

**MINUTES OF THE BOARD OF TRUSTEES OF THE PUBLIC LIBRARY
OF CINCINNATI AND HAMILTON COUNTY**

Date: August 11, 2009

Meeting: Regular

Place: Board Room - Main Library - 800 Vine Street

REGULAR MEETING

ROLL CALL

Trustees Present: Mrs. Gettler, Mr. Hendon, Mrs. Khoury (arrived after roll call), Mrs. LaMacchia, Mr. Moran, and Mr. Wright

Trustees Absent: Mr. Sittenfeld

Present: Kimber L. Fender, Greg Edwards, Raymond Hils, Patricia Schoettker and Mary Bennett-Brown

PUBLIC COMMENTS

Mitch Katz, a librarian and the newly elected head of the Library bargaining unit, distributed a copy of an SEIU resolution to support the Public Library of Youngstown and Mahoning County levy and suggested that our bargaining unit make a request for similar support from SEIU for our levy.

Although Mr. Katz offered to present this request to SEIU for the Library, he also noted that the bargaining unit is not happy with the current contract or with decertification efforts. He doesn't feel that Library management is working in good faith.

In response to Mr. Moran's question, Mr. Katz informed him that SEIU meets quarterly, but he could ask for a special hearing.

SWEARING IN OF ROSS A. WRIGHT

Ross A. Wright was sworn in by Board President Elizabeth H. LaMacchia as Trustee for the Board of Trustees of the Public Library of Cincinnati and Hamilton County. Mr. Wright's new term expires October 30, 2016.

Mrs. LaMacchia congratulated Mr. Moran for receiving United Way of Greater Cincinnati's Community Service Award - Improving Our Community.

**MINUTES OF THE REGULAR MEETING HELD JUNE 9, 2009
AND THE SPECIAL MEETING HELD JUNE 26, 2009**

Mr. Hendon moved that the Minutes of the Regular Meeting held June 9, 2009 and a Special Meeting held June 26, 2009 be approved as submitted. Mr. Moran seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Wright and Mrs. LaMacchia ... 6 ayes. The motion carried. (44-2009)

EXECUTIVE DIRECTOR'S REPORT

Mrs. LaMacchia introduced Lynda Murray, Director of Government and Legal Services for the Ohio Library Council (OLC).

OLC Librarian of the Year Award – Kimber L. Fender

Lynda Murray presented the 2009 OLC Librarian of the Year Award to the Library's Executive Director Kim Fender. This award honors a librarian whose recent accomplishments have impacted the library profession and/or library service to the community. Award recipients are chosen based on having exhibited distinguished service in the library community; demonstrated evidence of professional and personal achievements; developed and implemented new services; created partnerships within the community to provide innovative services; and been actively involved on the local and state level. The OLC Awards and Honors Committee chooses recipients based on nominations and recommendations received from the Ohio library community.

Ms. Fender thanked Ms. Murray for the recognition, then went on to report that:

Hennen American Public Library Ratings (HAPLR)

- for the fourth consecutive time our Library has been ranked among the ten best public libraries among those serving a population of more than 500,000. Our ranking for the 2009 Hennen American Public Library Ratings (HAPLR) is 10th in our size category.

10-Millionth Item

- on Monday, August 10, 2009 at 12:30 p.m. a very surprised customer at the Main Library's Ninth Street circulation desk was greeted by Executive Director Kim Fender and Library Services Director Greg Edwards with a bouquet of balloons and a Library tote bag filled with a Library logo mug, pen, baseball cap, and "Got Books" t-shirt to mark the 10 millionth item borrowed in 2009 from the Library system.

ILS Upgrade to Symphony 3.3

- on September 8, 2009, the Library will transition the ILS (Integrated Library System) to Symphony 3.3 to gain a variety of enhancements and corrections. The catalog will be unavailable after the close of business on Sunday, September 6 and will be restored before business on Tuesday, September 8. There will be no downtime for staff.

55th Annual Veterans Day Program

- Don Brandt, a World War II veteran who served in the U.S. Naval Air Corps, has agreed to present keynote remarks for the Main Library's 55th Annual Veterans Day Program on November 11.

Lincoln Legacy/ALBC Town Hall at CET

- since February, several programs and exhibits commemorating the 200th anniversary of Lincoln's birth have been presented through a partnership of the Library, the American Jewish Archives, the Cincinnati Museum Center, the National Underground Railroad Freedom Center, CET, and Senator Richard Finan. As a result, the national Abraham Lincoln Bicentennial Commission (ALBC) has selected Cincinnati as one of 10 cities nationwide to host a town hall meeting. On September 9, Ambassador Andrew Young will be the keynote speaker at the live broadcast of *After Obama: Race & Politics in Cincinnati*. Ambassador Young's remarks will be followed by a discussion featuring panelists Jan Michele Lemon-Kearney, Father Michael Graham, Judge Nathaniel Jones and Maria Molina. The 90-minute event will be broadcast in front of a live studio audience at CET and streamed live online.

A series of discussions will be held at three Library locations prior to the event to get community input and the Friends of the Public Library are hosting a book signing. A donation to the ALBC is underwriting the program costs.

Gates Foundation Grant

- the Library will receive \$161,850 from a Bill & Melinda Gates Foundation Opportunity Online Hardware Grant to fund the purchase of additional public computers at 17 of our branch libraries. We are required to match the funds at 25%, purchase at least the number of computers specified from the Foundation for each eligible location, complete the American Library Association - Florida State University Internet and Public Funding Survey and attend *Turning the Page*, a two-day advocacy professional development program on September 24 and 25 in Columbus paid for by the Gates Foundation.

Digital Services

- the Library received grants in 2007 and 2009 to purchase equipment to digitize books and other documents. Items in our collection have been digitized and made available worldwide online through the virtual library portal on our website. The Digital Services staff currently is digitizing yearbooks for the University of Cincinnati, which will result in more than \$30,000 in income to our Library.

Other organizations are beginning to request our digital services. We are the only local organization with the equipment and the skilled staff to provide high quality digital images. Many organizations are reluctant to ship fragile or rare items to non-local digitizers, for fear the items will be lost or damaged.

We would like to pursue selling our digital services. The negotiated price for each job would be based on the type and quantity of material digitized, the complexity of the digitizing and the staff time involved. Some profit and overhead for the Library would be included.

The report was received and filed.

LIBRARY SERVICES AND ADMINISTRATION COMMITTEE REPORTS

LIBRARY SERVICES

Mrs. Khoury introduced Patty Peterson, manager of the Anderson Branch.

Anderson Branch and Anderson Township Library Association

Patty Peterson reported that the Anderson branch has always seen both tremendous use and support from the community. Anderson consistently ranks among the top three branches in circulation and programs such as the Summer Reading program are always very successful.

A big reason for the success of the Anderson branch is the support received by the Anderson Township Library Association (ATLA). ATLA, formed in 1980, has supported both the Mt. Washington and Anderson branches with book, furniture and computer purchases and program support. Twenty-eight years ago, ATLA began holding used book sales to raise money for the branches and with their most recent book sale, exceeded the \$1,000,000 mark for funds raised.

Mrs. Khoury and Mr. Edwards reported that:

Programs & Exhibits of Note

- this year's Summer Reading program, *Creature Feature*, had 28,592 participants, of which 69% completed the program. Participation in 2009 was up 5.9% compared with 2008. The partnership with the Cincinnati Zoo was one factor contributing to the success of this year's event. In addition to all the prizes awarded to participants and completers, the "Library Superstar" yard sign was given to everyone completing the preschool, kids and teen programs.

Author Visit

- local author Michael Banks will visit thirteen Library locations between September and December to discuss his new book, *Before Oprah: Ruth Lyons, The Woman Who Created Talk TV*.

Workforce Development Program

- a workforce development program was presented by the Library's Human Resources Department and the Information and Reference Department on August 5 & 6. This Job Seeker's Workshop for members of the public included sessions on interviewing tips and techniques, mock interviews and computer training – a valuable and timely program for many of our users in these challenging economic times.

Twitter, Facebook and Text-A-Librarian Services

Mr. Edwards reported that the Library is connecting with new customers through Facebook and Twitter, two very popular social networking sites. "Tweets" have included information on the Library's funding issues, programs and good books. Through Text-A-Librarian, a new service that began on July 13, customers using their cell phone or handheld device can text a question to Library staff by starting the body of the text with the keywords *askus*, followed by a space, followed by the question. The number to text a message is 66746.

These cutting edge services are beneficial but require minimal staff interaction. Text questions are handled by Information and Reference Department staff working the Remote Reference Center where all questions received remotely (phone, e-mail, text) are answered. Sandy Bolek, the Internet Site Coordinator who also maintains the Library's web page, updates Facebook. "Tweets" are posted by a group of 10 staff throughout the system, each assigned a day to submit five or so tweets.

Mrs. Khoury reported that:

Medieval Manuscript Digitization Initiative

- items from the Library's Cincinnati Room Collection will be included in a grant-funded project of Scott Gwara, Professor of English at the University of South Carolina, to marry dismembered leaves of medieval manuscripts into digital versions of the works.

Library Usage

- usage for July, reflecting both the popularity of the Summer Reading Program and the closure of the Library for the Blind on July 1, increased 3.5% compared to July 2008. Year-to-date, usage is up 6.3% compared with the same period in 2008.
- the top circulating items and statistical reports for the month of July 2009 were submitted.

ADMINISTRATION

Personnel Changes

Mrs. Khoury recommended that the Board approve the following personnel changes effective through July 25, 2009:

ACTION	AGENCY	POSITION TITLE	FTE	EMPLOYEE NAME	EFFECTIVE DATE
Retirement	Monfort Heights	LSA I	0.50	Knueven, Leo J.	07/11/09
Promotion	Information & Reference	LSA III	1.00	Anderson, Arpi C.	06/14/09
Promotion	Information & Reference	LSA II	0.50	Bunthoff, Kathryn C.	06/28/09
Promotion	Outreach Services	LSA I	1.00	Casto, Jeff E.	06/14/09
Promotion	Mariemont	LSA I	0.50	Kleesattel, Benjamin R.	05/31/09
Appointment	Harrison	LSA I	0.50	Walker, Brian J.	05/31/09
Change	Information & Reference	Shelver	1.00	Austin III, George J.	06/28/09
Change	Symmes Township	LSA I	0.60	Barnum, Terry L.	05/31/09
Change	Circulation Services	LSA I	1.00	Covey, Peggy A.	06/28/09
Change	Circulation Services	LSA I	1.00	Frey, Sherry L.	07/05/09
Change	Delhi Township	LSA II	1.00	Hall, Richard M.	07/12/09
Change	Children's Learning Center	Shelver	1.00	Knueven, Michael L.	06/28/09
Change	Blue Ash	LSA II	1.00	Schulte, Connie A.	06/28/09
Change	Symmes Township	LSA I	0.60	Taylor, Sarah E.	05/31/09
Change	College Hill	Reference Librarian I	1.00	Weikert, Jennifer M.	06/14/09
Departure	Harrison	Student Shelver	0.30	Huber, Drew R.	06/11/09
Departure	Shipping & Receiving	Shipping & Receiving Clerk I	1.00	Hung, Andy H.	07/16/09
Departure	Materials Retrieval	Page	0.50	Klingler, Karamae A.	06/10/09

ACTION	AGENCY	POSITION TITLE	FTE	EMPLOYEE NAME	EFFECTIVE DATE
Departure	Walnut Hills	LSA I	0.50	Kohlburn, Joseph R.	06/27/09
Departure	Circulation Services	Shelver	0.50	Murphy, Melanie M.	06/27/09
Departure	Green Township	Student Shelver	0.30	Patrick, Jessica A.	05/21/09
Departure	Miami Township	LSA I	0.50	Raasch, Ashley N.	07/04/09
Departure	Materials Retrieval	Page	0.50	Weedon, Travis M.	07/19/09

Health Insurance Cost Savings Strategies

Ms. Bennett-Brown reported that as an alternative to further plan reductions and increasing the employee premium share, we are implementing a strategic option that identifies employees who are eligible for or have the opportunity to elect alternative health insurance coverage that is available to them and their families at “no-loss” to the employee. Beginning this fall, trained specialists from our broker Strategic Employee Benefits Services (SEBS) will interview staff members to determine existing resources and employee/dependent needs, then educate and assist staff in transitioning to the most efficient health care options in the upcoming benefit year.

Mrs. Khoury moved that the Board approve the Library Services and Administration Committee report as submitted, including personnel changes. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Wright and Mrs. LaMacchia ... 6 ayes. The motion carried. (45-2009)

FISCAL OFFICER’S REPORT

Ms. Schoettker reported that:

Public Library Fund and Impact of State Budget

Revised 2009 Estimates - The Ohio Department of Taxation issued two more revisions to their estimate of 2009 Public Library Fund (PLF) distributions, once on June 30 while the new state budget was still pending, and again on July 20 after its approval. The 2010-2011 state budget bill reduces the PLF in temporary law from 2.22% to 1.97% of applicable portions of the State’s General Revenue Fund. The following chart illustrates the downward spiral of the 2009 estimates:

2009 Public Library Fund Estimates	
July 18, 2008 estimate	\$ 49,648,314.65
December 19, 2008 estimate	\$ 44,276,388.43
June 30, 2009 estimate	\$ 40,566,732.59
July 20, 2009 estimate	\$ 39,003,611.48

Comparison to Budget – The December 2009 estimate was used as the basis for our current appropriations. The latest estimate projects a 12% drop from that amount. Receipts through August, the first month of the new reduction, reflect a year-to-date drop of 11%.

Comparison to 2008 - The July and August 2009 distributions are both 23% less than the same months in 2008. The new estimate puts 2009 annual revenue at 18% less than 2008. Year to date through August, revenue is already \$5.6 million or 17% less than the same period last year.

2010 Estimate - The Ohio Department of Taxation's first estimate of the 2010 PLF is **\$35,467,904.82**. This amount leaves our 2010 budget for operating and building maintenance short by more than \$16.8 million and provides no funding for our \$13.6 million capital budget – a total shortfall of over \$30.4 million.

Monthly Financial Reports

- the financial reports were submitted for the periods ending June 30 and July 31, 2009.

Investment Reports

- the investment reports were submitted for the months ending June 30 and July 31, 2009.

Mrs. Gettler moved that the Board approve the Fiscal Officer's Report including the financial and investment report as submitted. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran (except pass on investment report), Mr. Wright and Mrs. LaMacchia ... 6 ayes. The motion carried. **(46-2009)**

FACILITIES COMMITTEE REPORT

2008 On-Going Maintenance Project

Mr. Hendon recommended confirmation of the following change order, approved in accordance with the contingency:

- Change Order No. TC-01-05 (deduct) in the amount of \$(5,281.00) to CR & R, Inc. to return balance of allowance funds.

Mr. Hendon also reported that:

Ongoing Maintenance and Repair Estimates

- to prepare for future facility maintenance decisions and potential branch closures, an inspection of each Library facility was conducted over the summer. New cost estimates for main and all branch locations include ADA compliance, roofs, tuck pointing, painting, parking lots, foundation repair, and electrical and mechanical upgrades. These estimates include the 2009 Ongoing Maintenance Project that was cancelled in late June.

Pleasant Ridge Branch ADA Project

- DNK Architects have completed the design development drawings and cost estimate for the Pleasant Ridge ADA Project. This documentation is available for Facilities Committee review.

Deer Park Branch

- the Library was surprised to read in the July 15 issue of *Suburban Life* a proposal to relocate the Deer Park Branch to space available in Howard Elementary as part of Deer Park City School District's building realignment. No one from the School District has contacted the Library regarding this proposal.

Mr. Hendon moved that the Board approve the Facilities Committee Report as submitted, including confirmation of the change order. Mr. Moran seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Wright and Mrs. LaMacchia ... 6 ayes. The motion carried. (47-2009)

DEVELOPMENT COMMITTEE REPORT

Mrs. Gettler reported that:

Library Foundation

- at the Library Foundation's quarterly meeting on July 23, a new logo was adopted to give the Foundation a more focused identity on brochures, letterhead and the website. The Foundation will again help to underwrite the Library's "Books by the Banks" Annual Book Festival with a contribution of \$5,000.

Mrs. Gettler read the list of Foundation Directors.

Bequests and Memorial Donations

- the Library received notification of a pending unrestricted bequest of \$10,000 from the estate of L. Patton Davis, the first woman to receive a PhD in Political Science from UC.
- several donations totaling more than \$6,000 have been made in memory of Mrs. Marian Anness. These unrestricted donations will be added to the Library's Program Fund.
- the children of local attorney Robert S. Bromberg donated their father's vast collection of over 5,000 VHS tapes, 7,000 record albums and 5,000 books to the Friends of the Public Library to be included in their upcoming sales.

Friends of the Public Library

- the Friends most recent sale at the Norwood Branch on July 16-17 grossed \$3,000. The Friends also sold at auction a first edition of Moby Dick that came to them in donated boxes of books. After some conservation work, it sold for \$4,800.
- at their quarterly meeting on July 24 at the Crayons to Computers facility, the Friends approved the purchase a limited edition of Dr. Martin Luther King Jr.'s *Letter from the Birmingham City Jail* illustrated with eight serigraphs by artist and author Faith Ringgold. The book will be added to the collection of the Main Library's Cincinnati Room.
- the Friends Annual Summer Warehouse Sale will be held from August 13 through August 16.

Anderson Township Library Association

- the Anderson Township Library Association met on July 15. Their Annual June Book Sale held June 26-28 raised more than \$47,000.

The report was received and filed.

Mrs. Gettler left the meeting.

COMMUNITY AND PUBLIC RELATIONS COMMITTEE REPORT

Mrs. Khoury presented a report on promotion and planning, notable media coverage, press releases and community outreach. The report was received and filed.

LEGISLATIVE AFFAIRS AND LAW COMMITTEE REPORT

Mr. Wright reported that:

State Budget Completed

- the General Assembly adopted a new State biennium budget in mid-July and Governor Strickland signed the bill a few days later. In this budget, the Public Library Fund (PLF) was reduced from 2.22% of General Revenue Fund tax revenues to 1.97% on a temporary basis. Although the State estimates this will result in a reduction of \$84.3 million over the biennium, since this is a percentage of actual revenues and not a fixed number, more or less may be lost.

Previous temporary reductions have been permanent reductions, so it is unlikely that the 2.22% will be restored in future budgets. Further, since the State economy continues to lose revenue, we are concerned that a budget corrections bill will be introduced and that public library funding could be reduced further as the State seeks the funds needed to fill a growing budget deficit.

Senator Robert Schuler

- Senator Robert Schuler, who represented the 7th Ohio Senate District, including parts of Hamilton County, died on June 19, 2009. The Senator was a staunch Library supporter sponsoring legislation that benefited public libraries statewide. A donation in memory of Senator Schuler was made to the Library in recognition of his support.

Ms. Fender advised that Shannon Jones has been appointed to fill Senator Schuler's seat.

The report was received and filed.

FINANCE AND AUDIT COMMITTEE REPORTS

Mr. Moran reported that a post audit conference was held on June 9, 2009, with Natalie Stang to review the results of the audit for the year ending December 31, 2008. This was the first audit conducted by Balestra, Harr & Scherer, CPAs, Inc., an independent public accounting firm approved by the Auditor of State. Elizabeth LaMacchia, Bill Moran, Tara Khoury, Bob Hendon and Paul Sittenfeld were in attendance, along with Kim Fender, Pat Schoettker and Molly DeFosse.

Audit of Fiscal Year 2008

Mr. Moran presented the audit opinion on internal controls and compliance (***Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements performed in accordance with Government Auditing Standards***) which disclosed no material deficiencies in internal control over financial reporting, nor any instances of

noncompliance. A separate **Management Letter** was not issued, as there were no recommendations made for reporting or operational changes.

Comprehensive Annual Financial Report for 2008

Mr. Moran reported that Balestra, Harr & Scherer also completed their audit of the Library’s general-purpose financial statements, which are part of the Comprehensive Annual Financial Report (CAFR) for the year ended December 31, 2008. Their opinion (**Independent Auditor’s Report**) is that those statements present fairly, in all material respects, the financial position of the Public Library and are in conformity with generally accepted accounting principles. This opinion is included in the financial section of the CAFR, a copy of which was provided to each member of the Board.

Further, the audit opinion has since been accepted by the Auditor of State, as stated in their letters dated July 13, 2009.

Revision to 2009 Estimated Resources and Annual Appropriations; Transfer of Funds

Mr. Moran recommended that the Board authorize:

1. revision of 2009 **Estimated Resources** as follows:

<u>Fund</u>	<u>Revision</u>
General Fund	
Intergovernmental Receipts, State	\$ (1,772,776.52)
Earnings on Investments	(227,223.48)
Other Financing Sources (Transfers In)	<u>2,000,000.00</u>
Net Change	\$ 0.00

2. revision of the 2009 **Annual Appropriation Resolution** as follows:

<u>Fund</u>	<u>Revision</u>
Building & Repair Fund	
Capital Outlay	\$ (2,000,000.00)
Other Financing Uses (Transfer Out)	<u>2,000,000.00</u>
Net Change	\$ 0.00

3. the following transfer of funds, as needed:

Amount	Transfer from:	Transfer to:
\$ 2,000,000.00	Building & Repair Fund	General Fund

The changes for the **General Fund** (the second reduction this year) aligns our budgeted resources with the latest state estimate and also acknowledges a decreasing investment return on our decreasing cash balance. The offsetting transfer and the appropriation changes in the **Building and Repair Fund** formalize the authorization given by the Board at the June 26, 2009 Special Meeting to make up the shortfall in state revenue with up to \$3 million from the Building & Repair Fund (\$1 million was previously authorized on June 9, 2009).

Tax Levy Review Committee

Mr. Moran reported that in a normal tax levy review by Hamilton County's Tax Levy Review Committee (TLRC), an independent consultant would review the organizations operations and finances over a period of several months, then submit a written report to the Committee. For our levy, a consultant was not hired and the review process was shortened to a series of three meetings. On July 20 we made a presentation to the TLRC and on July 27 we attended their public hearing on our levy. On August 3, Mr. Moran responded to policy issues raised at the public hearing and he, Kim Fender and Pat Schoettker answered questions from the Committee.

At the Committee's request, Ms. Schoettker prepared a five-year forecast normally included in the consultant report. With submittal of this document, it was emphasized that the Library Board had neither reviewed not approved the factors used in the forecasted years.

Mr. Moran noted that the TLRC's request that the Library hire a levy consultant now has been taken under advisement. In response to their request that the Library hold off on a tax levy for another year, he informed them we could not afford to wait.

Mr. Moran moved that these items be approved as submitted. Mrs. Khoury seconded.

Voting for the motion: Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Wright and Mrs. LaMacchia ... 5 ayes. The motion carried. (48-2009)

Amended and Restated Tax Levy Resolution

Mr. Moran reminded the Board that on June 9, 2009, they adopted a Resolution to place a tax levy on the November 2009 ballot. Then, in early July, we learned that the resolution as written would not provide tax levy funding to the Library until the year 2011. Since this is not what we need, we asked the office of the Hamilton County Prosecuting Attorney to revise their original resolution.

The amended Resolution is changed in two ways: (1) it provides for tax levy funding to start in 2010 and (2) expands the use of those funds to include not just operating expenses, but necessary capital improvements as well.

Mr. Moran recommended adoption of the following amended and restated resolution:

AMENDED AND RESTATED RESOLUTION DECLARING THAT THE AMOUNT OF TAXES WHICH MAY BE RAISED WITHIN THE TEN-MILL LIMITATION BY LEVIES ON THE CURRENT TAX DUPLICATE WILL BE INSUFFICIENT TO PROVIDE AN ADEQUATE AMOUNT FOR THE NECESSARY OPERATING EXPENSES AND NECESSARY CAPITAL IMPROVEMENTS OF THE PUBLIC LIBRARY OF CINCINNATI AND HAMILTON COUNTY AND THAT IT IS NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION AT A RATE NOT TO EXCEED ONE MIL

BY THE BOARD:

WHEREAS, the Board of Library Trustees of the Public Library of Cincinnati and Hamilton County had previously adopted a Resolution to place a tax levy for Library purposes on the November, 2009 general election ballot; and

WHEREAS, the Resolution previously adopted on June 9, 2009 mistakenly indicated that the tax levy should first be put on the tax duplicate for 2010 and the Board of Trustees intended to request that the levy commence with the 2009 tax duplicate; and

WHEREAS, the Board of Library Trustees desires to amend the Resolution adopted on June 9, 2009 and to restate its Resolution consistent with this Amended and Restated Resolution; and

WHEREAS, the Board of Library Trustees of The Public Library of Cincinnati and Hamilton County has determined that in accordance with R.C. 5705.19 (D) that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the operating expenses and necessary capital improvements of The Public Library of Cincinnati and Hamilton County; and

WHEREAS, the Board of Library Trustees of The Public Library of Cincinnati and Hamilton County, has determined that it is necessary that additional taxes be levied for operating expenses and necessary capital improvements for 2010, 2011, 2012, 2013 and 2014;

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of The Public Library of Cincinnati and Hamilton County, that it is necessary to levy a tax in excess of the ten-mill limitation for the purpose of providing an adequate amount for operating expenses and capital improvements of The Public Library of Cincinnati and Hamilton County for 2010, 2011, 2012, 2013 and 2014, at a rate not exceeding one mill for each one dollar (\$1.00) of valuation, which represents a new tax levy, to be in effect for a period of five year (5) years, levied on the 2009, 2010, 2011, 2012 and 2013 tax duplicates, and that the question of levying a tax be submitted to the electorate of Hamilton County, Ohio, at the general election to be held on November 3, 2009, as provided for in R.C. 5705.23.

BE IT FURTHER RESOLVED that the form of ballot cast at such election shall be:

<p>PROPOSED TAX LEVY</p> <p>A TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR OPERATING EXPENSES AND CAPITAL IMPROVEMENTS FOR THE PUBLIC LIBRARY OF CINCINNATI AND HAMILTON COUNTY TOTALING ONE (1)MILL</p> <p>For The Public Library of Cincinnati and Hamilton County Operating Expenses and Capital Improvements</p> <p>A Majority Affirmative Vote Is Necessary For Passage</p>
<p>A new one (1) mill levy, for the benefit of The Public Library of Cincinnati and Hamilton County for the purpose of providing OPERATING EXPENSES AND CAPITAL IMPROVEMENTS, at a rate not exceeding one (1) mill for each one dollar of valuation for five (5) years to be levied on the current tax duplicate for 2009 and the 2010, 2011, 2012 and 2013 tax duplicates.</p>

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

and

BE IT FURTHER RESOLVED that the Secretary of this Board be and is hereby directed to transmit a certified copy of this resolution to the Board of County Commissioners, Hamilton County, Ohio who is directed to transmit a copy of this resolution to the Board of Elections of Hamilton County, Ohio. The Board of Elections shall submit the proposal to the electors of this County at the general election to be held November 3, 2009. The Board of Elections shall make the necessary arrangements for the submission of the proposed tax levy to the electors in accordance with the Revised Code, and such election shall be held on the date specified in this resolution, and the clerk of the Board of Elections shall cause notice of said election to be published once a week for four (4) consecutive weeks in a newspaper of general circulation in Hamilton County stating the purpose of said tax levy, the rate of said tax levy expressed in dollars and cents for each one hundred dollars of valuation as well as in mills for each one dollar of valuation, and the number of years during which said tax rate shall be in effect as heretofore specified, and the time and place of holding the election, and

BE IT FURTHER RESOLVED that the Clerk of said Board of Elections is hereby directed to certify the results of said election immediately after the canvass by said Board of Elections to the taxing authority of Hamilton County in order to permit the extensions of such levy, if approved by the electorate, upon the 2009, 2010, 2011, 2012, and 2013 tax lists and duplicates.

BE IT FURTHER RESOLVED that the Secretary Board of Library Trustees of The Public Library of Cincinnati and Hamilton County be and hereby is authorized and directed to certify copies of this resolution to: Patrick Thompson, County Administrator; Kimber Fender, Executive Director, The Public Library of Cincinnati and Hamilton County; and Dusty Rhodes, County Auditor.

ADOPTED at a regularly adjourned meeting of the Board of Library Trustees of The Public Library of Cincinnati and Hamilton County this 11th day of August, 2009.

Mr. Moran moved that the Amended and Restated Tax Levy Resolution be approved as submitted. Mr. Wright seconded.

Voting for the motion: Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Wright and Mrs. LaMacchia ... 5 ayes. The motion carried. **(49-2009)**

The Regular Meeting was then adjourned.

President

Attest: Secretary