

DETROIT LIBRARY COMMISSION PROCEEDINGS

RE-SCHEDULED REGULAR MEETING

MAY 24, 2011

President Thomas called the Re-Scheduled Regular Meeting of the Detroit Library Commission to order at 1:40 p.m.

Present: President Thomas, Commissioners Adams, Bellant, Hicks, Keith and Kinloch

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

Excused: Commissioner Quarterman

Present Also: Joan Brand, Ronald Bryant, Maria Bryson, Deborah Dorsey, Julie Fornell, Paula Kaczmarek, Kelly Kencik, Cally Kypros, Ray Lambert, Christine MacDonald, Carolyn Mosley, Gaston Nash III, Deborah Quinn, Uzo Onyemaechi, Rosemary Patterson, Christine Peele, Yvette Rice, Carole Rihani, Anna Savvides, Alma Simmons, Dortha Simpson, Jackie Sullen, Derick Suppon, Tim Tompkins, Cynthia Walton, Ken Wyatt, Tracie Wyatt and others

The minutes of the Regular Meeting of April 19, 2011 were approved with any necessary corrections to be made.

AGENDA

Commission Kinloch requested that two items be added to the agenda. The first item would be under the Committee on Administration for a resolution to retain a forensic auditor regarding the Cubemation authorization.

The second item was an action item under the Finance Committee requesting Commissioners to recognize a specific revenue amount for the fiscal year 2012. He said this should be a separate item indicated as a resolution or a report. He expected the Executive Director to address these issues.

President Thomas asked if there were any objections to adding the items to the agenda.

Commissioner Bellant asked since he did not attend either the Committee on Administration or the Committee on Finance meetings, if these items were discussed in those committee meetings.

Commissioner Kinloch replied that he was adding the resolution for a forensic auditor as the right of a Commissioner, but the specific revenue report was an action item of the Committee on Finance. Ms. Mondowney asked Commissioner Kinloch to clarify the last statement regarding the report.

Commissioner Kinloch stated that a motion was made at the Committee on Finance meeting for a specific dollar amount to be recognized by the Commission for the anticipated revenue for the next fiscal year. The motion was seconded and passed.

Commissioner Hicks explained that he thought the process was handled as part of the overall budget where the revenue and expenses were recognized at the same time because it is essentially a balanced budget.

President Thomas repeated if there were any objections to adding the items to the agenda.

Commissioner Kinloch stated that he would like to withdraw the finance request to add the report to the agenda. The Executive Director addressed the issue as part of the overall budget.

Commissioner Adams stated that his only uneasiness would be the request for a forensic auditor. He thought discussion should be in a closed session.

President Thomas stated that the Commissioners were scheduled to go into an Executive Session as the last item on the agenda, so the request could be moved to the Executive Session if there were no objections.

Commissioner Kinloch moved to approve the amended agenda. There were four yes votes and one no vote. The motion carried.

PUBLIC COMMENTS

Gaston Nash, Library Customer, implored Commissioners to still consider comments made by library customers at the two public forums held at WCCCD East & West Campuses. He stated why wait for the inevitable and have someone come in and close down the libraries; even if the library had the funding to keep all 23 branches open, the City does not need 23 branches. He suggested that the Commissioners strongly consider closing some of the smaller branches and focus on building larger libraries in areas where they are needed. He was not advocating the loss of jobs but adding more jobs in larger libraries.

President Thomas thanked Mr. Nash. Although he does not ordinarily respond to public comments, he said that he and other commissioners appreciated the thoughtfulness of Mr. Nash's remarks, the analytical skills he possesses in terms of reviewing the situation, and making viable suggestions for the betterment of the library. He wished everyone had viewed the public forums in the same way Mr. Nash had and brought forward to the Commission those types of constructive suggestions.

REPORT OF THE PRESIDENT

President Thomas reported that the budget process had been a very trying and troubling time for the Detroit Public Library. A lot of misinformation was released to the public.

The projected revenue numbers that the staff was working with were the numbers DPL received from its funding source; those were the numbers DPL had to follow. It wasn't pleasant, but in the overall scheme of things, all of the different options DPL explored, could only serve to help make DPL a better and stronger institution.

Suggestions like those from Mr. Nash are extremely helpful because for the past seven or eight years, the Library has looked at the reality of our circumstances as it relates to having 23 branches, a Main Library, two bookmobiles instead of having to investigate the possibility of closing branches and consolidating departments.

Previously, DPL had two studies conducted over the past five or six years that recommended closing Library branches. Until this financial crisis came along, the Commission really did not focus on those types of issues. From this point forward, the Commission will be focused on those types of issues.

The Detroit Public Library is still faced with financial difficulties and will have to make tough decisions because the revenue from taxes will continue to decrease. He encouraged everyone to submit their suggestions to Commission on how DPL can move forward. The Commission will also be considering all of the recommendations that were received from the Eastside & Westside Forums.

President Thomas also reported that he received a letter from the Friends Foundation indicating its willingness to help with any capital campaigns in the future. They stand by the Library and offer their support as they always have. However, the Friends Board does not feel that the Library should embark upon a capital campaign at this time, but will lend its support whenever DPL makes that decision.

President Thomas urged the Executive Director and the Administrative Staff to continue branch evaluations and utilize the public's input as it relates to that analysis.

President Thomas said at another public meeting held in the Friends Auditorium, it was brought to his attention that the Children's Library at Main was too small to accommodate multiple classes. He suggested that the Executive Director inquire about the space located outside of the existing Children's Library and having it enclosed from the adult side of the Library to accommodate the overflow of children. As long as the new Children's Library space is on hold, DPL should do something to increase the ability to have adequate space for the children to ensure they enjoy their visit to the library. He added that the Facilities Staff is very capable of enclosing that area with a minimal amount of disruption and costs. He had previously asked Cledos Powell, Assistant Director of Facilities, to investigate the prior Children's Library space to determine if could be refurbished by the Facilities Staff and move it into that space.

REPORT OF THE EXECUTIVE DIRECTOR

Mrs. Mondowney reported:

Staff Association 2011 Spring Banquet

On Saturday, April 30, 2011, the annual Staff Association's banquet was held in Old Fine Arts at Main Library. Ken Wyatt, Manager, Chase Branch and President of the Staff Association presided over the event. Several staff members received pins for 25 years of service. Latasha Thompson, Clerical Assistant, Chaney Branch, was the Alma Josenhans Scholarship winner. Cynthia Walton, Clerk, Business Office, was the recipient of The General Employees Merit Award (GEM); Lurine Carter, Coordinator, Children's and Youth Services, was the recipient of the Library Staff Memorial and Fellowship Current Librarian Award; and Robert Cole received the Retired Librarian Award.

Award Received

The Detroit Public Library's Subregional Library for the Blind and Physically Handicapped is the winner of the *Network Library of the Year award for 2011*. This award commends a regional library for excellence, innovation, and special achievement in providing library service to blind and physically handicapped individuals. The award will be presented at the Library of Congress in Washington, D.C. on June 23, 2011. Congratulations to Dori Middleton, LBPH Specialist, and Carolyn McCormick, Douglass Branch Coordinator.

Author Day @ Main Library

Author Day was a huge success. The author, Simone Elkeles, who was voted *best* author by Detroit students in grades 7-9, spoke to hundreds of young adult readers in the Friends Auditorium on May 10 and May 11. She shared her

personal story on how she learned to love to read even though she did not like reading when she was in school. Her books have greatly influenced or encouraged students to read. *Perfect Chemistry* is a love story about two teens from different backgrounds that fall in love and judging by the long lines for the book signing, the book was a real winner.

She thanked the Friends Foundation and the DeRoy Testamentary Foundation for supporting the 28th annual Author Day Program.

Battle of the Books

The Friends Foundation, in partnership with Children's Services and the Y.E.S. Foundation, sponsored the annual Battle of the Books at the Main Library. The Used Book Sale Room was opened for children to purchase reading materials at 25 cents per book. 616 books were purchased and are now in the hands of children who may not have otherwise been able to buy a book (quarters were on hand for those who had no funds).

Recent Events

Mrs. Mondowney also reported on the *Celebrate Authors Series*:

Saturday, May 21 @ Main Library

Matt Wentworth, a local author, discussed some of the greatest Detroit Tiger games and offered details on the year the Tigers won the World Championship. Interested baseball fans met Mr. Wentworth and purchased a signed copy of his book, *The Perfect Season: How the Detroit Tigers Go 162-0 and Sweep Their Way to a World Series Championship*.

Saturday, May 21 @ Main Library

Girls and their dolls dressed up to attend the 4th Annual American Girl Tea Party held on Saturday, May 21, 2011. American Girl author, Jane Kurtz, was the featured author for this year's tea party event. Her book *Lanie* was about the character created for the American Girl doll with the same name that was the 2010 Girl of the Year. Doll clothes and books were available to purchase. The girls enjoyed sweet treats and flavored teas and were given lessons in tea party etiquette. The Tea Party was co-sponsored by the Coette Club of Detroit and the DPL Friends Foundation.

Saturday, May 14 @ Douglass Branch

Joyce Fay Fletcher, author of *The Library*, visited Douglass Branch on Saturday, May 14. She talked about her latest novel, which is a tale about an urban librarian. Ms. Fletcher was a former librarian for the Washington, D.C. Public Library and is currently a school librarian.

COMMITTEE ON ADMINISTRATION

Approval of Human Resources Office Report

Commissioner Kinloch reported that the Human Resources Office Report indicates personnel actions for new hires, separations, and retirements. These actions have been approved by administration.

RETIREMENTS

Anna Savvides, effective April 23, 2011

Commission Action

On the motion of Commissioner Kinloch and seconded by Commissioner Keith, the personnel action report was unanimously adopted.

Comments

Commissioner Kinloch mentioned that Michael Wells, President UAW Local 2200, had also retired. Trinee Moore explained his retirement would be effective later and would be reflected on the appropriate report.

Commissioner Adams asked Ms. Savvides how many years of service she had at DPL. Ms. Savvides said she had just over 37 years. Ms. Savvides was applauded for her service.

Authorization to Refer the Cubemation LLC Lawsuit to Legal Counsel

Commissioner Kinloch reported that on May 9, 2011, in the Circuit Court for the County of Wayne, a lawsuit was filed by Cubemation, LLC (CLLC) against the Detroit Public Library. It is the Library's position that since the vendor did not complete the project, no monies are owed.

On April 18, 2011, the Library Commissioners received an e-mail from the Peterson & Fathy, PLLC – the firm representing CLLC. The letter stated their client was owed a total of \$184,861.11 for services rendered under the contract. The amount includes the outstanding balance, together with interest for late charges at the rate of 5%, and other applicable charges.

The history of CLLC with DPL is as follows:

The Detroit Library Commission, at its February 17, 2010, meeting approved entering into a professional service contract with Cubemation, LLC. The contract was in the amount of \$835,000 which covered the period January 2010 – January 2011 to complete the Library's Financial System Network Backbone Upgrades, and to assist Information Systems staff with day to day support.

On October 20, 2010, the Library sent a letter to CLLC indicating that due to loss of tax revenues in the current budget, the contract was being terminated. The effective date of the termination was thirty (30) days from the date of the letter. The Library requested that CLLC submit their final invoice on that last day of their assignment. *****Note – The funds were depleted before the vendor completed the project.**

Discussion

Commissioner Hicks asked for an explanation on why the funds were depleted before the project was completed. Mr. Cromer said the vendor was told to submit its last invoice; when received, there were no monies left on the contract because the vendor had received an advance payment that was not deducted from the contract amount. The vendor failed to credit the Library for the advance payment it received; therefore, the Library could not pay the vendor. In addition, the project was incomplete and a vendor would not be paid for an incomplete project.

Commissioner Hicks asked about the amount of the advance. Mr. Cromer indicated \$125,000.00 was advanced. Commissioner Hicks asked why DPL advanced funds to the vendor. Mr. Cromer explained DPL advanced the vendor under the terms and conditions of the contract. It was basically a general practice of DPL to advance small vendors. Commissioner Hicks asked if it was written in a policy. Mr. Cromer stated he didn't know if it was in a policy but he would respond after further review.

President Thomas stated this matter should not be discussed at this time. It should be discussed at the appropriate committee meeting. The motion pending is only to refer the matter to legal counsel.

Commissioner Hicks stated he was asking for a policy in order for him to be acquainted with this policy that allows DPL to advance vendors payments. He asked that the policy, if there is one, be forwarded to him. Commissioner Bellant added that he supported Commissioner Hicks on having the issue reviewed.

Commission Action

Commissioner Kinloch moved to authorize referring the Cubemation, LLC lawsuit to legal counsel at a cost not to exceed \$40,000. Commissioner Adams seconded the motion. The motion carried.

COMMITTEE ON BOOKS AND LITERACY

Approval of Membership Slate for the Detroit Literacy Council

Commissioner Bellant reported the Detroit Library Commission approved a resolution at the May 19, 2009 Detroit Library Commission meeting to establish a Detroit Literacy Council. A Membership Slate was approved at the June 16,

2009 Detroit Library Commission meeting. The Council consists of 21 members to assist the Library in achieving its strategic literacy objectives.

The resolution approved by the Detroit Library Commission on May 19, 2009, requires that “The members of the Detroit Literacy Council serve a staggered three-year term.”

Currently, there are seven members whose terms expire December 31, 2012 and five members whose terms expire December 31, 2013. There are nine vacancies.

It is the recommendation of the Committee on Books and Literacy to appoint two new members to serve a two-year term (2011 – December 31, 2013) and seven new members to serve a three-year term (2011 – December 31, 2014) to fill the vacancies.

DETROIT LITERACY COUNCIL SLATE 2011

2011 – December 2012

Rev. Georgia Hill, Chair
Mr. Brandon Jessup
Ms. Karen Love
Dr. Daphne Ntiri
Ms. Donna Nesbitt
Mr. David Stephen
Mr. Heaster Wheeler

2011 – December 2013

Sr. Janice Brown
Ms. Eumiller Corbitt
Ms Patrice Merritt
Rev. V. Lonnie Peek
Mr. Ray Smith (New Appointee)
Mr. Maurice Shane
Mr. Donnell White (New Appointee)

2011 – December 2014

Ms. Nancy Allen (New Appointee)
Ms. Kristen Barnes (New Appointee)
Ms. Kate Civil (New Appointee)
Mr. Victor Harvin (New Appointee)
Ms. Norrie Knight-McKinney (New Appointee)
Ms. Debra Spring (New Appointee)
Mr. James Tate (New Appointee)

Discussion

Commissioner Adams asked how the individuals were nominated. Commissioner Bellant answered explaining they are nominated through discussions with the Chair of the Books and Literacy Committee and the Chair of the Detroit Literacy Council. Other members of the Commission also provide input.

Commissioner Kinloch, former chair of the Committee on Books and Literacy, pointed out that Commissioners were asked for recommendations for the appointments. Also for clarity, the two members appointed to serve a two-year term should state, the two members appointed to serve the un-expired term of two-years.

Commission Action

Commissioner Bellant moved to approve the membership slate for the Detroit Literacy Council. Commissioner Kinloch seconded the motion. The motion carried.

COMMITTEE ON FINANCE

Request To Approve the 2011-2012 Detroit Public Library Operating Budget

Commissioner Adams reported a budget in the amount of **\$35,548,931** for fiscal year 2011-2012 has been prepared and submitted to the city of Detroit's Budget Department for review. It is a balanced budget.

A consolidated budget in the amount of **\$36,805,560** that includes all projected revenues and expenses (e.g. restricted and unrestricted funds from non-government revenue streams) in the amount of **(\$1,256,629)** is recommended for fiscal year 2011 –2012. It is a balanced budget.

Comments

Commissioner Adams noted that there was an attempt made to show the comparison between actual revenue expenses generated from last year in comparison with this year's fiscal budget. A considerable amount of time was spent going over the budget, reviewing the revenue from restricted funds, and adjusting charts, resulting in a fairly comprehensive budget.

Discussion

Commissioner Adams noted there was a blank for Information Technology which he assumed was related to e-Rate. Mr. Cromer said the funding from e-Rate does not come to the Library but is paid directly to the vendor; only the expense side is shown. A bill is received from the vendor showing the credits. Commissioner Adams asked to have a full report.

Commissioner Bellant asked what had happened to create the change in the earlier projections of closings and layoffs. (He was not at the meeting on Friday where this was discussed.) Mr. Cromer said we decided to go with the Mayor's

Budget recommending a 12 percent reduction. In addition, the figures had not been adjusted after the layoffs in March; therefore, we no longer had to consider the 20% reduction. Commissioner Bellant added that Mr. Cromer had spoken with the county officials who confirmed verbally that the check for delinquent property taxes would be issued soon. Mr. Cromer said the amount expected in property tax revenue is \$31 million which is reflected in the budget.

Commissioner Hicks asked for an explanation on continuing contracts. Mr. Cromer said these are vendors that support the operations of the Library such as materials budget, security, and janitorial. Commissioner Hicks asked to have more vendor information such as name, contract term, and description for expenses. He also asked for a breakdown on the allocation costs from the City because he questioned the validity on some of the charges such as Human Resources. Mr. Cromer noted that he and Ms. Norfolk were still continuing to work on reducing costs from the City; the Library has realized a substantial savings from past efforts.

Commission Action

Commissioner Adams moved to approve the Detroit Public Library's fiscal year 2011-2012 budget in the amount of **\$35,548,931**, which is included in the Mayor's operational budget for the City of Detroit, and the *total consolidated budget* in the amount of **\$35,805,560**. Commissioner Kinloch seconded the motion. The motion carried.

Routine Report on Finance

Discussion

Commissioner Hicks had questions on specific vouchers that required obtaining additional information from documents in the Business Office. Commissioner Adams suggested changing the format to indicate categories of expenses, such as "facilities". Commissioner Hicks wanted to see coverage dates for contracts. Mr. Cromer asked if they felt it lined up with the budget; Commissioner Hicks said it was fine. Mr. Cromer added Commission approves the contracts which allow payments to be made.

Commission Bellant requested information and documentation regarding voucher #1240 for Frye Gillan Molinaro. Mr. Cromer said the documentation would be in the Business Office.

Commissioner Hicks felt we were inching our way to better reports that would be more informative for Commission. He said to create a second column with vendor name assigned to the project; for example, if lumber was purchased, what was it for.

Commissioner Adams suggested a separate report be done to approve payroll and fringes. Commissioner Hicks appreciated the statement attached to the form verifying payroll records and felt the report was sufficient.

Commission Action

Commissioner Hicks moved to put the name of the staff member approving the routine financial reports with their signature on it for verification. Commissioner Kinloch seconded; the motion carried.

The Routine Report was not approved pending changes as requested above.

EXECUTIVE SESSION

President Thomas said it was necessary to go into Executive Session to discuss a personnel/attorney client matter. On motion duly made, seconded and carried, a roll call vote was taken: President Thomas and Commissioners Adams, Bellant, Hicks, Keith, and Kinloch voted yes.

The meeting was adjourned at 2:58 p.m. The Executive session followed.