

DETROIT LIBRARY COMMISSION PROCEEDINGS

REGULAR MEETING

REDFORD BRANCH LIBRARY

FEBRUARY 19, 2013

President Bellant called the Regular Meeting of the Detroit Library Commission to order at 6:34 p.m.

Present: President Bellant, Commissioners Allen, Hicks, Jackson and Quarterman

Administrative Staff: Mondowney, Machie, Moore and Norfolk

Absent: Commissioner Kinloch and Ex-Officio Lemmons

Present Also: Benita Beckles, Ruth Biersdorf, Enid Clark, Diane Crawford, Deborah Dorsey, Brenda Foster, Victor Ibegbu, Todd Kelly, Paul Lee, Tracey Massey, Vernadette McAllister, Mike McElgunn, Michael Moore, Ina Sue Nairn, Cledos Powell, Yvette Rice, Vincent Scott, Alma Simmons, Dortha Simpson, Leslie Vaughan, Sophia Vaughn, Libby Vaughn, Jacqueline Williams, Talisha Williams, Miya Williamson and others

The minutes of the Regular Meeting of January 15, 2013 were approved with any necessary corrections.

PUBLIC COMMENTS

Diane Crawford - Expressed her concerns regarding the Commission inability to address the alleged corruption in the library. She said the City of Detroit has failed the citizens and now the library is doing the same thing. She wanted to know what the Commission can do to help the community and if the community can trust the Commission.

Leslie Vaughn – Expressed her gratitude to the staff at Redford Library stating that she often visits the library with her children. She said the staff is very friendly and helpful.

REPORT OF THE PRESIDENT

President Bellant reported that this was the first Regular Commission meeting held in a branch in the evening outside of the Main Library and there would be a total of four at various locations throughout the year. He said citizens do not have to come to Commission meetings to give input for the library. He said they can contact the Administrative staff or the Commissioners via email. The email addresses are on the Detroit Public Library website.

REPORT OF THE EXECUTIVE DIRECTOR

Updates

Mrs. Mondowney reported that she had prepared a draft staff re-organization proposal for the Committee on Administration. She said for the upcoming year, the staffing appears to be stable and will remain at the current staffing level.

Mrs. Mondowney reported that one of the challenges that the library faces is overcoming allegations of mismanagement and criminal misuse of funds. The financial crisis in the city is also a challenge. The Detroit Public Library needs to continually prove its value to the public in order to have broad based support.

She said DPL will launch a public relations campaign and show the public that DPL is worthy of managing their finances. The community uses the library constantly for programs, technology and enrichment and this is demonstrated on a daily basis.

Mrs. Mondowney reported that on Friday, February 15, 2013, she had the opportunity to meet with the Cooperative Directors in Lansing, Michigan. She said that libraries across Michigan are facing eroding finances. She also stated that the Detroit Public Library will have the opportunity to fight tax captures. (Tax captures allow municipalities to create separate taxing authorities within their communities).

The Michigan Library Association is developing a strategy to exempt libraries from tax captures. DPL will need to meet with State Legislators to discuss this critical issue.

Mrs. Mondowney reported that the FBI investigation is ongoing. DPL's legal counsel indicated that they have completed about fifty percent of the internal investigation regarding the FBI raid at DPL in November 2012.

Mrs. Mondowney reported that DPL is currently in negotiations with all of its bargaining units except the IEOU whose contract does not expire until 2017.

State Aid for Detroit Library Cooperative

Mrs. Mondowney reported that the Detroit Library Cooperative received a State Aid payment of \$90,407.

2012 Customer Satisfaction Survey Results

Mrs. Mondowney reported that in 2009, DPL began an ongoing process of surveying customers to determine their satisfaction with library services. Visitors to the library are given the opportunity to complete a brief questionnaire about their experiences with the library's facilities, staff, materials and computer resources. The 2012 survey results continue the positive feedback received from customers in recent years. Of the 620 customers who participated in the survey, 84% rated their overall experience at the library as "satisfactory" or "excellent."

Detroit Future City Presentation

Mrs. Mondowney reported that on Thursday, February 7, 25 DPL staff members attended a special presentation of the Detroit Works Project and the "Detroit Future City." The presenter was Dan Pitera, director of the University of Detroit Mercy's Detroit Design Center, which has spearheaded the community engagement component of this initiative. It was an opportunity to explore how changes in demographics, infrastructure needs and proposed land use can positively impact the city and also help guide the library as it looks strategically at how best to deliver services to the citizens of Detroit.

The Sankofa Experience

Mrs. Mondowney reported that DPL's Hackley Collection was the resource used for an exhibit on black filmmakers entitled "The Sankofa Experience: Recognizing Black Film Directors, 1920-2010." A panel discussion, entitled "A Legacy of Film Production from a Black Diaspora" will be held on March 23, 6 – 8 pm, at Main Library.

Bettye LaVette at Main Library

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

Mrs. Mondowney reported that two-time Blues Music Award winner Bettye LaVette will be at Main Library at 6 pm on Thursday, February 21, 2013, to discuss her new book, "A Woman Like Me." Following her presentation, there will be a book signing. Ms. LaVette's memoir traces her life from a teen sensation in the '60s to a Grammy-nominated comeback queen in the 21st century.

African American Booklist

Mrs. Mondowney reported that DPL's 2013 African American Booklist has been published and features Clara Stanton Jones, the Library's 8th director, who died in September 2012. Mrs. Jones was an advocate for community information, literacy and the public library's role as a contributor to a community's quality of life. The booklist is funded by the Detroit Library Cooperative and the DPL Friends Foundation. Helen Love and Mrs. Mondowney discussed the booklist and the legacy of Mrs. Jones on the Seniors Solution radio show (WCHB 1200 AM and 99.9 FM) which aired February 16. The booklist may be viewed on DPL's website www.detroitpubliclibrary.org.

Authors @ DPL

Mrs. Mondowney reported that on Tuesday, February 26 and Wednesday, February 27, DPL will welcome award-winning author Sharon Flake. Bernice McFadden, author of *The Warmest December*, will be at Main Library on Saturday, March 2 at 2 pm. Both events are part of DPL's 2013 Celebrate Authors Winter/Spring Series.

Noontime Concert Series @ Skillman

Mrs. Mondowney reported that Paul Dozier, a multi-talented singer, songwriter, composer and musical artist, will be the guest performer at the Skillman Branch's Noontime Concert Series on Wednesday, February 20, 2013. Mr. Dozier plays the guitar, bass drums and saxophone and will provide a great lunchtime experience for all. The event is free and open to the public.

COMMITTEE ON ADMINISTRATION

Routine Human Resources Report

Commissioner Quarterman reported that the Human Resources Department Report indicates personnel actions for appointments, retirements, potential retirements, separations and employee headcount from January 1 – January 31, 2013. These actions have been approved by Administration.

APPOINTMENT ()

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

There were no appointments.

RETIREMENTS (2)

Employee Name	Last Day Worked	Retirement Date
Brenda Ivy	12/30/2012	February 19, 2013
Linda Curvey Brown	2/9/2013	March 15, 2013

SICK LEAVE PAYOUTS (1)

\$446.67 pro-rated longevity payout made on 1/18/2013 to one (1) employee(s).

POTENTIAL RETIREMENTS (0)

There were no retirement letter requests submitted by DPL staff

SEPARATIONS (1)

Ahmed Hussain, Clerical Assistant 1/26/2013

EMPLOYEE HEADCOUNT

Headcount – February 15, 2013	Headcount – February 15, 2012
333 Active Employees	353 Employees

COMMISSION ACTION

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

Authorization to Re-Name the Friends Auditorium to the Clara Stanton Jones-Friends Auditorium

Commissioner Quarterman reported that the September 2012 death of Clara Stanton Jones, former director of the Detroit Public Library, provides an opportunity for the Library to honor her role in the DPL's history as well as her standing in the library profession.

Commissioner Quarterman brought forward a proposal endorsed by the Committee on Administration to add Mrs. Jones' name to the most well-known meeting space in the DPL system, the Friends Auditorium.

Mrs. Jones' DPL career spanned 34 years in several capacities, with the last eight years, 1970-1978, serving as library director. She was the first woman and the first African American to lead Michigan's largest public library system. Mrs. Jones was the first African American to lead a major urban library system in the U.S. In 1976, she was elected president of the American Library Association, becoming the first African American to hold that position.

Mrs. Jones gained a national reputation through her vision to establish TIP, "The Information Place," an innovative community information and referral service that was replicated by libraries throughout the county. She was a tireless advocate for improved funding for libraries and a mentor to librarians throughout the country.

Precedent: In June 2006, the Detroit Library Commission unanimously adopted a proposal from the Committee on Administration to name the small conference room in the administrative area in honor of Gregory Mailloux, DPL's superintendent of facilities. Mr. Mailloux died on April 11, 2006, following a brief illness. During his eight year tenure at DPL, Mr. Mailloux made valuable contributions to improving library facilities.

Given Mrs. Jones' contribution to the DPL, it is appropriate for the Library Commission to provide a significant and permanent recognition of her legacy.

COMMISSION ACTION

Commissioner Quarterman made a motion to approve authorization to re-name the Friends Auditorium to the Clara Stanton Jones-Friends Auditorium. Commissioner Hicks supported the motion. The motion carried.

DISCUSSION

Commissioner Jackson asked if there had been any discussion with the Friends Foundation regarding this matter.

President Bellant said yes there had been conversation with the Friends Foundation and they had no objection to re-naming the auditorium.

Authorization to Retain Sanders Law Firm, P.C & the Sugar Law Center for Economic & Social Justice

President Bellant noted that the following contract had been reviewed at the Committee on Administration and was approved to move forward to the Commission for approval:

The **Detroit Public Library** does hereby employ and retain **The Sanders Law Firm, P.C.** and the **Sugar Law Center for Economic & Social Justice** to render legal services on behalf of the Detroit Public Library with regard to issues concerning the Library Commission and Michigan's Emergency Manager laws (PA 436 of 2012 and its predecessor, (PA 4 of 2011), Emergency Financial Manager law (PA 72 of 1990), and related statutes. The Client hereby employs the Attorneys and empowers them to do all things necessary to provide counsel and advice and, to defend and litigate said matters on behalf of the Client.

The Client hereby agrees to pay the Attorneys according to the fee schedule attached as Appendix A. As a retainer fee in said matters, the Client herewith tenders to the Attorneys the sum of Thirty thousand dollars (\$30,000.00). THIS RETAINER IS NON-REFUNDABLE. The client understands that because of the complexity of the case, it is likely that the attorneys will be preempted from pursuing, accepting, and/or performing other work and that the Attorneys will necessarily marshal their firm's resources in reliance on the fee agreement.

The hourly fees stated in Appendix A shall include charges for any and all professional services rendered, including but not limited to telephone calls, correspondence, research, consulting, drafting memorandum and legal documents, and any other form that professional legal services may take. In addition, the Attorneys shall receive reimbursement for all costs and expenses, including but not limited to the cost of photocopying, postage, mileage, filing fees, document fees, court reporter fees, witness fees, investigator and process server charges, and any other form of costs and expenses incurred or advanced.

Client agrees that all fees, costs, and expenses will first be deducted from the retainer fee. After the retainer fee amount is expended, the Client shall advance additional amounts to be placed in retainer. The Attorneys shall provide statements of fees, costs, and expenses and the balance on such statements shall be due and payable on or before the 10th day of the month following such submission to the Client.

DISCUSSION

Commissioner Hicks noted that the contract was also reviewed at the Committee on Finance meeting and was approved to move forward to the Commission for approval. Commissioner Hicks stated that the funds to support this payment will be from a Certificate of Deposit belonging to the library that is reaching maturity. Funds are not available in the regular operating budget to cover this expense.

Commissioner Hicks said the purpose to retain these firms is to represent the Detroit Library Commission as the Commission is anticipating in the next several months, there will be a challenge to the library's governance system as it relates to an appointment of an Emergency Manager.

Commissioner Jackson said that DPL's legal counsel, Dickinson Wright PLLC has the capacity to represent the Library Commission regarding this matter. He said he did not see the necessity to retain Sanders Law Firm, P.C & the Sugar Law Center for Economic & Social Justice in the amount of \$30,000 since DPL already has legal counsel.

Commissioner Jackson said that the library is financially strapped and to liquidate a Certificate of Deposit for payment seems reckless.

Commissioner Hicks stated that DPL's current legal counsel does not have the same expertise in the matter as Sanders Law Firm, P.C & the Sugar Law Center for Economic & Social Justice.

Commissioner Quarterman noted that even if the Commission used DPL's legal counsel, they still would have to be paid for services rendered.

President Bellant stated that he met with DPL's legal counsel to discuss this issue and they thought it made sense as to how the Commission was proceeding.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to retain Sanders Law Firm, P.C & the Sugar Law Center for Economic & Social Justice. The amount of the contract will not exceed thirty thousand dollars (\$30,000). Commissioner Quarterman supported the motion. There were 4 yes votes and 1 no vote.

The motion carried

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

COMMITTEE ON BUILDINGS

Authorization to Contract for Repair of Main Library's North Cooling Tower Water

Control Valve – Repair Option #1

Mr. Cledos Powell, Assistant Director for Facilities, reported that the Main Library's North Cooling Tower(s) 3-Way Water Control Valve is leaking and needs to be repaired or replaced. The valve can be remanufactured or purchased new.

Expert Mechanical Service, Inc. of Wyandotte, MI was contacted by the Library's Facilities Department and asked if they could facilitate the removal and repair of the valve. Expert Mechanical has agreed to do this, and the scope of work is as follows:

- Disconnect, disassemble, and remove existing Powers 591-72103 3-Way Valve
- Deliver valve for remanufacture/repairs as needed
- Deliver repaired valve to site for re-installation
- Install remanufactured/repaired valve
- Includes material handling and rigging
- Includes transportation as needed
- Complete labor and materials to provide a finished product
- Prepare 3-Way Valve for start-up and performance verification
- **Important Notice: This proposal does not include the incurred labor of 13.5 hours from the initial service calls on 11/19/12 and 11/20/12**

DISCUSSION

Commissioner Quarterman asked why was only one company contacted?

Mr. Powell replied that Expert Mechanical has a continuing contract through a bid process with DPL for repairs and maintenance.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to contract with Expert Mechanical Service, Inc. of Wyandotte, MI to facilitate the removal and repair of Main Library's North Cooling Tower Water Control Valve. The amount of the contract is not to exceed twelve thousand eight hundred and ninety dollars (\$12,890).

The funds will come from the Library's General Fund – Building and Maintenance Repair. Commissioner Quarterman supported the motion. The motion carried.

Authorization to Contract for Pest Control Services at All Detroit Public Library Locations

Mr. Powell reported that pest control service is a necessity for all Detroit Public Library locations to help maintain the health and safety of employees and customers.

A Request for Proposal (RFP) was mailed to nine pest control service companies advertised in the *Michigan Chronicle*, *Legal News* and posted on DPL's website. One company submitted a bid, one company was no longer in business and seven companies did not bid. The treatment of bed bugs is based on location inspections and the recommended treatments.

The results are as follows:

<u>Vendor</u>	<u>Amount</u>
Terminix International Southfield, MI	\$12,612 (Annually)

Bids were not received from the following vendors:

Expert Pest Control – Detroit, MI
 Great Lakes Pest Control – Warren, MI
 L&L Pest Control – Detroit, MI
 Newsom & Sons Pest Control – Detroit, MI
 Rose Pest Solutions – Dearborn, MI
 All Star Scientific Pest Control – Detroit, MI
 Universal Pest Control – Detroit, MI
 Newsom & Sons Pest Control – Detroit, MI (No Longer in Business)

DISCUSSION

Commissioner Jackson stated that he was disturbed that Terminix was the only vendor that responded to the RFP. He asked if it was necessary to contract with Terminix and were they responsible for the repercussions of the spray.

Mr. Powell replied “yes” it necessary to contract with Terminix at this time and they were responsible for the repercussions of the spray.

Commissioner Hicks made a motion to approve authorization to enter into a contract with Terminix International of Southfield, MI for pest control for 2013 – with two additional one year options for renewal based on service and mutual agreement of both parties. The amount of the contract is not to exceed twelve thousand six hundred and twelve dollars (\$12,612). The funds will come from the Library's General Fund – Facilities Budget. Commissioner Allen supported the motion. The motion had 4 yes votes and 1 no vote. The motion carried.

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

Authorization to Contract for Refuse Collection at All Detroit Public Library Locations

Mr. Powell reported that Detroit Public Library is obligated to maintain a clean and safe environment for employees and customers.

A Request for Proposal (RFP) was mailed to ten refuse collection companies, advertised in the *Legal News* and posted on DPL's website. Two companies submitted a bid, six companies did not bid, and two companies were no longer in business.

The results are as follows:

<u>Vendor</u>	<u>Amount</u>
Waste Management Wixom, MI	\$17,069.64 (Annually) \$ 2,550.00 10 Add. /20 Yd. Roll-Offs @ 255 each
Republic Waste Services Wayne, MI	\$19,981.92 (Annually) \$ 2,600.00 10 Add. /20 Yd. Roll-Offs @ 260 each

Bids were not received from the following vendors:

Great Lakes Waste – Detroit, MI
 Trinity Environmental – Detroit, MI
 American, LLC – Detroit, MI
 Bennett and Sons – Fraser, MI
 Dynecol, Inc. – Detroit, MI
 Allied Waste Services – Detroit, MI
 Disposal Management – Bloomfield Hills, MI (No Longer In Business)
 Five Star Disposal – Detroit, MI – (No Longer in Business)

DISCUSSION

Commissioner Allen asked what were roll-offs?

Mr. Powell replied that if DPL requests special containers to be dropped off at a facility that is not in line with the monthly rotation, then a roll-off cost would incur. The cost is not to drop-off the container but to pick-up the container.

COMMISSION ACTION

Commissioner Quarterman made a motion to approve authorization to enter into a contract with Waste Management of Wixom, MI to provide refuse collection at all Detroit Public Library locations. The amount of the contract is not to exceed nineteen thousand six hundred and nineteen dollars and sixty-four cents (\$19,619.64) – with two additional one year options for renewal based on service and mutual agreement of both parties. The funds will come from the Library's General Fund – Facilities Budget. Commissioner Hicks supported the motion. The motion carried.

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

Authorization to Contract and Pay for West Chiller Refrigerant Leak(s) Repairs at Main Library

Mr. Powell reported that the Main Library's West Chiller was shut down in August 2012 because of leak(s) that were detected by the chiller leak monitor.

Expert Mechanical Service, Inc. of Wyandotte, MI was contact by the Library's Facilities Department to 1) provide a quote to locate the leak(s) and 2) provide an estimate, if minor, of the repairs. If a major component(s) is the cause of the leak(s), then an estimate will be provided before additional repairs are made. Expert Mechanical Service, Inc. is a contractor that has provided the Library with quality and experienced service for emergency work. The scope of work is as follows:

- Recover remaining refrigerant in the system
- Pressurize chiller with dry nitrogen
- Leak check and repair minor leaks
- Determine cause for recurring loss of refrigerant
- Make recommendations, if necessary
- Re-charge all recovered refrigerant in chiller
- Re-charge with customer provided refrigerant as necessary
- Includes start-up and performance verification
- The cost of labor and materials is not to exceed \$11,400

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to contract with and pay Expert Mechanical Service, Inc. for inspection and minor repair(s) to Main Library's West Chiller. The amount of the contract/payment is not to exceed eleven thousand four hundred dollars (\$11,400). The funds will come from the Library's General Fund – Building and Maintenance Repair. Commissioner Allen supported the motion. The motion carried.

Authorization to Increase the Contract for Snow Plowing and Salt Throwing at All Library Locations for the 2012/2013 Winter Season

Mr. Powell reported that the Detroit Library Commission approved and awarded to Motor Drive Landscaping the contract for snow plowing and salt throwing at all library locations for the 2012/2013 Winter Season. This took place at the January 15, 2013 Commission Meeting. (See Attached) After an internal audit of the bids, it was discovered by DPL's Purchasing Department that the cost for salt throwing (the last sheet of the bid quote) was not included as part of the Purchasing bid tabulations.

After reviewing the last sheet of the bid documents from the responding bidders and making the cost adjustments to include the salting at all DPL locations, Motor Drive Landscaping is still the lowest qualified bidder.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to increase the Motor Drive Landscaping contract by \$36,400 to include the cost of salting.

The increased contract of \$36,400 for Motor Drive Landscaping of Detroit, MI for snow plowing and salt throwing for the 2012/13 winter season will change the contract amount to \$72,800 plus a \$1,152 fuel adjustment for a total not to exceed seventy three thousand nine hundred and fifty-two dollars (\$73,952).

The two year renewal options will remain the same.

Commissioner Quarterman supported the motion. The motion carried.

COMMENT

Commissioner Hicks asked that the bid portion of the snow plowing contract be posted to DPL's website.

Authorization to Contract for Janitorial Services at Main Library/Various Branches – 2013

Mr. Powell reported that the current vendor for janitorial services at Main Library and various branches, ABM Janitorial Services, Inc., is in the last year of three one-year renewal agreements. These renewals are based on performance and service. The Library's Facilities Department is requesting a renewal for 2013. The scope of work includes:

- Meeting set-ups
- Cleaning of all floors located in the North, South connecting wings
- Cleaning the old Central Building including the interior and exterior walks, stairs, ramps and trash receptacles (**The mechanical rooms are not included**)
- The bi-annual stripping and refinishing of all resilient flooring is to include additional manpower if required

The vendor will utilize staff, not normally assigned to Main Library, for special cleaning of the branches. All special projects will be billed separately using the cost values submitted by the vendor in the RFP.

A new Request for Proposal (RFP) will be sent out in July 2013 for janitorial services at Main Library and various branches for 2014 Budget.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to enter into a contract with ABM Janitorial Services, Inc. for 2013 for cleaning services at Main Library and various branches. The amount of the contract is not to exceed four hundred nine thousand one hundred sixty five dollars (\$409,165). These funds are included in the Facilities Department Continuing Contract Budget for Main and various branches (720642/617201). Commissioner Quarterman supported the motion. The motion carried.

COMMITTEE ON FINANCE

Authorization to Approve the Routine Report on Finance

Commissioner Hicks noted that DPL is making changes as to how financial data is reported. He thanked Ms. Maria Norfolk, Director for Business and Financial Operations, and her staff for the additional work needed to revise the financial reports.

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

<u>Summary of Expenditures</u>		
<u>PUBLIC FUNDS</u>		
Total Payroll & Benefits		\$1,693,164.00
Debt Service Payments – Pension Obligation Certificate		\$693,482.01
FY 12 Unfunded Actuarial Accrued Liability (UAAL)		\$304,072.64
Personal Service Contracts		\$0.00
Total for Vouchers 389 – 499		<u>\$366,109.73</u>
GRAND TOTAL		<u>\$3,056,828.38</u>

<u>Summary of Expenditures</u>		
<u>RESTRICTED/DESIGNATED FUNDS</u>		
Branch & Main	Checks 2237 – 2291	\$154,787.35
Burton Endowment	Checks 8230 – 8231	\$3,370.90
Knight Foundation	Checks None	\$0.00
O'Brien Checking	Checks 4283 – 4280	\$3,867.15
Programs & Gifts	Checks 1703 – 1714	<u>\$13,448.23</u>
GRAND TOTAL		<u>\$175,473.63</u>

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

<u>Summary of Credit Card Expenditures</u>	
Executive Director	\$864.45
Executive Director's Office – Used for general office purpose	\$892.72
Deputy Director	\$405.46
Chief Administrative Officer	\$0.00
Human Resources Department	\$82.54
Marketing Department	\$870.90
Technical Services	\$6,624.20
Facilities Department	<u>\$1,129.95</u>
Grand Total	<u>\$10,870.22</u>
Note: These are December 2012 credit card expenses	

COMMISSION ACTION

Commissioner Hicks made a motion to approve the routine report on finance including the revised report generated from DRMS. Commissioner Allen supported the motion. The motion carried.

Authorization to Enter into an Agreement with Pitney Bowes Corporation for the Leasing and Retrofitting of the Library's Existing DM575 Mailing Machine

Commissioner Hicks reported that the Library's current lease with Pitney Bowes Corp. will expire at the end of February 2013. Pitney Bowes Corp. provides the mailing machine used by DPL's Shipping Department.

The Agreement will include the following:

- Lease of the USPS postal meter
- Service maintenance agreements for all parts
- Service calls
- Labor for any repairs
- All software updates
- Technical assistance
- Pitney Bowes Total Satisfaction Guarantee – 60 months

The Retrofitting will include the following:

- Ownership of the existing machine
- Arrival extension software
- Receiver e-mail notification software
- T762 tracking assistance software
- Single bay cradle battery charger for tracking scanners
- Three (3) tracking device scanners
- Package receipt signature panel
- WIN CE tracking assistance plus software
- Project management
- Level two (2) project installation
- Four (4) hours user/operator training

The cost of this agreement will be \$401.00 per month or \$4,812 annually. This amount is within what is budgeted for this line item for Fiscal Year 2013/14.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to enter into a sixty (60) month agreement with Pitney Bowes Corporation for the leasing and retrofitting of the Library's Existing DM575 Mailing Machine. The amount of the agreement is not to exceed twenty four thousand sixty dollars (\$24,060). Commissioner Quarterman supported the motion. The motion carried.

Authorization to Pay MERIT Network, Inc. for Internet Access Service July 1, 2010 – June 30, 2011

Commissioner Hicks reported that the Detroit Library Commission at its May 20, 2010 meeting approved contracting for updated phone service for all library locations. These rates were subjected to a 90% E-Rate subsidy.

The Detroit Public Library (DPL) was denied an E-Rate subsidy, in the amount of \$365,341.61, for year 2010-2011 by the Universal Service Administrative Company (USAC) because its Technology Plan was not received before the June 30, 2009 due date. The Library submitted its Technology Plan to the State of Michigan's E-Rate consultant. However, the consultant did not forward it for approval in a timely manner. DPL is currently in the process of appealing USAC's decision.

DPL's current Technology Plan for 2012-2015 was approved by the Library of Michigan February 12, 2012.

Merit Network, Inc. (MERIT) our current Internet Access vendor provided services for July 1, 2010 – June 30, 2011. The Library is proposing, upon receipt of an invoice from MERIT Network, Inc. to pay the entire amount. These funds will be paid from the Library's Certificate of Deposit.

DISCUSSION

Commissioner Jackson asked was there an investigation being conducted to determine why this mishap occurred and ultimately costing DPL \$365,341.61?

Commissioner Hicks replied that this was not an additional cost to DPL. This amount was not paid in the FY 2010-2011. It is an additional cost in this fiscal year but it is not a cost that was incurred in the 2010-11 FY.

COMMISSION ACTION

Minutes were approved at the March 19, 2013 Detroit Library Commission Meeting

Commissioner Hicks made a motion to approve authorization to pay MERIT Network, Inc. for services provided July 1, 2010 – June 30, 2011. The amount of the payment is not to exceed three hundred sixty five thousand three hundred forty one dollars and sixty-one cents (\$365,341.61). Commissioner Quarterman supported the motion. The motion carried.

Authorization to Pay Dickinson Wright PLLC for Legal Services Rendered

Commissioner Hicks reported that Dickinson Wright PLLC provided legal services to the Detroit Public Library in connection with a Federal Grand Jury Investigation. The services provided included correspondence and issues pertaining to a Federal Grand Jury Investigation and correspondence and issues pertaining to several Detroit News Freedom of Information Act (FOIA) Requests.

COMMISSION ACTION

Commissioner Hicks made a motion to approve authorization to pay Dickinson Wright PLLC \$16,115.50 for services rendered in connection with the Federal Grand Jury Investigation and \$4,779.00 for services rendered in connection with the Detroit News FOIA Requests for a total amount not to exceed \$20,894.50 (Twenty thousand eight hundred ninety four dollars and fifty cents). Commissioner Allen supported the motion. The motion carried.

OLD BUSINESS

Commissioner Hicks inquired about an action item that was introduced at the January 15, 2013 Commission meeting. He stated he had requested that all legal opinions of DPL provided by legal counsel be made available for public inspection after a passage of 60 days. He stated that at the last meeting, certain Commissioners were not ready to vote on this item because they needed more discussion and information.

Commissioner Hicks asked that the item be placed back on the agenda for discussion and action.

Commissioner Quarterman said that the minutes from the January 15, 2013 stated that this proposed policy would be presented to the Committee on Administration for discussion and to get input from the staff as well as legal counsel before presenting it to the Commission for consideration. She said the Commission was not in the position to discuss this item because the additional information that was requested had not been received.

President Bellant stated he would contact the Chair on Administration and remind him to add the item to the agenda for the next COA meeting.

Commissioner Allen asked if there was a proposed effective date in posting the opinions on the website?

Commissioner Hicks replied he wanted the Commission to make a decision as to when the opinions would be posted.

Public Comment

Mr. Paul Lee gave accolades to recently retired librarian Linda Curvey-Brown. Mr. Lee said he had the privilege of watching Ms. Curvey-Brown grow and mature as a librarian assigned to various departments of the Detroit Public Library. He said he would like to pay tribute to her distinguished years of service with the Detroit Public Library.

The meeting was adjourned at 8:20 p.m.