 7/6/2012 to three (3) employees
 \$21,017.23 sick leave/pro-rated longevity payout made on 7/20/2012 to one (1) employee

POTENTIAL RETIREMENTS (0)

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

SEPARATIONS (1)

Daneen Andrews, Clerical Assistant, effective July, 19, 2012

EMPLOYEE HEADCOUNT

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

Approval is requested to accept the Human Resources Report as presented.

Minutes were approved at the October 16, 2012 DLC meeting

Commission Action

Commissioner Quarterman made a motion to approve the Human Resources Report for July 2012. Commissioner Jackson supported the motion. The motion carried.

Routine Human Resources Report - August 2012

The Human Resources Department Report indicates personnel actions for retirements, potential retirements, separations and employee headcount. These actions have been approved by Administration.

RETIREMENTS (3)

Employee Name	Last Day Worked	Retirement Date
Joan Brand	June 30, 2012	September 1, 2012
Edward Burleigh	July 27, 2012	September 11, 2012
Threasa Brown	August 18, 2012	October 7, 2012

SICK LEAVE PAYOUTS (0)

There have been no retirement sick leave/longevity payments for this report period.

POTENTIAL RETIREMENTS (1)

One (1) new request for a retirement letter has been submitted by DPL staff

SEPARATIONS (4)

Mohamed Ahmed, Clerical Assistant, effective 7/28/2012

Destiny Burke, Clerical Assistant, effective 8/18/2012

Matthew Castro, Clerical Assistant, effective 8/10/2012

Tracy Ward, Clerical Assistant, effective 8/25/2012

EMPLOYEE HEADCOUNT

Current Fiscal Year	Comparison W/Previous Fiscal Year
FY 2011/2012 as of August 15, 2012	FY 2010/2011 as of August 15, 2011
327 Active Employees (FTE)	377 Active Employees (FTE)

Approval is requested to accept the Human Resources Report as presented.

Commission Action

Commissioner Quarterman made a motion to approve the Human Resources Report for August 2012. Commissioner Jackson supported the motion. The motion carried.

Minutes were approved at the October 16, 2012 DLC meeting

Authorization to Contract with Unique Management Services (UMS) for Debt Collection Services

Commissioner Quarterman reported that a recommendation was presented to the Committee on Administration on May 15, 2012, in response to the Lost Items report. Staff was directed by COA to negotiate a contract with Unique Management Services.

Unique Management Services has a "sole source" agreement with SIRSI/Dynix, DPL's vendor for the Integrated Library System. Staff from UMS met with DPL staff on June 19th to dialog on how to enable the service. UMS is offering a 90-day no risk trial to DPL, after which accounts owing in excess of \$25, turned over for collections, will be billed at \$8.95 per account. DPL already charges customers \$10 for processing of delinquent accounts. UMS offers a budget neutrality guarantee for their service.

Authorization is requested to contract with UMS for debt collection services, at the cost of \$8.95 per account.

Commission Action

Commissioner Quarterman made a motion to contract with Unique Management Services (UMS) for debt collection services. Commissioner Jackson supported the motion. There were 4 yes votes, 1 opposition and 1 abstention. The motion carried.

Discussion

Commissioner Bellant asked if a RFP was submitted for this contract?

Ms. Machie replied a RFP was not submitted for this service because of the sole source agreement. The sole source agreement represents DPL's integrated library system that is the software that powers DPL's database comprised of all the names of customers, all of the books and all of the resources available through the library.

Ms. Machie explained that SIRSI/Dynix, DPL's current vendor and UMS crafted a sole source agreement that allows SIRSI/Dynix software to conjoin with UMS software. Therefore, the libraries using SIRSI/Dynix would have to contract with UMS if they want to use a service for debt collection.

Commissioner Hicks asked how does UMS get paid under this contract?

Ms. Machie explained that UMS charges \$8.95 that is billed to the customer. Currently, DPL charges customers a \$10.00 service fee when they are delinquent. Every account UMS collects on, they are paid \$8.95.

Commissioner Hicks said his would like to review the agreement with UMS that would state the collection fee is based on recoveries of the collection not the recovery on their process.

Ms. Machie stated to Mr. Hicks that the staff would provide him with the language of the proposed contract. UMS only charges for an account they are successful collecting.

Commissioner Jackson asked how much money is owed to the library for delinquent materials?

Ms. Machie replied on the average the amount is around \$30,000 per month.

Approval of Calendar of Library Closings and Schedule Changes for 2012-2013

Approval is requested for the Calendar for Library Closings and Schedule Changes recommended for the fiscal year July 2012 through June 2013. It includes Main Library and Branch holiday closings and schedule changes.

CALENDAR OF LIBRARY CLOSINGS AND SCHEDULE CHANGES

2012-2013

July 4, 2012 (Wednesday)	Independence Day
September 1, 2012(Saturday)	Designated Holiday (Labor Day) For Main Public Service Agencies
September 3, 2012 (Monday)*	Labor Day
September 26, 2012(Wednesday)	Staff Day
November 10, 2012 (Saturday)	Designated Holiday Veterans Day Public Service Agencies and Branches
November 12, 2012 (Monday)	Designated Holiday (Veterans Day) Administration/Support Agencies
November 22, 2012 (Thursday)	Thanksgiving Day
November 23, 2012 (Friday)	Day After Thanksgiving Main
November 24, 2012 (Saturday)	Designated Holiday (Day After Thanksgiving) For Branch Agencies
December 22, 2012 (Saturday)	Designated Holiday (Christmas Eve) Main
December 24, 2012 (Monday)	Christmas Eve For Branches & Administration/ Support Agencies
December 25, 2012 (Tuesday)	Christmas Day
December 29, 2012(Saturday)	Designated Holiday (New Year's Eve) Main
December 31, 2012(Monday)	New Year's Eve For Branch & Administration/Support Agencies
January 1, 2013 (Tuesday)	New Year's Day

Minutes were approved at the October 16, 2012 DLC meeting

January 19, 2013 (Saturday)	Designated Holiday (Martin Luther King, Jr. Day) For Main Public Service Agencies
January 21, 2013 (Monday)	Martin Luther King, Jr. Day
February 16, 2013 (Saturday)	Designated Holiday (Presidents' Day) For Main Public Service Agencies
February 18, 2013 (Monday)	Presidents' Day
March 29, 2013 (Friday)	Good Friday
March 30, 2013 (Saturday)	Designated Holiday (Good Friday) For Branch Agencies
May 25, 2013 (Saturday)**	Designated Holiday (Memorial Day) For Main Public Service Agencies
May 27, 2013 (Monday)	Memorial Day
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*September 7-8, 2013 (Friday-Saturday)	Branch Fall Schedule Begins (Closed Fridays, Open Saturdays)
**May 24-25, 2013 (Friday-Saturday)	Branch Summer Schedule Begins (Open Fridays, Closed Saturdays)

Commission Action

Commissioner Quarterman made a motion to approve the Calendar of Library Closings and Schedule Changes for 2012-2013. Commissioner Bellant supported the motion. The motion carried.

Authorization to Suspend Furlough Days for Exempt Employees, Defer the 10%Wage Reduction for Executive Staff Effective May 21, 2012 and Retroactive (furlough) Pay for Exempt Employees

I. Summary of Concerns:

1. The Furlough program is not equally administered for all employee groups.
2. The cost-savings resulting from furlough days is negligible because it is only applicable to a small percentage of staff - (31 employees vs. 310 employees). Thus, represented employees are not sharing the burden of a furlough program.
3. The administration of an "exempt" furlough programs is contrary to DOL regulations. (See Attachment I)
4. The enforcement of the retro-furlough days by June 30, 2012, will result in several departments/ units having to close for several days; and/or staffing levels will fall below the minimum for service delivery.
5. Exempt employees will receive earned vacation time later than represented employees, resulting in a shorter time frame for use; thus having to take more time off in shorter intervals, again, interfering with quality operations.
6. The quantity and quality of work suffers when employees are scheduled intermittently.

II. Recommendations for the Commission to Consider

1. Suspend the furlough program for exempt employees until the following tasks are completed:
 - Negotiations with the bargaining units whereby management will present proposals that include furlough days, a reduction in wages or other concessions that will support cost-savings. The UAW recently agreed to reopen their contract for discussions; we are in on-going negotiations with AFSCME.
 - A further (legal) review of the FLSA to properly interpret the furlough plan that is applicable for “exempt” employees, i.e. FLSA requires that “exempt” employees take one week at a time, as opposed to a day every pay period; one week at a time is nearly-impossible to administer with our present administrative “exempt” headcount. Please note that our present furlough schedule (one day a pay period) is fashioned after the City of Detroit, however, the City of Detroit’s administrative offices were closed every other Monday. All employees took a furlough day at the same time.
 - Defer the 10% wage reduction for executive staff. Restoration of salaries for other administrators will cause “salary compression” concerns for executive staff, e.g. if salaries of assistant directors are restored their restored salary will be equal to or higher than a director’s salary that remains reduced by 10%. As such, an inequitable pay differential between higher level staff and managers will occur.

As such, authorization is requested to suspend the Furlough Program and defer the 10% wage reduction for executive staff, effective May 21, 2012.

Ms. Mondowney responded to questions raised at the August 23, 2012 Commission meeting regarding the repayment of furlough pay.

1. Should the Detroit Public Library compensate staff that was not at work?

Ms. Mondowney said the answer is yes. Employees are entitled to repayment of reduced wages once a forced furlough program is terminated. Also, the documented records will show that the initial goal was to implement furlough for all employees to prevent lay-offs. The unions did not accept this option, thus, lay-offs ensued for represented employees as well as for non-represented employees. In addition to lay-offs, in April 2011, a furlough plan was implemented for non-represented employees that also participated in the lay-offs.

(2) Should retro compensation be given to staff without Commission authorization?

Ms. Mondowney stated that the response to this question is the Committee on Administration approved the termination of furloughs. However, the records indicate that the matter was not presented for consideration by the full commission. As such, the matter of repayment was not voted upon for ratification by the full commission.

Ms. Mondowney stated that when the library went to the City of Detroit to say that the furlough program had been terminated, they were told that City would restore the loss salary during the furlough program.

Discussion

President Kinloch stated that based on the information that Ms. Mondowney presented, he was also given the same information and the letter he had signed that the staff had presented to him was in conjunction with the action the city was taking.

President Kinloch stated that the Commission had unsuccessfully tried to have meetings to dispose of this matter. However, the City of Detroit, no matter what was done by the Commission, had reversed the payments.

Commissioner Hicks asked what was the status of the repayment?

President Kinloch responded that the City of Detroit had already acted on this matter.

Commissioner Lemmons asked if there was any action needed to be taken by the Commission?

President Kinloch responded no.

Commissioner Hicks expressed his concerns regarding an action being taken and processed on the instruction of the Committee on Administration and not being presented to the full Commission.

President Kinloch responded this matter was presented to the Committee of the Whole and based on the interpretation of the Detroit Library Commission's rules, the Committee of the Whole can take whatever action is deemed necessary when the Commission does not have a quorum.

Commission Action

Commissioner Hicks made a motion that the staff isolates the rule that gives the Committee of the Whole authority over the full Commission. He said all matters should come before the full Commission for approval. Commissioner Lemmons supported the motion. There were four yes votes and 2 no votes. The motion carried.

Comments

President Kinloch said it was reprehensible that some Commissioners deliberately tried to stop the Commission from conducting library business.

Commissioner Lemmons stated President Kinloch cancelled the regular scheduled meeting for June, in which, a quorum was present. He said he received a letter from Mr. Roy Roberts, Emergency Manager for Detroit Public Schools, trying to unseat him as a Commissioner in order to change the composition of the Commission.

Commissioner Jackson said when the Commission has yelling and dissension in front of the public, it hurts the library system. If the Commission is incapable of coming to an agreement without yelling, perhaps the conversations should be held in private. He asked if the Commission could turn the anger down and speak in a calm manner on specific subjects without personalized attacks.

Commission Action

Commission Quarterman made a motion to suspend furlough days for exempt employees and defer the 10% wage reduction for executive staff effective May 21, 2012. Commissioner Jackson supported the motion. A roll call vote was taken with the following results:

Commissioner Bellant	No
Commissioner Hicks	No
Commissioner Jackson	Yes
Commissioner Lemmons	No
Commissioner Quarterman	Yes
President Kinloch	Yes

The motion failed.

President Kinloch said this item will continue to be placed on the agenda.

Commission Action

Commissioner Jackson made a motion to refer the suspension of furlough days for exempt employees, defer the 10% wage reduction for executive staff effective May 21, 2012 and retroactive (furlough) pay for exempt employees back to the Committee on Administration for further discussion. The motion was supported.

A roll call vote was taken with the following results:

Commissioner Bellant	No
Commissioner Hicks	No
Commissioner Jackson	Yes
Commissioner Lemmons	No
Commissioner Quarterman	Yes
President Kinloch	Yes

The motion failed.

Authorization to Charge a Computer Usage Fee

The current policy for the use of computers at all Detroit Public Library locations is as follows:

Any customer with a valid DPL card, with no outstanding obligations above \$10, is allowed one hour per day on any DPL computer.

Customers with outstanding obligations above \$10 are required to pay their fines below \$10, before they are allowed to use computers.

Nonresident customers are allowed three courtesy computer use sessions, after which they are required to purchase a library card.

A proposal to amend this policy was presented to the Committee on Administration on April 23, 2012. The proposed policy reads:

Any customer with a valid DPL card, with no outstanding obligations above \$10, is allowed one hour per day on any DPL computer.

Customers with outstanding obligations above \$10 are required to pay their fines below \$10, before they are allowed to use computers.

Nonresident customers, as well as customers who are unable to pay their fine obligations, or any other person desiring to use computers at any Detroit Public Library location, can pay \$1 for one hour of computer use per day.

Consistent with COA's practice, this policy was posted on the Detroit Public Library's website for public comments from April 24 2012, through May 8, 2012. 26 public comments were received. 15 customers supported the proposed policy and 11 customers opposed the proposed policy.

Minutes were approved at the October 16, 2012 DLC meeting

The Committee on Administration met on May 15, 2012, to review the public comments. Following its review, the COA voted to advance the proposed policy to the Detroit Library Commission for approval.

Authorization is requested to amend the Detroit Public Library's Computer Use Policy as stated above. The amendment will take effect beginning June 4, 2012.

Commission Action

Commissioner Quarterman made a motion to Charge a Computer Usage Fee. Commissioner Jackson supported the motion. The motion carried.

Tax Captures Update

Ms. Mondowney reported that to her understanding the staff had been directed by the Committee on Finance to consult with attorneys from the law firm of Clark Hill with regards to the City of Detroit proposed Brownsfield Redevelopment Authority. The Detroit Public Library staff, along with attorneys from the law firm of Clark Hill, attended a hearing at the City County Building on June 14, 2012.

Ms. Mondowney stated that two invoices in the amount of \$5,000 each have been received from Clark Hill relative to services rendered in June and July 2012.

She said the Committee on Finance at its meeting on September 10, 2012, directed staff to request Clark Hill to submit reports for the services billed for June and July.

Ms. Mondowney said the staff informed her that the library would receive another invoice for August 2012 because Clark Hill representatives were invited to attend a Committee on Finance meeting on August 15, 2012. Once the reports for all services rendered had been received and reviewed by the Committee on Finance, they recommended DPL pay Clark Hill.

Discussion

Commissioner Hicks stated he did not understand why this item was not voted on by the full Commission because the amount of the contract language states it would be over the \$15,000 threshold that staff can approve for services without Commission approval.

President Kinloch stated that the contract would be resubmitted to the Committee on Finance in October, 2012 with modifications showing the contract amount of \$30,000. The contract would then be brought to the full Commission for approval. However, there are some outstanding invoices and they will be dealt with by the Committee on Finance at the October 2012 meeting.

Commissioner Jackson asked why is it important that DPL spend this amount of money with Clark Hill regarding tax captures? What does DPL stand to gain?

Mr. Cromer explained that tax captures are portions that municipalities and governmental agencies pay for neighborhood or city projects. It is a portion of the tax revenues that is generated from that municipality and instead of going to the municipality, the revenues go towards the projects

Mr. Tim Cromer stated that the tax captures have become a very significant part of the library's budget. It is around \$2.4 million a year and growing. Recently, staff discovered there were additional tax captures that were added to the library. DPL will spend another \$190,000 per year in addition to the \$2.4 million. DPL has paid over \$25 million over a period of years.

The Committee on Finance directed staff to engage Clark Hill to find out if DPL could be removed from the tax captures. Clark Hill is trying to present DPL's case to the State Legislature because the State is the only body that could remove the library from these tax captures.

Committee on Finance

Adoption of the 2012/2013 Annual Budget

President Kinloch said the 2012/2013 Annual Budget would be referred back to the Committee on Finance in order to answer additional questions.

Approval of Resolution Regarding the Implementation of Workbrain: the Time and Attendance System

Commissioner Quarterman reviewed the resolution that read:

Whereas authority to plan for human resources, computer equipment and related resources shall be needed in order to develop and implement the time and attendance system; known as Workbrain for the Detroit Public Library to continue its payroll operations;

NOW THEREFORE, BE IT RESOLVED that the Detroit Library Commission, hereby authorizes Jo Anne G. Mondowney, Executive Director and Timothy E. Cromer, Chief Administrative Officer to act on behalf of the Detroit Public Library in entering an agreement with the City of Detroit; regarding the implementation of Workbrain; with the understanding that expenses exceeding \$1,050,000 will require additional authorization.

Commission Action

Commissioner Quarterman made a motion to approve the resolution regarding the implementation of Workbrain: the time and attendance system. President Kinloch supported the motion.

Discussion

Commissioner Hicks asked where did the \$1,050,000 cost come from and how are the payments made?

Mr. Cromer replied that as a component to the City of Detroit payroll system, the \$1,050,000 is the library's share of the total cost to implement the system citywide. DPL is trying to negotiate a payment structure to spread the payments over a 2 year period.

Commissioner Hicks asked if there was an actual written agreement or letter of understanding that documents these costs?

Mr. Cromer replied yes. He said he provided all of the information to the Committee on Finance. Once approved to move forward, DPL will obtain a contract from the City of Detroit which would be brought back to the Committee on Finance for approval and then forwarded to the full Commission for final approval.

Commission Action Cont'd

There were 5 yes votes and 1 no vote. The motion carried.

Approval of Routine Reports on Finance June – August 2012

The following accounts have been examined and found correct by the staff of Business and Financial Operations and ratification of payment is recommended.

Summary of Expenditures – June 2012**Public Funds**

Total Payroll & Benefits	\$1,661,462.15
Debt Service Payments – Pension Obligation Certificate	\$909,232.64
Total Vouchers 787 – 874	<u>\$392,908.50</u>
Grand Total	<u>\$2,963,603.29</u>

Summary of Expenditures – June 2012**Restricted/Designated Funds**

Branch & Main Checking – Checks 1992 – 2014	\$4,555.57
Burton Endowment Fund Checking – Checks 8209 – 8210	\$72.50
Knight Foundation Grant – Checks 1371 – 1374	\$6,084.79
Louise Webber O'Brien Fund – Checks None	\$0.00
Programs & Gifts Checking – Checks 1583 -1600	<u>\$5,144.53</u>
Grand Total	<u>\$14,857.39</u>

Summary of Credit Card Expenditures – June 2012

Executive Director	\$387.49
Executive Director's Office – Used for General Office Purpose	\$546.80
Deputy Director	\$246.78
Chief Administrative Officer	\$14.99

Minutes were approved at the October 16, 2012 DLC meeting

Human Resources Department	\$0.00
Marketing Department	\$261.21
Technical Services	\$455.92
Facilities Department	\$106.22
Grand Total	<u>\$2,019.41</u>

Commission Action

Commissioner Jackson made a motion to approve the routine finance report for June 2012. Commissioner Quarterman supported the motion. There were three yes votes and 3 abstentions. The motion failed.

The routine finance reports for July and August 2012 were tabled until the October 16, 2012 Commission meeting.

Comment

President Kinloch noted that the routine finance reports for June – August 2012 will be forwarded to the October 16, 2012 Commission meeting under old business.

President Kinloch requested that the routine finance report be emailed to the Commissioners one week prior to the Commission meeting.

New Business

Friends Foundation Update

Ms. Patrice Merritt, Executive Director for the Friends Foundation, thanked Commissioner Judge Edward E. Thomas for reinstating the Friends Foundation update to the Commission meeting agenda.

Ms. Merritt reported that the Friends Foundation is the 501(c)(3) legal entity that can accept gifts on behalf of the Detroit Public Library and this is done routinely and the Friends Foundation will be 70 years old in October 2012.

Ms. Merritt reported on the behalf of DPL, the Friends Foundation applied for 32 grants in 2012 ranging from \$500 to \$90,000 that supported a wide array of activities. Some of the costs are operational in order for the Foundation to exist including the salary of Ms. Merritt. The grants also support the Summer Reading program, the Author Day program, the National Automotive History Collection, the Burton Historical Collection, and branch support.

Ms. Merritt reported another grant in the making is a \$90,000 grant to process the records of the late former Mayor Coleman A. Young. The Friends Foundation does many programs that are enrichment activities behind the scenes for the Detroit Public Library.

Minutes were approved at the October 16, 2012 DLC meeting

Ms. Merritt also mentioned that the Friends Foundation is selling Detroit Public Library umbrellas for \$25.00 for employees and Friends Foundation members. The Detroit Shop at the Sommerset Collection is selling them for \$28.00.

Ms. Merritt ended by saying promoting the public welfare of the Detroit Public Library not only in the city but also in other regions is one of the missions of the Friends Foundation.

Legal Queries

Commissioner Bellant distributed a resolution for the Commission's consideration that outlined a number of issues that exist with unclear status in terms of legality. He said the Commission should be involving the library's legal counsel to review some of the issues. The purpose of the resolution is to resolve any issues, if any, before the 2013/2014 millage campaign.

Discussion

Commissioner Quarterman asked would the inquires cost DPL any money?

President Kinloch replied yes. Mr. Cromer explained that DPL has a continuing contract for legal counsel not to exceed \$50,000 which is earmarked for use by the Commission through the Executive Director to direct the attorneys.

Commissioner Lemmons stated that clarification is needed to determine if a subgroup of Commission members has the authority to approve actions without approval of the full Commission.

Commission Action

Commissioner Bellant made a motion to adopt the resolution seeking legal opinions from the Detroit Public Library's General Counsel in regards to a number of issues that exist with unclear status in terms of legality. Commissioner Lemmons supported the motion. The motion carried. The resolution will be forwarded to DPL's General Counsel for review. The recommendations will be presented at a Special Commission meeting.

The meeting was adjourned at 4:01 p.m.

