

**Orange County Library System
Board of Trustees**

Board Packet for November 2004



**101 East Central Boulevard
Orlando, Florida 32801-2471
phone: 407.835.7611
fax: 407.835.7648
website: www.ocls.info**

**Mary Anne Hodel,
Library Director, Chief Executive Officer**

November 5, 2004

To: Sara Brady, President
James B. Tyson, Vice President
Gloria Fernandez, Trustee
Thomas Kohler, Trustee
Matthew Pardy, Trustee

The Honorable Richard T. Crotty, Chairman of the Library Governing Board, Members of the Governing Board, Commissioners Teresa Jacobs, Bob Sindler, Mary I. Johnson, Ted Edwards, Homer Hartage, Linda Stewart, Orange County; and Patty Sheehan, City of Orlando.

From: Mary Anne Hodel, Director

Re: Library Board of Trustees Meeting

The next meeting of the Library Board of Trustees will be at 7:00 p.m. Thursday, November 11, 2004, at the **Southeast Branch Library; 5575 South Semoran Blvd; Orlando, Florida 32822; 407.249.6210.**

If any board member has an item to be brought up for discussion, please call Milinda Neusaenger prior to the meeting, 407.835.7611.

cc: Ronald Rogers, Liaison, Membership and Mission Review Board – Orange County
Nancy Jacobson, Liaison, City of Orlando

AGENDA
ORANGE COUNTY LIBRARY SYSTEM BOARD OF TRUSTEES
November 11, 2004
Southeast Branch Library
5575 South Semoran Boulevard
Orlando, Florida 32812
407-249-6210

- 04-200 I. **Call to Order**
- 04-201 II. **Public Comment**
Public comments of items listed on the agenda will occur just prior to the Board's discussion and possible action of the agenda item. Public comments of items not listed on the agenda will occur at the end of the meeting agenda.
- If a request is made for written comments to be included in the official record of this meeting, it is helpful if the requestor is able to provide the comments in an electronic format. However, this is not required. This is to ensure the completion and accuracy of the official record when posted on the Library's website, www.ocls.info . For more information, contact Milinda Neusaenger at 407.835.7611 or neusaenger.milinda@ocls.info .
- 04-202 III. **Approval of Minutes: Library Board of Trustees Meeting – October 21, 2004**
- 04-203 IV. **Staff Presentation: Reference Guidelines – Gregg Gronlund, Sandra Mayer, Jane Tracy, Brian Calhoun**
- 04-204 V. **Financial Statements and Summaries: October 2004**
- 04-205 VI. **Statistics and Summaries: October 2004 Reports**
- 04-206 **Honoring Retiree Elazer Lindsay**
- 04-207 VII. **Action Items**
- 04-208 **Consent Agenda**
- 04-209 **Rules of Conduct Revision**
- 04-210 **Privacy Policy Revision**
- 04-211 **Concessionaire Agreement**
- 04-212 **Alafaya Parking Expansion**
- 04-213 **Additional AV Display Units for Branches**
- 04-214 VIII. **Discussion and Possible Action Items**

04-215 IX. **Information**

04-216 **Director's Report**

04-217 **Winter Garden Project Summary**

04-218 **Third Floor Construction Project Summary**

04-219 **Public Comment: Non-Agenda Items**

X. **Adjournment**

Next Meeting Dates: --- December 9, 2004 – Orlando Public Library; 101 East Central Boulevard; Orlando, Florida 32801
--- January 13, 2005 – Winter Garden Branch Library; 805 East Plant Street; Winter Garden, Florida 34787.

If any person desires to appeal any decision with respect to any matter considered at a Library Board of Trustees meeting, such person will need a record of the proceedings; for this purpose, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding due to a disability as defined by ADA may arrange for reasonable accommodations by contacting the Director's Office on the fifth floor of the Main Library in person or by phone at 407.835.7611 at least two days prior to the meeting.

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Call To Order

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Public Comment

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**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Approval of Minutes: Library
Board of Trustees Meeting –
October 21, 2004**

MEETING MINUTES
ORANGE COUNTY LIBRARY SYSTEM BOARD OF TRUSTEES
October 21, 2004
Orlando Public Library
101 East Central Boulevard
Orlando, Florida 32801
407.835.READ (7323)

- 04-178 I. **Call to Order**
President Kohler called the meeting to order at 7:00 p.m.
- 04-179 II. **Public Comment**
Public comments of items listed on the agenda will occur just prior to the Board's discussion and possible action of the agenda item. Public comments of items not listed on the agenda will occur at the end of the meeting agenda.
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- 04-180 III. **Approval of Minutes: Library Board of Trustees Meeting – September 9, 2004**
Trustee Brady, seconded by Trustee Pardy moved to approve the minutes for the September Board of Trustees Meeting.
Motion carried 5-0.
- 04-181 IV. **Staff Presentation: Ormilla Vengersammy - Dashboard**
Technology Training Manager, Ormilla Vengersammy gave a PowerPoint presentation introducing the Dashboard concept; which is a visual tool developed by departments in order to help staff members gauge and measure their progress in reaching established goals. Ms. Vengersammy overviewed the Dashboard developed by the staff in the Computer Resource Center. Brief discussion ensued.
- 04-182 V. **Financial Statements and Summaries: September 2004 (Preliminary)**
Comptroller Robert Tessier reported that the two public hearings for the Library's budget, which were held in September, went smoothly.
- Brief discussion ensued about the new fee to support the Law Collection. Although initial projections were that the Law Collection would receive about \$20,000 monthly, the new fee was generating substantially less than that. Comptroller Tessier reported that County staff indicated there would be a "ramping" up period as judges were only assessing the new fee on offenses occurring after July 1, 2004. There is no way to accurately project how much revenue the Law Collection will receive for the current fiscal year. Staff will continue to monitor the situation.

- 04-183 VI. **Statistics and Summaries: August & September 2004 Reports**
Assistant Director Debbie Moss briefly discussed the increase in door counts due to the early voting at Main and some of the Branches.
- 04-184 VII. **Action Items**
- 04-185 **License to Learn Drawing**
Branch Administrator Craig Wilkins commended all of the participants in the License to Learn Contest. 84 first grade classes from 39 different schools participated in the contest. 16 of the 84 classes reached 100% library card registration of students. The Orlando Magic offered the winning classes admission and V.I.P. treatment at the upcoming Magic vs. Mavericks game. President Kohler asked Nicole Hugues, OCLS customer, to draw the winning classes which are as follows: 1st Place, Amy Nelson's class at Cheney Elementary ; 2nd Place, Joan Greene's class at Camelot Elementary; 3rd Place Ms. Ojeda's class at Camelot Elementary.
- 04-186 **Recognition of Retiree: Elazer Lindsay**
President Kohler recognized Elazer Lindsay for her dedication and contribution to OCLS during her 19 years of employment.
Trustee Fernandez, seconded by Trustee Tyson, moved to officially thank and honor Elazer Lindsay upon her retirement.
Motion carried 5-0.
- 04-187 **Election of Officers**
Before the nominations commenced, Trustee Tyson thanked and recognized President Kohler for his hard work and leadership as the Board President. Trustee Tyson, seconded by Trustee Fernandez, nominated Trustee Brady as President.
Motion carried 4-0.

Trustee Fernandez, seconded by Trustee Pardy, nominated Trustee Tyson as Vice President.
Motion carried 4-0.

The new officers will begin their terms at the close of this meeting.
- 04-188 **Consent Agenda**
Vice President Brady requested item 04-190 be pulled from the Consent Agenda for discussion. Trustee Pardy requested item 04-191 be pulled from the Consent Agenda for discussion.

Trustee Tyson, seconded by Trustee Pardy, moved to approve the remaining items on the Consent Agenda.
Motion carried 5-0.
- 04-189 **Annual Plan of Service – FY 2005**
Trustee Tyson, seconded by Trustee Pardy, moved to approve the Annual Plan of Service for Fiscal Year 2005.
Motion carried 5-0.
- 04-190 **Age Requirements in Children's Areas and Club Central**

Vice President Brady asked regarding the specifics of enforcing the Age Requirement Policy in the Children's Areas and Club Central. Director Hodel explained that the Rules of Conduct will be used in the enforcement of the policy. She also explained that the philosophy behind the policy is to provide a safer environment at each location for younger patrons. Director Hodel stated that recently there was a very inappropriate incident in the Children's Library, which was perpetrated by an adult not accompanied by a child. Vice President Brady asked about access for adults wanting to pick up books for a child, and Director Hodel explained that the person would be allowed to choose materials.

Vice President Brady, seconded by Trustee Fernandez, moved to approve the Age Requirement Policy.

Motion carried 5-0.

04-191

Revision to Rules of Conduct

Trustee Parady stated that he is of the opinion that a 3 year trespass would be excessive for some of the violations listed; such as trespassing on Library property after hours. President Kohler asked the Administration to revisit the revisions to the Rules of Conduct and bring back to the Board.

04-192

HIPAA - Amendment for Cafeteria Benefits Plan

Trustee Tyson, seconded by Trustee Parady, moved to approve the amendment to the HIPAA – Benefits Plan.

Motion carried 5-0.

04-193

VIII. **Discussion and Possible Action Items**

04-194

Strategic Plan Quarterly Report

Trustee Parady summarized the progress of the Strategic Plan and stated that everything is on target and that the progress made is very exciting.

04-195

Director's Evaluation

President Kohler stated that Trustee Fernandez, as chair of the Personnel Committee will be calling a meeting in order to discuss Director Hodel's annual evaluation. Trustee Fernandez announced that Jackie Green, Friends of the Library Board Member and Corb Sarchet, Trustee Emeritus, will be tapped as the other members of the committee and a meeting is forthcoming.

04-196

IX. **Information**

04-197

Director's Report

_ The nation's chief health officer, Vice Admiral Richard Carmona, M.D., M.P.H., F.A.C.S., Surgeon General of the United States will be in Library Central on Friday morning, 22 October 2004, at 10:00 am for a brief presentation on the flu and then will take questions. Florida's Secretary of Health, Dr. John Agwunobi will also be in attendance.

_The Peabody Ducks, directed by the Peabody Duck Master Eric Anderson, gave a spirited performance at the Southwest Branch. A total of 130 children, parents, teachers and caregivers were entertained by the Peabody of Orlando Ducks and their duck walk

today! The kids and caregivers said they had lots of fun. One duck got so excited that she laid an egg! The Southwest program will be featured in the Peabody's newsletter.

_Our instruction booklets for our computer classes have proven to be popular. We are getting requests for their purchase. The books are now for sale for \$3.00 each. This is a taxable sale, so we will be collecting sales tax on them, for a total cost of \$3.20 each.

_An advertisement for the bid on the Main Library Roof appeared in the Sunday, 17th October *Orlando Sentinel*. The bid due date is November 23rd.

_Work on the Eatonville Branch is progressing well. The contractor will need a minimum of two weeks to get to Substantial Completion after power is on. He then has another 30 days to complete a punch list for Final Completion. The carpet is scheduled for installation at Eatonville for October 28 & 29, assuming there is power.

_ OCLS has a number of groups participating in our Wings of Hope Information Fair on Saturday, 23rd October: Harbor House, Orange County Center Against Domestic Violence; The Healing Tree; Howard Phillips Center; Children's Hope International; Goodwill Self Sufficiency Center of Orlando Florida

Radio station Star 94.5 will be doing some live broadcasting from Library Central

_West Orange will open on Mondays starting October 18th. We are hoping it will help build Monday business for the new Winter Garden Branch.

_ Early voting has begun at the Library. At most Branches long lines were the norm. West Oaks was hit with the double whammy of Storytime and Early Voting. The West Oaks parking lot was severely taxed. Patrons were hiking in from points far away.

The voter numbers from the first day of early voting:

Overall Orange County had **3,238** people vote
398 for Orlando Public Library
331 Alafaya Branch
238 North Orange Branch
276 South Creek Branch
330 Southeast Branch
301 Washington Park Branch
335 West Oaks Branch

The early voting impact was good on our door count. The door count was higher on the 18th October than one week earlier on 11th October, until around 4:30 Circulation was higher on the 10th than on the 18th at least at Main.

_OCLS is working on an in-kind trade with El Nuevo Día newspaper for publication of an 10x5 full color ad with the Library registration form. Distribution is about 25,000. We will supply them with color bookmarks to be distributed by OCLS at Hispanic events in the community.

_ We've agreed with Recorded Books to be one of the 1st libraries in the country to have downloadable recorded books available online to listen to on pc's, mp3's. This will start November 1st.

_ We have a tentative agreement with the union for a new contract. It's not in writing, but we did get word later this afternoon.

04-198

Winter Garden Project Summary

04-199

Public Comment: Non-Agenda Items

Nicole Hugues – Talking Books customer and Orange County Resident – stated she spoke to members of some of the visually impaired advocacy groups and some have stated they would like to receive a taped version of OCLS’s monthly newsletter. Director Hodel shared the new Events Phone Line number with Ms. Hugues (407-835-7320). All programs and events will be listed on the recording and everyone is welcome to call in to hear what is scheduled to take place. Director Hodel stated that the information on the phone line will be current and up to date, which would not be the case with pre-recorded tapes. Ms. Hugues also suggested that Jaws classes could be provided at OCLS. President Kohler thanked Ms. Hugues for taking the time to help keep the Board of Trustees informed regarding concerns and suggestions that individuals in the visually impaired community may have for the Library.

Scott Larson – Talking Books Customer and Volusia County Resident – suggested that blind sensitivity training be conducted for Library staff members.

X. Adjournment

President Kohler adjourned the meeting at 8:20 p.m.

Next Meeting Dates: --- November 11, 2004 – Southeast Branch Library; 5575 South Semoran Boulevard; Orlando, Florida 32822; -- December 9, 2004 – Orlando Public Library; 101 East Central Boulevard; Orlando, Florida 32801.

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**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Staff Presentation: Reference
Guidelines – Gregg Gronlund,
Sandra Mayer, Jane Tracey, Brian
Calhoun**

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Financial Statements and
Summaries: October 2004**

Orange County Library System Financial Statement Highlights One Month Ended October 31, 2004

Operating Fund Revenue and Expenditure Summaries

The attached summaries show we collected \$106,000 in revenue and spent \$2,118,000 during the month of October. This is very typical for the early part of each fiscal year. In essence, we rely on our reserves to fund our operations until the tax revenues start coming in around the third week in November.

Worker's Compensation Premium

Rather than monthly payments, worker's compensation premiums are billed quarterly with the first payment due in October.

Insurance

Since the early nineties, the Library used a local agent for our general liability insurance needs. Last summer we "piggy backed" off of Orange County's contract and hired a national insurance broker, Arthur Gallagher, to evaluate our coverage and obtain quotes from other insurance carriers. As part of this process, we decided to increase the insurable value of the contents in all of our facilities, which in turn increased the premiums. The values had not been reevaluated in several years.

During the month of October, we paid the annual premium (\$24,914) for the public officials and employment practices liability coverage.

Property Appraiser's Fee

Rather than monthly payments, the Property Appraiser's office submits quarterly invoices which are payable at the beginning of quarter.

ORANGE COUNTY LIBRARY DISTRICT
OPERATING FUND REVENUE SUMMARY
One Month Ended October 31, 2004

04-204

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>(1 month=8%)</u>
AD VALOREM TAXES	24,602,704	0	0.0%
INTERGOVERNMENTAL			
Grants	20,000	0	0.0%
State Aid	1,480,000	0	0.0%
Law Collection Fees	250,000	4,000	1.6%
	<u>1,750,000</u>	<u>4,000</u>	<u>0.2%</u>
CHARGES FOR SERVICES			
Fee Cards	2,000	250	12.5%
PC Pass	55,000	3,170	5.8%
Classes	1,000	155	15.5%
Copy & Vending	165,000	13,092	7.9%
Fax	0	152	
Notary	0	0	
Scanner	0	0	
	<u>223,000</u>	<u>16,819</u>	<u>7.5%</u>
FINES			
Fines	850,000	70,027	8.2%
Lost Materials	90,000	6,320	7.0%
	<u>940,000</u>	<u>76,347</u>	<u>8.1%</u>
MISCELLANEOUS			
Interest Earnings	175,000	5,427	3.1%
Rents	0	0	
Sales of Fixed Assets	0	0	
Contributions - Friends of Library	152,000	0	0.0%
Contributions - Others	5,000	140	2.8%
Miscellaneous	30,500	2,652	8.7%
Universal Services Fund Rebate	0	0	
Disk Sales	2,500	218	8.7%
Grants & Awards	0	0	
	<u>365,000</u>	<u>8,437</u>	<u>2.3%</u>
TRANSFER FM PROP APPRAISE	20,000	0	0.0%
TRANSFER FM TAX COLLECTC	220,000	0	0.0%
TOTAL REVENUES	<u><u>28,120,704</u></u>	<u><u>105,603</u></u>	<u><u>0.4%</u></u>

ORANGE COUNTY LIBRARY DISTRICT
OPERATING FUND EXPENDITURE SUMMARY
One Month Ended October 31, 2004

04-204

	ANNUAL BUDGET	YTD ACTUAL	(1 month=8%)
SALARIES & BENEFITS			
Salaries	11,966,413	905,102	7.6%
Medicare Taxes	173,513	11,744	6.8%
Defined Contribution Plan	897,481	62,647	7.0%
Defined Benefit Plan	1,221,066	62,270	5.1%
Life and Health Insurance	2,019,439	125,645	6.2%
Worker's Compensation	119,664	24,491	20.5%
Unemployment Compensation	20,000	0	0.0%
Parking & Bus Passes	85,320	5,865	6.9%
	16,502,896	1,197,764	7.3%
OPERATING			
Professional Services	210,000	0	0.0%
Other Contractual Services	620,000	15,258	2.5%
Other Contract. Serv.- Janitorial	256,000	17,267	6.7%
Training and Travel	75,000	9,591	12.8%
Telecommunication	322,000	27,592	8.6%
Delivery and Postage	1,272,000	104,072	8.2%
Utilities	710,000	11,889	1.7%
Rentals and Leases	901,000	66,243	7.4%
Insurance	155,000	57,872	37.3%
Repair and Maintenance	628,000	18,879	3.0%
Repair & Maint. - Hardware/Softwa	284,000	13,671	4.8%
Copying/Printing	185,000	2,671	1.4%
Property Appraiser's Fee	282,000	67,290	23.9%
Tax Collector's Fee	486,000	0	0.0%
Supplies	625,000	52,197	8.4%
Supplies-Hardware/Software	80,000	11,490	14.4%
Contingency	300,000	0	0.0%
	7,391,000	475,982	6.4%
CAPITAL OUTLAY			
Building and Improvements	1,940,000	0	0.0%
Hardware/Software	195,000	10,339	5.3%
Equipment and Furniture	162,000	2,690	1.7%
	2,297,000	13,029	0.6%
LIBRARY MATERIALS			
Materials - Rest. Contributions	5,500	0	0.0%
Materials - Law	210,000	10,765	5.1%
Materials - Other	4,236,500	420,230	9.9%
	4,452,000	430,995	9.7%
TRANSFER TO OTHER FUNDS			
Branch Debt Service Fund	410,000	0	0.0%
Capital Projects fund	0	0	
Sinking Fund	100,000	0	0.0%
	510,000	0	0.0%
TOTAL EXPENDITURES	31,152,896	2,117,770	6.8%

**ORANGE COUNTY LIBRARY DISTRICT
MAIN DEBT SERVICE FUND
One Month Ended October 31, 2004**

04-204

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>(1 month=8%)</u>
REVENUES			
Ad Valorem Taxes	1,234,885	0	0.0%
Interest	7,000	0	0.0%
Transfer From Tax Collector	11,000	0	0.0%
TOTAL REVENUES	<u>1,252,885</u>	<u>0</u>	<u>0.0%</u>

EXPENDITURES			
Principal	1,150,000	0	0.0%
Interest	104,600	0	0.0%
Tax Collector's Fee	26,400	0	0.0%
TOTAL EXPENDITURES	<u>1,281,000</u>	<u>0</u>	<u>0.0%</u>

FUTURE DEBT SERVICE PAYMENTS

<u>DATE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>
03/01/05	0	52,300
09/01/05	1,150,000	52,300
2006	1,200,000	54,000
	<u>2,350,000</u>	<u>158,600</u>

**ORANGE COUNTY LIBRARY DISTRICT
BRANCH DEBT SERVICE FUND
One Month Ended October 31, 2004**

04-204

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>(1 month=8%)</u>
REVENUES			
Transfer From General Fund	410,000	0	0.0%
Interest	5,000	373	7.5%
TOTAL REVENUES	<u>415,000</u>	<u>373</u>	<u>0.1%</u>

EXPENDITURES

Principal	339,227	0	0.0%
Interest	70,233	0	0.0%
TOTAL EXPENDITURES	<u>409,460</u>	<u>0</u>	<u>0.0%</u>

FUTURE DEBT SERVICE PAYMENTS

<u>DATE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>
2/1/05	168,226	36,504
8/1/05	171,001	33,729
2006	350,513	58,945
2007	362,175	47,283
2008	374,226	35,233
2009	386,677	22,781
2010	399,542	9,916
	<u>2,212,360</u>	<u>244,391</u>

**ORANGE COUNTY LIBRARY DISTRICT
CAPITAL PROJECTS FUND
One Month Ended October 31, 2004**

04-204

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>(1 month=8%)</u>
REVENUES			
Line of Credit Proceeds	1,000,000	0	0.0%
TOTAL REVENUES	<u>1,000,000</u>	<u>0</u>	<u>0.0%</u>

EXPENDITURES

FUTURE BRANCH LOCATION

Land	1,000,000	0	0.0%
TOTAL EXPENDITURES	<u>1,000,000</u>	<u>0</u>	<u>0.0%</u>

**ORANGE COUNTY LIBRARY DISTRICT
SINKING FUND
One Month Ended October 31, 2004**

04-204

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>(1 month=8%)</u>
REVENUES			
Transfer From General Fund	100,000	0	0.0%
Interest	0	0	
TOTAL REVENUES	<u>100,000</u>	<u>0</u>	<u>0.0%</u>

RESERVES

Reserves-Building and Improvement	50,000	0	0.0%
Reserves-Technology	50,000	0	0.0%
TOTAL RESERVES	<u>100,000</u>	<u>0</u>	<u>0.0%</u>

**ORANGE COUNTY LIBRARY DISTRICT
MONTHLY ROLLOVER
October 2004**

04-204

	<u>BALANCE 9/30/04</u>	<u>RECEIPTS</u>	<u>DISBURSE</u>	<u>BALANCE 10/31/04</u>
OPERATING				
Checking	199,406	3,275,412	(3,322,096)	152,722
SBA Investments	2,622,228	3,629	(2,000,000)	625,857
CD Investments	5,580,000	580,000	(580,000)	5,580,000
	8,401,634	3,859,041	(5,902,096)	6,358,580
MAIN DEBT SERVICE				
AIM Investments	28,369	14,473	0	42,842
BRANCH DEBT SERVICE				
CD Investments	397,280	399,552	(397,280)	399,552
CAPITAL PROJECTS				
Checking	0	15,360	(15,360)	0
SBA Investments	50,167	0		50,167
	50,167	15,360	(15,360)	50,167

**ORANGE COUNTY LIBRARY DISTRICT
OPERATING FUND
BALANCE SHEET - ASSETS
October, 2004**

04-204

ASSETS

Certificates of Deposit	5,580,000
Cash on Hand	14,155
Equity in Pooled Cash	152,722
Accounts Receivable	18,625
Due From Other Funds	80,018
Due From Other Governments	8,509
Interest Receivable	14,986
Inventory	353,745
Investments-SBA	625,857
Prepays	87,681
Other Assets-Deposits	<u>9,175</u>
TOTAL ASSETS	<u><u>6,945,473</u></u>

ORANGE COUNTY LIBRARY DISTRICT

04-204

OPERATING FUND

BALANCE SHEET - LIABILITIES & FUND BALANCE

October, 2004

LIABILITIES

Accounts Payable	2,682
Retainage Payable	0
Accrued Wages Payable	425,715
Accrued FIT Tax Payable	0
Accrued Med Tax Payable	0
Accrued Sales Tax	15
Due To FOL-Taxable Book Sales	3,312
Due To FOL-Nontaxable Book Sales	15
Due To FOL-Sales Tax	222
United Appeal	117
Bonds	118
Def Comp Employees	0
Health Insurance	22,719
Union Dues	904
Union-Cope	0
Optional Life	2,280
Flex Spend Med	4,272
Flex Spend Dep	0
Miscellaneous	92
Daughters of American Revolution	35,457
Unclaimed Payroll	1,571
TOTAL LIABILITIES	499,491

FUND BALANCE

Reserve for Inventory	353,745
Reserve for Encumbrances	388,466
Reserve for Prepaids	109,137
Reserve for Walker	4,000
Reserve for Phillips	100,000
Reserve for Warner	33,712
Reserve for Gullett	19,805
Designated Murray	380,491
Designated for Sondheim	39,941
Designated for Strategic Plan	4,000,000
Unreserved/Undesignated	3,028,954
Current Year Excess of Revenues Over Expenditures	(2,012,269)
TOTAL FUND BALANCE	6,445,982

TOTAL LIABILITIES & FUND BALANCE

6,945,473

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Statistics and Summaries:
October 2004**

STATISTICAL SUMMARY

November 2004 presentation of October 2004 statistics

Circulation and Door Count Trends:

After a bumpy couple of months we got back to business with a vengeance! Certainly our numbers were bolstered by the participation of seven libraries as early voting sites. OCLS locations had the following early vote ballot results:

Alafaya	11,117
Main Library	7,508
North Orange	7,399
South Creek	7,342
Southeast	7,877
Washington Park	5,420
West Oaks	8,680

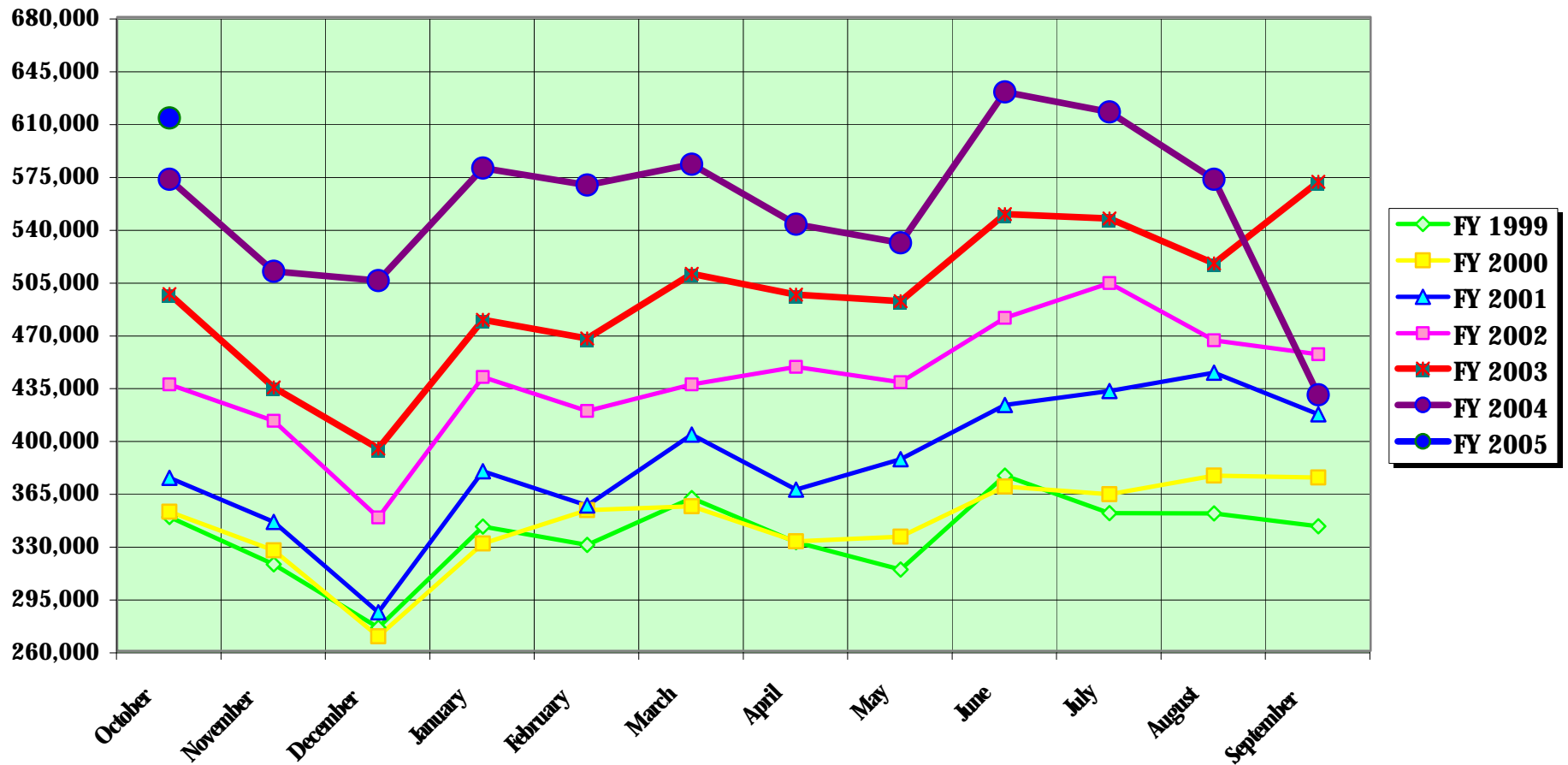
Circulation numbers did not see the same heavy impact as door count but we know all the users and visitors that we had during the month will be back! We did find that collections near lines of voters circulated well. Large Print books circulated very well after long lines on the third floor wound around the Large Print collection on one early voting Sunday!

Library Activity

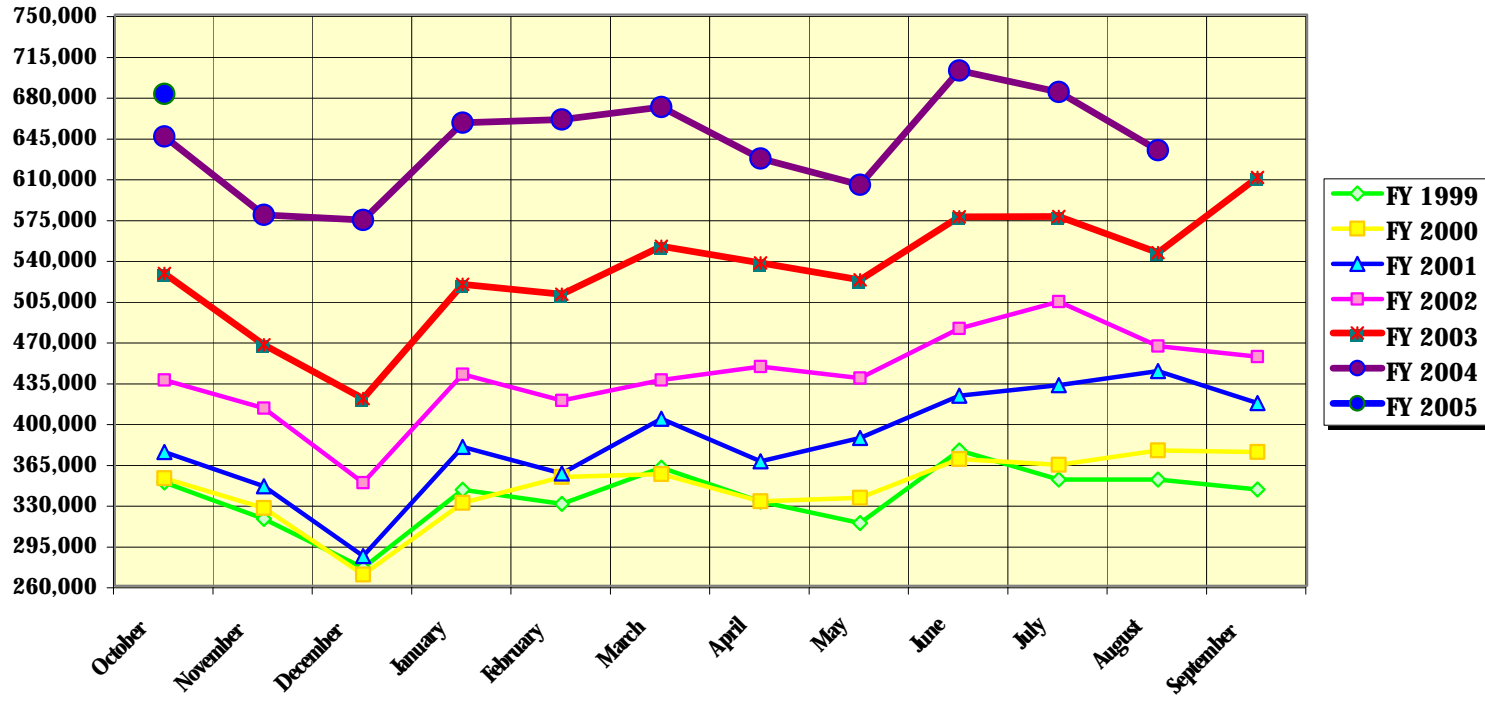
Patron registration was positively affected by our extra visitors in October. For the two weeks of early voting we registered 539 more people than in the first two weeks of the month. Library staff offered patrons the opportunity to pass the time in long lines by registering for a library card or, if already registered, the chance to add their photo to their existing account. The inclusion of a photo for added account security has become so popular we have added a second camera to the Main Library registration area in the Lobby.

Another 962 registrations were generated through a number of special registration efforts, including 359 registrations under the License to Learn contest.

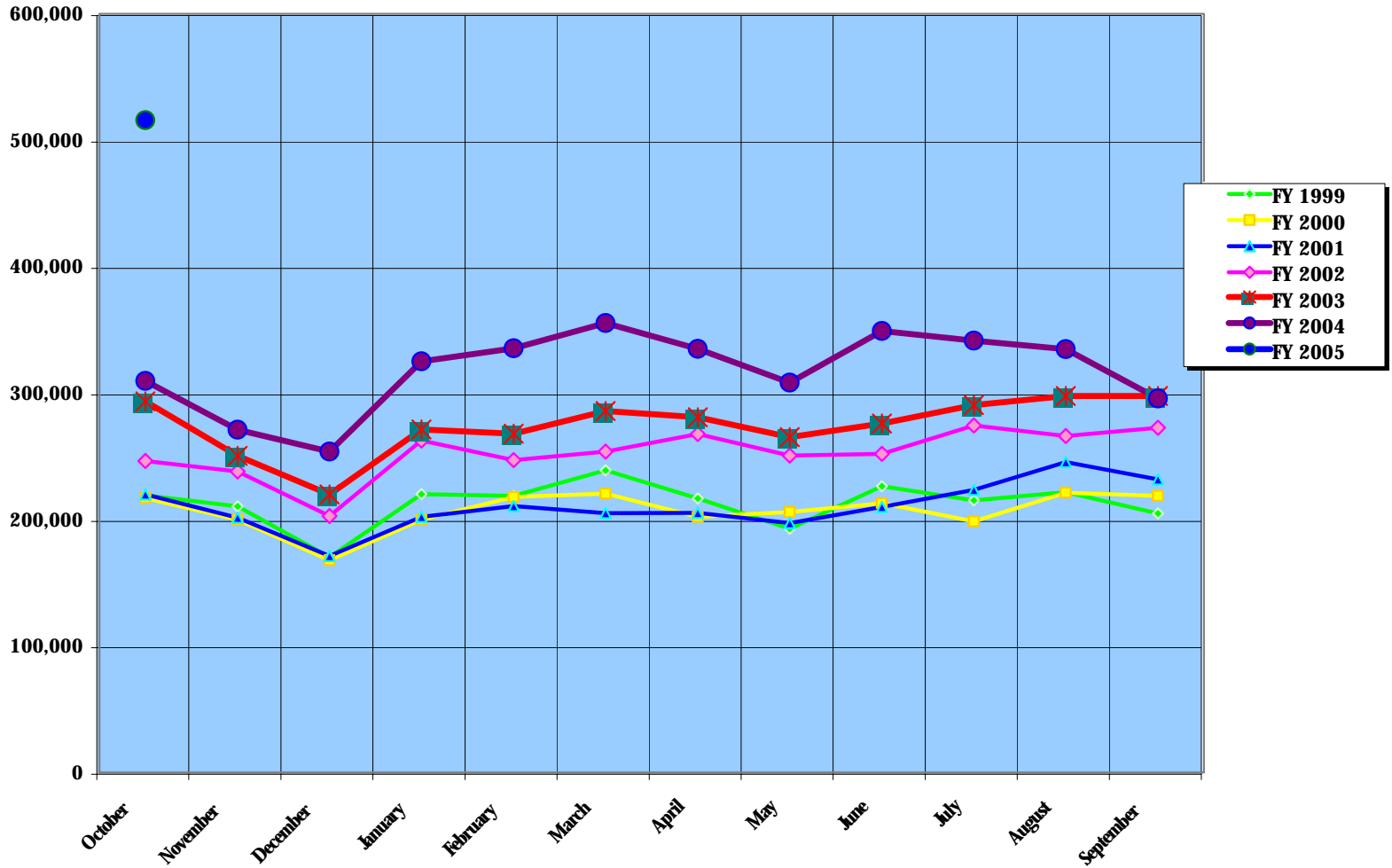
**ORANGE COUNTY LIBRARY SYSTEM
CIRCULATION
Fiscal Year 1999 Through Fiscal Year 2004 TO Date**



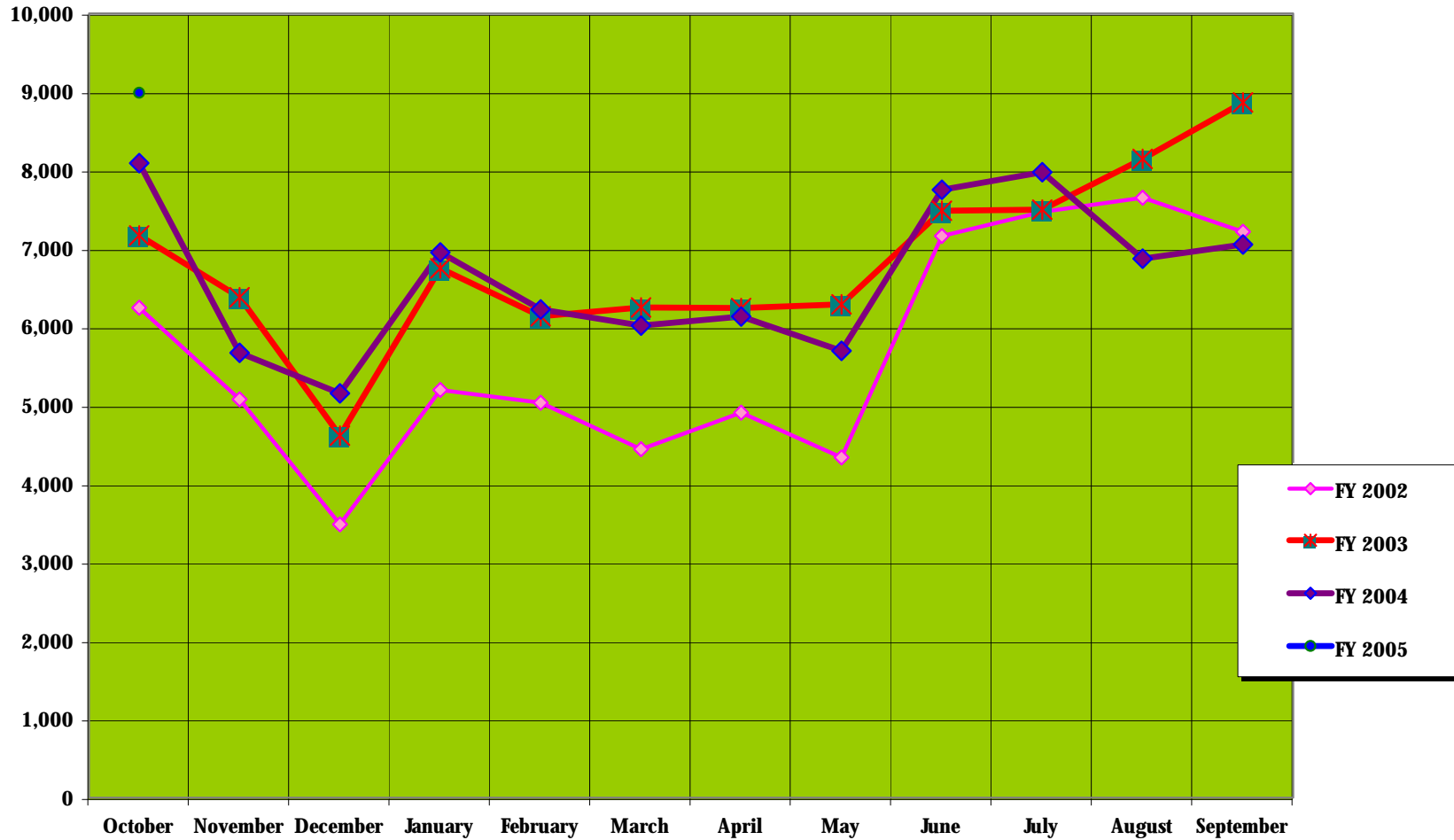
**ORANGE COUNTY LIBRARY SYSTEM
CIRCULATION WITH ELECTRONIC STATS**
(Circ Stats - previous month & Electronic Stats - 2 months previous)
Fiscal Year 1999 Through Fiscal Year 2004 TO Date



**Orange County Library System
Door Counts
Fiscal Year 1999 through Fiscal Year 2004 To Date**



**Orange County Library System
New Patron Registration
Fiscal Year 2002 through Fiscal Year 2004 To Date**



Library Activities

October - March

Orange County Library System: Report for FY 2005 YTD & FY 2004

	Oct-04	Oct-03	% of Change	Nov-04	Nov-03	Dec-04	Dec-03	Jan-05	Jan-04	Feb-05	Feb-04	Mar-05	Mar-04
Program Attendance Total	13,258	14,888	-10.95%		14,554		7,168		9,933		12,366		11,893
Total # of Programs	405	488	-17.01%		376		402		402		402		406
Community Events Attendance Total	1,704	1,634	4.28%		2,071		260		354		9		10
Total # of Community Events	18	19	-5.26%		27		3		3		1,599		668
StoryLine	345	474	-27.22%		395		676		809		898		551
Class Attendance	1,162	535	117.20%		525		439		747		789		822
Total # of Classes	262	122	114.75%		145		165		226		166		195
QuestLine	15,480	15,927	-2.81%		13,338		13,281		15,494		15,831		18,063
Hits to Website	6,946,157	6,715,631	3.43%		5,710,336		5,869,349		8,090,200		7,731,165		10,014,583
P.C. Sessions*	61,841	60,436	2.32%		48,232		50,453		56,474		59,058		61,856
Number of Active Cards in the System	301,108	277,480	8.52%		279,139		280,449		283,903		285,382		284,869
New Patron Registrations	8,989	8,090	11.11%		5,672		5,154		6,953		6,226		6,019
Total Registered Borrowers*	767,093	685,385	11.92%		691,057		696,211		703,164		709,390		715,409

*October 2004: Only 12 days of data retrieved at Hiawassee due to software failure.

Library Activities April - September

Orange County Library System: Report for FY 2054 YTD & FY 2004

	Apr-05	Apr-04	May-05	May-04	Jun-05	Jun-04	Jul-05	Jul-04	Aug-05	Aug-04	Sep-05	Sep-04	YTD 2005	YTD 2004
Program Attendance Total		11,940		12,383		14,772		13,633		8,415		7,776	13,258	139,721
Total # of Programs		405		376		414		423		357		301	405	4,752
Community Events Attendance Total		2,996		7		896		493		4,284		2,111		
Total # of Community Events		21		779		3		3		20		30		
StoryLine**		371		472		-				212		273	345	5,131
Class Attendance		1,125		561		1,145		1,234		822		1,022	1,162	9,766
Total # of Classes		249		129		233		252		197		213	262	2,292
QuestLine		15,570		13,583		15,209		15,277		15,999		13,446	15,480	181,018
Hits to Website		8,644,039		8,344,958		8,421,651		9,971,756		10,408,304		9,097,730	6,946,157	99,019,702
P.C. Sessions		63,112		60,124		64,706		66,685		62,026		51,023	61,841	704,185
Number of Active Cards in the System		289,406		290,595		296,191		296,807		298,476		298,390		
New Patron Registrations		6,134		5,696		7,750		7,977		8,053		7,052		
Total Registered Borrowers		722,516		722,516		735,474		743,310		750,945		757,980		

*March 2004 is an estimate due to the III Conversion.

** June 2004 StoryLine Stats not available.

Orange County Library System: Report for FY 2005 YTD & FY 2004

	Oct-04	Oct-03	% of Change	Nov-04	Nov-03	Dec-04	Dec-03	Jan-05	Jan-04	Feb-05	Feb-04	Mar-05	Mar-04
Online Catalog Searches	521,255	206,826	152.03%		174,333		155,673		211,633		205,932		290,315
Online Renewals	73,115	74,416	-1.75%		65,647		72,829		66,484		70,968		85,077
Electronic Reference Questions	250	353	-29.18%		392		227		301		384		516
Live Chat Questions	79	65	21.54%		67		50		87		45		109
Total Online Reference Questions	329	418	-21.29%		459		277		388		429		625
Online Requests	47,807	38,272	24.91%		29,210		33,468		39,163		33,556		35,988
Online Suggestions	62	105	-40.95%		114		112		81		86		193

	Apr-05	Apr-04	May-05	May-04	Jun-05	Jun-04	Jul-05	Jul-04	Aug-05	Aug-04	Sep-05	Sep-04	YTD 2005	YTD 2004
Online Catalog Searches		424,052		418,066		496,984		508,807		483,052		430,540	521,255	4,006,213
Online Renewals		73,009		79,866		83,849		87,401		84,250		73,115	73,115	916,911
Online Reference Questions		450		191		246		275		191		184	250	3,710
Live Chat Questions		92		63		85		73		60		80	79	876
Total Online Reference Questions		542		254		331		348		251		264	329	4,586
Online Requests		45,966		45,286		52,893		54,221		50,772		41,419	47,807	500,214
Online Suggestions		146		86		88		30		68		64	62	1,173

Orange County Library System

Circulation Statistics

October 1, 2004 - October 31, 2004

Location	Days Open	Circulation Total	% of Total	Year Ago	Gain (Loss)	% Gain - Loss	Total Visits	Visits Year Ago	Gain or Loss	% Gain or Loss
Main	31	193,476	31.56%	158,181	35,295	22.31%	68,996	66,816	2,180	3.26%
MAYL	23	52,902	8.63%	54,059	(1,157)	-2.14%	N/A	N/A	N/A	N/A
Talking Books	23	528	0.09%	4,192	(3,664)	-87.40%	N/A	N/A	N/A	N/A
West Oaks	31	38,586	6.29%	32,741	5,845	17.85%	37,585	22,976	14,609	63.58%
Herndon	27	35,165	5.74%	35,980	(815)	-2.27%	24,070	24,602	(532)	-2.16%
Alafaya	31	46,251	7.54%	46,051	200	0.43%	32,672	20,734	11,938	57.58%
Southeast	27	29,287	4.78%	31,031	(1,744)	-5.62%	48,674	19,703	28,971	147.04%
Hiwassee	27	20,062	3.27%	21,890	(1,828)	-8.35%	24,548	18,712	5,836	31.19%
Southwest	27	31,677	5.17%	33,263	(1,586)	-4.77%	24,128	18,590	5,538	29.79%
Edgewater	27	25,331	4.13%	25,773	(442)	-1.71%	19,022	31,075	(12,053)	-38.79%
North Orange	31	34,578	5.64%	33,274	1,304	3.92%	44,253	19,195	25,058	130.54%
South Creek	31	48,339	7.88%	42,622	5,717	13.41%	125,130	28,247	96,883	342.99%
South Trail	27	19,459	3.17%	19,409	50	0.26%	24,016	15,431	8,585	55.63%
West Orange	23	12,638	2.06%	12,827	(189)	-1.47%	9,887	6,807	3,080	45.25%
Windermere	23	15,808	2.58%	13,775	2,033	14.76%	17,060	11,020	6,040	54.81%
Wash. Park	23	9,038	1.47%	7,310	1,728	23.64%	15,785	5,848	9,937	169.92%
Total	432	613,125	100.00%	572,378	40,747	7.12%	515,826	309,756	206,070	66.53%

Online Database Usage - Number of Searches

September 2004

FISCAL YEAR 2004	OCT 2003	NOV	DEC	JAN 2004	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	YTD
ALLDATA Online	1,349	1,096	1,323	1,850	1,553	1,382							8,553
Ancestry Plus	465	431	348	397	476	515	771	559	543	479	383	240	5,607
Associations Unlimited	238	219	146	395	253	482	503	126	456	195	158	266	3,437
Auto Repair Reference Center												165	165
Biography & Genealogy Master Index	391	279	196	408	346	227	234	120	211	211	143	162	2,928
Biography Resource Center	5,638	5,287	5,548	6,012	11,488	5,814	6,361	3,259	1,970	1,776	1,747	3,145	58,045
Business & Company Resource Center	4,131	2,536	2,926	3,203	3,259	3,660	3,410	1,979	3,559	1,818	1,854	2,832	35,167
Cerebellum Online Videos				341	229	334	160	211	219	128	150	257	2,029
Chapter-A-Day Online Book Club	28,260	28,840	33,500	35,240	36,060	36,280	36,200	36,400	37,820	38,140	38,100	38,280	423,120
Classical.com				44	26	21	25	42	33	34	40	24	289
Computer Database	156	121	155	153	119	249	124	129	93	111	84	44	1,538
Consulta	156	8	82	29	57	27	8	25	20	5	114	145	676
Countrywatch	954	1,252	1,061	1,154	905	1,026	Not avail.	2,365	Not avail.	Not avail.	560	Not a	8,717
Dun & Bradstreet International	60	51	70	72	95	161	157	122	138	137	131	92	1,286
Expanded Academic ASAP	480	549	263	367	466	504	382	242	705	507	94	340	4,899
Ferguson's Career Guidance Center											21	29	50
First Search	2,735	2,023	2,202	2,639	2,397	2,288	2,041	1,976	1,955	2,442	2,248	1,497	26,443
General Business File ASAP	259	185	101	102	373	196	95	75	134	137	37	76	1,770
General Reference Center Gold	3,476	3,267	2,135	2,417	3,542	2,845	2,746	1,583	2,292	2,617	2,417	3,141	32,478
Health Reference Center Academic	373	510	426	196	393	326	344	335	381	368	118	257	4,027
Health & Wellness Resource Center and Alternative Health Module	2,596	2,532	2,348	1,553	2,352	2,020	1,890	2,119	1,684	1,302	1,142	2,528	24,066
HeritageQuest Online	2,787	2,489	1,978	2,711	3,169	6,261	1,022	491	655	3999*	8613*	7143*	21,563
Info Trac OneFile	2,352	2,497	1,565	1,849	2,734	3,051	2,080	1,401	1,567	1,990	1,285	2,051	24,422
Informe	11	8	11	6	13	12	13	2	28	3	19	17	143
Junior Edition - K12	263	142	92	151	190	98	106	37	36	27	64	95	1,301
Kid's Edition - K12	453	375	184	222	606	252	352	158	61	143	116	144	3,066
Learnatest	457	349	247	435	665	431	599	511	538	443	592	413	5,680
Literature Resource Center	2,322	2,689	2,317	2,842	4,318	4,924	5,375	2,332	1,480	943	488	1,458	31,488
Mergent Online		Not avail.	Not avail.	9	44	40	32	25	66	16	12	16	260
Morningstar	141	115	150	270	997	1,064	1,235	1,274	1,079	1,111	802	897	9,135
NetLibrary				320	355	254	279	387	323	272	215	220	2,625
Novelist	926	939	614	910	640	93							4,122
Online Homework Help	214	176	138	168	176	215	184	180	91	34	139	234	1,949
Opposing Viewpoints Resource Center	1,579	1,043	994	1,687	2,146	2,284	2,678	1,059	848	1,143	685	818	16,964
Orlando Sentinel and America's	1,631	1,129	1,689	2,083	2,544	2,667							11,743
Poem/Story/Essay Finder (aka	866	190	237	341	538	Not avail.	2,620	1,120	880	513	787	1,326	9,418
p4A Antiques Reference (formerly	84	96	99	68	119	157	98	126	364	106	79	41	1,437
Professional Collection	113	193	101	48	143	88	77	51	62	36	101	125	1,138
ProQuest Newspapers (Oct 2003-Mar 2004	377	268	199	290	450	366	5,548	6,273	5,286	3,508	1,938	2,071	26,574
Reference USA	4,330	3,374	3,641	4,640	4,945	4,840	3,824	3,475	4,218	3,975	3,212	3,606	48,080
Rosetta Stone	592	272	151	430	427	421	366	687	367	503	226	366	4,808
Science Online											29	240	269
SIRS Knowledge Source	498	517	386	395	467	504	530	1,185	296	465	511	260	6,014
Student Edition - K12	246	94	53	145	179	142	181	91	31	33	25	130	1,350
Tumblebooks	598	Not avail.	336	439	292	702	254	168	244	122	147	154	3,456
What Do I Read Next?	193	226	195	169	608	734	441	477	546	449	343	193	4,574
Worldbook Online	223	152	249	256	225	184	311	465	461	257	278	371	3,432
TOTAL NUMBER OF SEARCHES	72,973	66,519	68,456	77,456	91,379	88,141	83,656	73,642	71,740	66,499	61,074	68,766	890,301

Please note: Statistics for Classical.com have been revised with updated information. Due to Countrywatch server issues, usage statistics are not available for April, June or July 2004. Their reporting servers have been revamped to provide

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Honoring Retiree Elazer Lindsay

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Action Items

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Consent Agenda

- 04-209 **Rules of Conduct Revision**
- 04-210 **Privacy Policy Revision**
- 04-211 **Concessionaire Agreement**
- 04-212 **Alafaya Parking Expansion**
- 04-213 **Additional AV Display Units for Branches**

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Rules of Conduct Revision

Rules of Conduct Revision

I. Problem Statement

Our current policy is to issue trespass warnings for one year periods, regardless of the conduct or rule violated. Once “trespassed”, a patron is prohibited from entering any of our facilities for one year. If the patron does return before the trespass expires, he or she is subject to arrest for violating the trespass. Should trespass warnings be issued for longer durations for more serious offenses?

II. Executive Summary

The current Rules of Conduct, which were originally approved by the Library Board in June of 2002 and then amended in January of 2004, are separated into two categories. Rules 1-9 are the most serious and thus, call for the offender to be immediately trespassed from the Library premises. The remaining Rules, 10-29, require staff to give a verbal warning before the patron is trespassed.

Staff recently recommended that the duration of the trespass warning period for violations of Rules 1-9 be increased to three years. At the Library Board Meeting in October, concern was expressed over applying this three year duration period to all nine of these rules. Staff has reworked the attached Rules of Conduct which now provide a three year duration period only for the first four rules. All the remaining rules would still provide for a one year trespass warning period. Staff also consulted with the Library’s attorney who suggested some minor editing to Rule 9, which has been incorporated into the attached Rules of Conduct.

III. Options

Staff has identified two options.

Option 1 – Leave duration for all trespass warnings at one year

Advantage

No changes need to be made to the Rules of Conduct.

Disadvantage

Does not provide a longer trespass warning period for the more serious offenses.

Option 2 – Change the duration of trespass warnings to three years for violations of Rules 1 – 4.

Advantage

Remaining patrons and staff enjoy a safer environment as more serious offenders are kept out of Library facilities for a longer period of time.

Disadvantage

Rules of Conduct will need to be amended.

IV. Recommendation

Staff recommends approval of option 2. The three year trespass warning period for more serious offenses should make for a safe environment for both patrons and staff.

Orange County Library System

Rules of Conduct

Effective December 1, 2004

The Orange County Library System has adopted the *Rules of Conduct* to protect the right of individuals to access Library materials and services, to protect the right of Library staff to conduct Library business without interference, and to protect Library materials and facilities from harm.

The *Rules of Conduct* apply to all Library premises, including buildings, interior and exterior, and all grounds controlled and operated by the Orange County Library System. The *Rules of Conduct* apply to all individuals entering in or on the Library premises. The violation of any federal, state, or local criminal statute or ordinance will also be regarded as a violation of the Library's rules.

Any individual issued a Trespass Warning is prohibited from the use of **all** Orange County Library System facilities for the duration of the warning. Any individual who re-enters the location from which they have been issued a Trespass Warning is subject to arrest. If an individual who has been issued a Trespass Warning enters another OCLS location, they will be immediately issued another Trespass Warning from that location. This prohibition from entering any OCLS facility is good for the duration of the Trespass Warning.

Individuals will be immediately ejected from the Library premises without warning and prohibited from the future use of all Library facilities for three years who, upon the premises of any OCLS Library:

1. Engage in any sexual conduct as defined under Chapter 800 of the Florida Statutes.
2. Carry or use weapons, firearms, slung shots, electric weapons or devices, remote stun guns, destructive devices, or explosives of any kind as defined under Chapter 790 of the Florida Statutes. Exceptions will be made for law enforcement personnel.
3. Commit assault or battery as defined under Chapter 784 of the Florida Status.
4. Commit theft.

Individuals will be immediately ejected from the Library premises without warning and prohibited from the future use of all Library facilities for one year who, upon the premises of any OCLS Library:

5. Are under the influence of, consume, possess, sell or distribute any alcoholic beverage as defined under Chapter 561 of the Florida Statutes.
6. Are under the influence of, consume, possess, sell, or distribute any controlled substance as defined under Chapter 893 of the Florida Statutes.
7. Intentionally destroy, damage, or deface any Library or other individual's property.
8. Trespass on Library premises after regularly scheduled closing hours or during a period of suspension.
9. Commit or attempt to commit any activity that would constitute a violation of any federal or state statute, or local ~~criminal statute~~ or ordinance.

Violations of Rules 1-9 will be immediately reported to the appropriate law enforcement agency.

Individuals who do not cease violation of any of the following rules upon warning will be ejected from the Library premises and prohibited from the future use of all Library facilities for one year. Individuals will be provided with a verbal warning from Library staff who, upon the premises of any OCLS Library:

10. Fail to comply with or ignore a directive of a Library staff member or security officer.
11. Engage in any conduct that disrupts or interferes with the normal operation of the Library or that disturbs Library staff or individuals. Such conduct includes, but is not limited to: abusive or threatening language or gestures or unreasonably loud or boisterous physical behavior, talking or noise.
12. Verbally, physically, or sexually harass any Library staff member or individual. Such conduct includes threatening any Library staff member or individual.
13. Fail to maintain control of personal items by either leaving items unattended, allowing items to block access to library materials or equipment, or by allowing items to interfere with a Library staff member or individual's use of the Library.
14. Loiter in posted areas.
15. Smoke or use tobacco products in or on Library premises, except in designated areas.

16. Attempt to remove Library materials or equipment from the premises except through established lending procedures or prior authorization. The Library reserves the right to inspect an individual's personal belongings to prevent the removal of Library materials or equipment.
17. Attempt to enter any area designated as a "Staff" area.
18. Improperly use Library restrooms, including but not limited to, washing or drying clothes, bathing or shaving.
19. Do not wear shoes and shirts at all times on Library premises. Exceptions will be made for children under the age of 3 years old in strollers, carriers, infant seats, or other carrying device.
20. Sleep, or give the appearance of sleeping, in or on Library premises.
21. Solicit money, donations, or signatures in or on Library premises without prior permission from the Library.
22. Sell merchandise or services in or on Library premises without prior permission from the Library.
23. Distribute or post written materials in or on Library premises without prior permission from the Library.
24. Use photography, film, or television equipment in or on Library premises without prior permission from the Library.
25. Bring animals in or on the Library premises, other than those approved as working companions or for the purposes of Library approved events or programs.
26. Use personal electronic equipment, including but not limited to cellular telephones, pagers, stereos, and televisions, at a volume that disturbs other individuals.
27. Use, store or park bicycles, skates, roller blades, skateboards, or scooters in or on Library premises. Bicycles must be parked in designated areas.
28. Engage in the burning of candles, incense, pyrotechnics, or any type of open flame.
29. Bring food or drink into the Library that does not meet the following definitions: Drinks must be in an enclosed container and may not contain alcohol. Small, single serving, individually wrapped food items such as snack bars, crackers, or candy bars are permitted. Hot foods, food items such as commercially catered food, carry-out or delivered meals, and covered dish meals, or foods that may be considered by Library staff to present possible harm to Library materials or furnishings are not

permitted. Excepted from this restriction are the café at the Orlando Public Library and Library sponsored events.

Individuals whose bodily hygiene is offensive so as to constitute a significant nuisance to other persons shall be required to leave the building until such time as the condition is corrected.

Procedure for Appeals

Individuals may request a review of a trespass warning issued based on these procedures. An appeal must be submitted in writing as visits in person to any system location are prohibited. The written appeal must be received at the following address within 30 days of the trespass issue date.

Orange County Library System
Trespass Review Committee
101 E. Central Blvd.
Orlando, FL 32801

The appeal must include an address at which the Library may correspond with the individual making an appeal. The Trespass Review Committee will review timely filed appeals and make a recommendation to the Director, who will respond in writing within 30 days of the receipt of the appeal.

**BOARD OF TRUSTEES OF
ORANGE COUNTY LIBRARY SYSTEM
RESOLUTION 04-209**

**RESOLUTION TO AMEND THE RULES OF CONDUCT TO PROVIDE A
THREE YEAR TRESPASS WARNING DURATION FOR PATRONS WHO
VIOLATE RULES 1-4.**

Minutes of a regular meeting of the Board of Trustees of the Orange County Library System, Orange County Florida, held in the City of Orlando, on the 11th day of November, 2004 at 7:00pm, prevailing Eastern Time.

PRESENT:

ABSENT:

The Board Resolves:

1. To amend the Rules of Conduct to provide a three year trespass warning duration for patrons who violate Rules 1- 4.
2. All resolutions that conflict with the provisions of this resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

Secretary

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Privacy Policy Revision

Privacy Policy Revision

November 11, 2004

I. PROBLEM STATEMENT

The Library's Privacy Policy, approved by the Board in September 2002, needs updating to reflect potential implications to privacy in relation to the USA PATRIOT Act and the Reading History option newly available to customers.

II. BACKGROUND

Though the Library has for some time made information regarding the USA PATRIOT Act available to customers checking out materials, it is not specifically referenced in our Privacy Policy.

As part of a recent software upgrade the Library has the ability to offer users the option to keep a "Reading History" of materials checked out. This service is frequently requested by the public. This record is maintained on the Library's server and is not readily accessible by the Library staff. However, these records would be subject to requests made by proper order under both Florida Statutes (257.261) and section 215 of the USA Patriot Act.

Three other changes are recommended for clarification. We have added "photo" to the list of items potentially maintained as part of your Library record. We have inserted a statement that we maintain records for the recovery of materials and fees and clarified that new uses for email, etc will be limited to Library purposes.

III. OPTIONS

The Library has identified options.

Option 1. Make no changes to the existing policy.

Advantages: Should changes be made to the USA PATRIOT Act we will not need to go back and revise the policy again. We already have substantial information otherwise available on the PATRIOT Act and will include a disclaimer to patrons before they sign up for "Reading History".

Disadvantages: All privacy concerns would not be addressed under a single umbrella statement.

Option 2: Make recommended changes the policy.

Advantages: Clarifies issues addressed in the original policy, adds mention of changes in the law effecting users and the impact of participation in the new Reading history service. More information on this important issue is better.

Disadvantages: There is some concern that an overemphasis on the Patriot Act and its potential enforcement will discourage some users for participating in services such as Reading History.

IV. RECOMMENDATION

Staff recommend the adoption of the revised Privacy Policy.

**BOARD OF TRUSTEES OF
ORANGE COUNTY LIBRARY SYSTEM
RESOLUTION 04-190**

RESOLUTION TO APPROVE THE REVISED PRIVACY POLICY.

Minutes of a regular meeting of the Board of Trustees of the Orange County Library System, Orange County Florida, held in the City of Orlando, on the 11th day of November, 2004 at 7:00 pm, prevailing Eastern Time.

PRESENT:

ABSENT:

The Board Resolves:

1. To approve the revised Privacy Policy.
2. All resolutions that conflict with the provisions of this resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

Secretary

Orange County Library System Privacy Policy

The Orange County Library System is committed to protecting the privacy of your personal information as well as information regarding your individual use of the Library or its services. The policy outlined below addresses some specific privacy concerns.

Information We Collect

The information collected by the Library is limited to what we believe is necessary or useful to conduct Library business. Personal information gathered such as name, address, phone number, [photo](#) and driver's license number are gathered for the purpose of identification and accountability for use of Library materials.

Records of Library use (i.e. ~~amount~~ [quantity](#) of or titles of materials checked out and returned or services used) are maintained only for the purpose of statistics [or for the business purpose of recovering materials or fees](#). [Users at their own discretion may choose to activate the "Reading History" option online which will create a history of items checked out on that account. This is information not otherwise maintained by the Library.](#) The Library may ask for an e-mail address for the purpose of sending [advance "about to be due"](#) electronic notices, overdue notices, program announcements or other Library news.

From time to time, we may use personal information, [for Library purposes only](#), for new unanticipated uses not previously disclosed in our privacy notice. If our information practices do change, we will post the policy changes on our website to notify you and provide you with the ability to opt out of these new uses. If you have any concerns about how your information is used, please contact us at info@ocls.info.

Protecting Information About You

Personal information requested by the Library and information regarding a card holder's use of the Library is protected by Florida Statute 257.261. According to this statute this information may be turned over to a third party for the purpose of collecting materials, fines or fees owed the Library. [This information is also subject to the provisions of Section 215 the USA PATRIOT Act which provides the federal government with the ability to request such records.](#)

[Please be aware of the fact that choosing to activate the "Reading History" option for your account creates a record which is accessible by both of the above mentioned exceptions to the general privacy of your record.](#)

When we ask you to provide information such as an e-mail address or other contact information in order to assist us in answering inquiries, that information will be maintained for Library purposes only.

The Library will not sell, lease or otherwise share any personal information to outside parties except as outlined above or unless required by law.

Use of the Library's Web Site

When you visit the Library's web site, we collect and store only information to measure the number of visitors to different areas of our sites to assist us in making our sites more useful to you. This information includes:

- The address (IP) of your computer or internet provider
- The date and time you accessed our site
- The Internet address of the web site that referred you to our site.

The Library's web sites use "cookies" to allow you access to certain functions (such as the on-line catalog and electronic resources, etc) within our sites. These cookie files do not capture any personal user information (such as e-mail address or user passwords). Some of our subscription databases such as *Learn A Test* do use "cookies".

Some of the Library web sites/pages contain links to external sites not maintained by the Library. The Library cannot be responsible for your privacy when you disclose information to outside web sites. It is your responsibility to protect your personal information.

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Concessionaire Agreement

Concessionaire Agreement

I. Problem Statement

The Concessionaire Agreement for the café in the Main Library requires Library Board approval.

II. Executive Summary

In 1996, approximately 1,000 square feet on the first floor of the Main Library was converted into a café at cost of about \$70,000. The first concessionaire was a franchisee for Nature's Table, which operated the café from early 1997 to 2001. The next concessionaire, which also provides the restaurant in the County Administration Building operated the café from early 2002 until May of 2004.

Recently, we solicited proposals from a number of different restaurant vendors to operate the café. The list included Starbucks, Panera, Atlanta Bread Company, and Einstein Bagel to name a few. We received proposals from another franchisee of Nature's Table and from a local vendor, ZCoffee. ZCoffee has a coffee roasting facility in Apopka and a coffee shop in Altamonte Springs. ZCoffee has been in business about three years.

Library staff evaluated the two proposals received and is recommending Z-Coffee as the next operator of the café. Staff has negotiated the attached Concessionaire Agreement, which has approved both by our attorney and the president of Z-Coffee, David Kahan. The new café will feature bagels, croissants, breakfast sandwiches as well as a wide assortment of coffees, hot chocolates, cappuccinos, lattes, and espressos. If the attached Concessionaire Agreement is approved by the Library Board, David Kahan indicated he could open the café in about 8 – 10 weeks from the date the Agreement is executed.

III. Options

Staff offers the following options:

Option 1 – Contract with Z-Coffee to operate the cafe.

Advantages

1. A coffee shop would be a good fit with the Library.
2. Z-Coffee can open the café in a relatively short period of time.
3. Operating hours of the café are similar to Library's.

Disadvantage

Another concessionaire might be a better fit.

Option 2 – Contract with the other concessionaire, Nature's Table, to operate the café.

Advantage

Nature's Table offers a wider selection of sandwiches and salads.

Disadvantages

1. Nature's Table is asking the Library to foot the renovation cost.
2. Nature's Table is not offering as many open hours.
3. Revenue to the Library from Nature's Table would be less.

Option 3 – Scrap both proposals and conduct a new search.

Advantage

Might find another concessionaire who would offer a wider array of sandwiches , more revenue to the Library, and longer hours.

Disadvantages

1. No reason to think a new search would yield any additional proposals.
2. There would be a delay in offering the convenience to our patrons.

IV. Recommendation

Staff recommends contracting with Z-Coffee to operate the café in the Main Library and approval of the attached Concessionaire Agreement.

**BOARD OF TRUSTEES OF
ORANGE COUNTY LIBRARY SYSTEM
RESOLUTION 04-211**

**RESOLUTION TO APPROVE THE ATTACHED CONCESSIONAIRE
AGREEMENT**

Minutes of a regular meeting of the Board of Trustees of the Orange County Library System, Orange County Florida, held in the City of Orlando, on the 11th day of November, 2004 at 7:00 pm, prevailing Eastern time.

PRESENT:

ABSENT:

The Board Resolves:

1. To approve the attached Concessionaire Agreement with Z-Coffee.
2. All resolutions that conflict with the provisions of this resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

Secretary

CONCESSIONAIRE AGREEMENT

Parties

This agreement dated as of this ____ day of December, 2004, is made by and between the Orange County Library System, a political subdivision of the State of Florida, hereinafter referred to as "Library", and Z-Coffee Corporation, a corporation authorized to do business in the State of Florida, hereinafter referred to as "Concessionaire".

In consideration of the mutual promises contained herein, the Library and Concessionaire agree as follows:

Article 1 – Premises

The Library does hereby lease to Concessionaire certain space within the Orlando Public Library as delineated in Exhibit A (hereinafter "Premises"). Concessionaire shall use the Premises for food sales purposes and shall not use or permit the Premises to be used for any other purpose without the prior written consent of the Library. The Library shall also allow the Concessionaire to use the single room by the Mailroom for dry storage.

The Library reserves and shall have the right to enter the Premises to inspect and repair the same and investigate fire alarms and other fire safety equipment. The Library shall at all times have and retain a key with which to unlock all of the doors into the Premises. The Concessionaire shall be provided access cards to access the Orlando Public Building for the following times:

Monday – Thursday	7:00am - 9:30pm
Friday & Saturday	7:00am – 6:30pm
Sunday	10:00am – 6:30pm

Concessionaire agrees to report missing or stolen access cards to the Library as soon as possible and pay a replacement fee for damaged or lost cards.

Article 2 – Term

The initial term of this Agreement shall be for a two year period beginning on the Commencement Date. The Commencement Date shall be the date the Concessionaire commences its restaurant operations in the Premises.

The initial term may be extended subject to the approval of both the Library and Concessionaire.

Article 3 – Concessionaire Fee

Concessionaire agrees to pay a Concessionaire Fee to the Library, without notice or demand, in an amount equal to 5% of Concessionaire's net sales (gross sales less sales tax) occurring at the Premises during the prior month. The Concessionaire Fee shall be payable monthly and shall commence on the first day of the fourth month following the Commencement Date. The Library

must receive the Concessionaire Fee and a copy of the related sales tax report showing gross sales by the 21st day of the following month. A late fee of \$10 per day will be charged for each day the Concessionaire Fee is late. If the 21st day of the month falls on a weekend or holiday, the Fee is due on the first business day after the weekend or holiday. The Library shall have the right to audit the Concessionaire's sales receipts and other related records to ascertain or verify the amount of gross sales and sales tax.

The Library and Concessionaire agree that the Concessionaire Fee may be renegotiated for any renewal periods.

Article 4 – Termination

Library or Concessionaire may terminate this Agreement for any reason with sixty days written notice.

Article 5 – Compliance with Law

Concessionaire shall not use the Premises, or permit anything to be done in or about the Premises, which will in any way conflict with any law, statute, ordinance, or governmental rule or regulation, including applicable health codes, now in force or which may hereafter be enacted or promulgated. Additionally, the Concessionaire shall comply with the Library's building security policies and procedures.

Article 6 – Insurance

Before execution of this Agreement and commencement of restaurant operations in the Premises, and annually during the duration of this Agreement, the Concessionaire shall file with the Library current certificates of all required insurance on forms acceptable to the Library. No material change or cancellation of insurance shall be effective without thirty days prior written notice to the Library.

Required Coverage:

1. Workers' Compensation – The Concessionaire shall provide coverage for its employees in accordance with State statutory requirements. Concessionaire shall provide a certificate of insurance evidencing worker's compensation insurance including a waiver of subrogation on behalf of the Library.
2. General Liability – Concessionaire shall provide comprehensive public liability insurance insuring Concessionaire and Library against any liability arising out of the use, occupancy, or maintenance of the Premises and all areas appurtenant thereto. Such insurance shall be in the amount of not less than \$1,000,000 per occurrence (CSL) and \$2,000,000 annually in the aggregate, including \$1,000,000 for personal and advertising injury. This coverage shall also include products liability with a \$1,000,000 limit and the Concessionaire shall also be required to name the Library as additional insured on their general liability policy and provide a certificate of insurance demonstrating the required coverages, limits and additional insured status of the Library. If Concessionaire shall fail to procure and maintain insurance, Library may, but shall not be required to, procure and maintain same, but at the expense of

Concessionaire. Insurance required hereunder shall be in companies rated A or better in the “Best’s Key Rating Guide”.

Compliance with these insurance requirements shall not relieve or limit the Concessionaire’s liabilities and obligations under this Agreement. Failure of the Library to demand such certificate or other evidence of full compliance with these insurance requirements or failure of Library to identify a deficiency from evidence provided will not be construed as a waiver of the Concessionaire’s obligation to maintain such insurance.

Article 7 – Indemnification

If there are any claims for damages attributable to the negligence, errors or omissions of the Concessionaire, their agents, or employees while providing the services called for herein, it is understood and agreed the Concessionaire shall indemnify and hold harmless the Library from any and all losses, costs, liability, damages and expenses arising out of such claims or litigation asserted as a result hereof. However, the Concessionaire shall not be responsible for acts or omissions of the Library, its agents, or employees, or of third parties which result in bodily injury to persons or property.

Article 8 – Assignment and Subletting

Neither the Library nor the Concessionaire shall assign, sublet, convey or transfer its interest in this Agreement without the prior written consent of the other party.

Article 9 – Alterations to Premises

The Concessionaire shall be responsible for arranging and paying for all alterations to the Premises, including preparing constructions plans, obtaining necessary permits, and actual construction. All such alterations must comply with applicable building codes. Prior to the commencement of any alterations, the Concessionaire shall provide drawings to the Library showing the alterations to be done. The Library must approve said drawings before any work can commence. All alterations including fixed serving counters shall be the property of the Library. Upon completions of the initial alterations, Concessionaire shall not make or allow to be made any alterations or additions located in the Premises without first obtaining the written consent of the Library.

Article 10 – Repairs and Maintenance

As of the Commencement Date, Concessionaire shall be deemed to have accepted the Premises as being in good sanitary order, condition, and repair. Upon termination of this Agreement, the Concessionaire shall surrender the Premises to the Library in good condition, broom clean, ordinary wear and tear.

The Library shall repair and maintain the building, including the exterior walls and roof, plumbing and electrical systems, heating, air conditioning, and lighting unless such maintenance

and repairs are caused in part or in whole by the act, neglect, fault, or omission of any duty by the Concessionaire.

The Concessionaire shall be responsible for maintaining and repairing the counters, furniture, and equipment in the Premises.

Article 11 – Appearance and Cleanliness

The Concessionaire shall keep the Premises neat, clean, and attractive at all times. The Concessionaire shall be solely responsible for cleaning the Premises including the floors, walls, ceiling, counters, and equipment and shall comply with all applicable health codes.

Article 12 – Signage

Subject to the prior written approval of the Library, the Concessionaire may at its expense provide and install signs in the following areas:

1. One free standing, double sided, tent style sign for the sidewalk area below the Library's front canopy. Actual sign size on each side shall be 2' X 2'. Concessionaire shall remove said sign when the Café is not open to the public.
2. One 2' X 2' double sided sign mounted (using a bracket) to the East side of the Library's existing concrete sign at the corner of East Central and Rosalind.
3. One roughly 2' X 2' pedestal type sign in the Lobby in the vicinity of the Information Desk.

Concessionaire is responsible for obtaining approvals and permits, if required, from the Downtown Development Board and any other governmental agencies.

Article 13 – Real Estate Taxes

The Concessionaire shall reimburse the Library for real estate taxes paid on the Premises.

Article 14 – Utilities

The Library shall pay for utilities to the Premises including water, electricity, and pest control. The Concessionaire shall be responsible for disposing of its trash (enclosed in plastic trash bags) in the Library's dumpster on the loading dock. The Library shall furnish heating, ventilation, and air conditioning to the Premises during regular hours of operation.

The Concessionaire shall arrange and pay for phone and fax service to the Premises and the single room by the Mailroom.

Article 15 – Parking

Concessionaire is responsible for obtaining its own parking but may not use the Library's parking garage. Concessionaire may park in one of two service spaces in Library's loading dock for short visits not to exceed one hour. For longer visits, Concessionaire must park elsewhere. If

this privilege of using the service spaces for short visits interferes with Library's operations, Library reserves the right to revoke it.

Article 16 – Deliveries

Deliveries for the Premises are to be handled via the Library's loading dock on Wall Street. Deliveries can only be made during hours the Library's Mailroom is open.

Article 17 – Permits/Licenses

The Concessionaire shall obtain, at its own expense, all permits and licenses that may be required by any governmental agency relating to the Concessionaire's operations.

Article 18 – Operating Hours

Unless otherwise agreed to by the Library, Concessionaire's restaurant shall be open to the public at least six hours each day during normal Library hours, Monday through Saturday and at least 4 hours on Sunday. Concessionaire shall post its hours of operation in a location clearly visible to Library patrons and comply with this schedule.

Article 19 – Intentionally Deleted

Article 20 – Prior Agreements & Amendments

This contract contains all of the agreements of the parties hereto with respect to any matter covered or mentioned in this contract, and no prior agreements or understanding pertaining to any such matters shall be effective for any purpose. No provision of this contract may be amended or added to without the express written consent of both parties.

Article 21 – Waiver

The waiver by the Library of any specific term, covenant, or condition herein contained shall not be deemed to be a continuing waiver, nor a waiver of any other term, condition, or covenant of this Agreement.

Article 22 – Partial Invalidity

Any provision of this Agreement which shall prove to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provisions hereof and such other provisions shall remain in full force and effect.

Article 23 – Choice of Law & Enforcement Costs

This Agreement shall be governed by the laws of the State of Florida both as to interpretation and performance. Venue of any action brought hereunder shall lie in Orange County, Florida.

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Alafaya Parking Expansion

Alafaya Branch Parking Improvements

I. PROBLEM STATEMENT

There are a number of concerns with the Alafaya parking lot. The Alafaya Branch regularly experiences a shortage of parking spaces. It is difficult for patrons to line their cars up properly with the drive-up window. Lastly, the handicapped parking spaces need to be adjusted by about 6" to bring them into compliance with the current ADA requirements. Staff has obtained construction bids to address these issues. Since the final cost may exceed \$50,000, Library Board approval is required.

II. EXECUTIVE SUMMARY AND BACKGROUND

The Alafaya Branch was the first prototype library constructed in 2000. While the previous library location in Union Park was busy, we didn't anticipate the tremendous popularity of the Alafaya location, which is now our busiest branch. The parking had been designed to accommodate 60 cars, which is in line with the parking formula we have used for other prototype branches.

The drive-up window access was designed around the initial 60 space parking lot. While the turns required to approach the window meet standard design requirements, they are very tight, especially for the larger SUV's. Cars and trucks frequently run over a curb at the inside of the last turn and end up approaching the window at an angle. This makes it awkward for both patrons and staff to conduct library business.

The proposed construction project will address these issues, as well as bring the handicapped parking spaces into compliance with ADA requirements. We can add 10 additional parking spaces and improve the drive-up window approach by relocating some curbs. The curb relocation also allows the handicapped parking spaces to be widened without a major effort.

This project was advertised for bid and three contractors responded. The lowest bid was \$49,715 from Allstate Paving and Site Development, Inc. Staff is also recommending a \$13,285 contingency to cover unforeseen circumstances, for a total project cost of \$63,000.

III. OPTIONS

Option 1 – Authorize the Alafaya parking improvement project and award the \$49,715 contract to Allstate Paving and Site Development, Inc.

Advantages

1. Ten parking spaces will be added.
2. The drive-up window approach will be improved.
3. The handicapped parking spaces will comply with ADA requirements.

Disadvantages

1. The money would not be available for other projects.

Option 2 – Do not authorize the Alafaya parking improvement project.

Advantages

1. The money would be available for other projects.

Disadvantages

1. None of the parking lot issues will be corrected.

IV. RECOMMENDATIONS

Staff recommends Option 1 to authorize the project and award the \$49,715 contract to Allstate Paving and Site Development, Inc. Staff further recommends a \$13,285 contingency, for a total project cost of \$63,000.

**BOARD OF TRUSTEES OF
ORANGE COUNTY LIBRARY SYSTEM
RESOLUTION 04-212**

**RESOLUTION TO PERFORM PARKING IMPROVEMENTS AT THE ALAFAYA
BRANCH LIBRARY.**

Minutes of a regular meeting of the Board of Trustees of the Orange County Library System, Orange County Florida, held in the City of Orlando, on the 11th day of November, 2004, at 7:00 pm, prevailing Eastern time.

PRESENT:

ABSENT:

The Board Resolves:

1. To authorize the Alafaya parking improvement project, award the \$49,715 contract to Allstate Paving and Site Development, Inc., and approve a \$13,285 contingency for the project, for a total project cost of \$63,000.
2. All resolutions that conflict with the provisions of this resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

Secretary

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Additional AV Display
Units in Branches**

ADDITIONAL AV DISPLAY UNITS IN BRANCHES

Strategic Plan Objective 3: Create and maintain inviting and appealing library spaces

I. Problem Statement

The Library purchased LIFT display units for branches in 2003. Since that time the CD and DVD collections have multiplied. In order to display these popular items effectively and attractively additional display units are needed.

II. Overview

The Library currently offers audio visual material in the formats of VHS, CD, DVD and Audio Books (tape and CD). Traditionally AV items were displayed on regular library shelving spine out. Shelves adequately housed these items but did not offer an attractive and easy way to browse the collection or search for a specific item. Library staff tested several types of AV display units and identified that the LIFT product was the best designed units for our purposes. In 2003 an initial order placed several LIFT units in each branch. As part of the Library Central project, LIFT again was selected as the best display method for AV items.

Since the purchase of the initial LIFT units the CD and DVD collections have grown tremendously. In the last year DVDs in the branches have increased 64% and CDs 97%. Circulation has also grown for these formats, partially due to the cover front display these units afford. The number of LIFT units in the branches is no longer adequate. Library staff is now using shelves, carts and counter tops to keep as many items as possible on display.

The addition of LIFT units will assure consistent, attractive and easy to browse access for Library customers.

III. Options

The library staff has identified three options:

OPTION 1. Do not purchase additional LIFT units for branches

Advantages: Dollars not spent

Disadvantages: Easy access and attractive display suffers. Fail to meet objective 3 of Strategic Plan

OPTION 2. Review and test other styles of AV display units

Advantages: May identify other effective display units

Disadvantages: Delay in resolving display issues in branches. Library staff did this already prior to selecting LIFT. Mismatched display units compromise the visual appeal of branches

OPTION 3. Approve purchase of additional LIFT units to adequately display CD and DVD formats in branches

Advantages: Branches present consistent attractive display of these popular formats. Branches have appealing appearance.

IV. Recommendation

The Staff recommends the Library Board approve Option 3 to purchase additional LIFT display units for branches. The cost of units totals approximately \$140,000.

**BOARD OF TRUSTEES OF
ORANGE COUNTY LIBRARY SYSTEM
RESOLUTION 04-213**

RESOLUTION TO PURCHASE ADDITIONAL LIFT DISPLAY UNITS FOR BRANCHES

Minutes of a regular meeting of the Board of Trustees of the Orange County Library System, Orange County Florida, held in the county of Orange on the 11th day of November, 2004 at 7:00 p.m.

PRESENT:

ABSENT:

The Board Resolves:

1. To approve the purchase and installation of additional LIFT display units in branches, approximately \$140,000.
2. All resolutions that conflict with the provisions of this resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

Secretary

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

**Discussion and Possible
Action Items**

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Information

**Orange County Library System
Board of Trustees Meeting
Thursday, November 11, 2004**

Director's Report

Director's Report November 2004

_A contract has been let to repair and replace the pylon signs damaged by the hurricanes at the Terracotta Business Park, home of our Southeast branch. Our landlord is repairing the one on Semoran and replacing the one on Hoffner. The work should be completed in about sixty days.

_*James and the Giant Peach* is the One Book One Community selection for next year! The dates are: January 16th through February 25, 2005. We have ordered approximately 100 new copies of the book and 42 copies of the DVD which have arrived and are already circulating! We also just received new copies of the book on CD.

_Library submitted a "My Word" column which was published in the Orlando Sentinel 3 November about our role in early voting. A total of 59,434 persons or 69.8% voted early in our facilities.

_The Library will be setting up appointments with the newly elected Orange County Commissioners Mildred Fernandez and Bill Segal to let them know about the library's activities and to get their photos for the "Got You're Your Card" campaign bookmarks.

_ In spite of the long 3.5 – 4 hour long lines for early voting there were many heartwarming sights and it appeared that a number of people bonded while waiting in line. Several times in the lobby, hitherto strangers were heard to say to each other "good bye and good luck with everything" and comments like "take care." One patron came down and was thrilled that she had seen so many people reading. She said she was in line close to a mother with kids and they were all reading. This patron held the mother's place in line while she went to get some books and place a reserve on a book she really wanted.

At the Main Library, the line went all the way around the 3rd floor from the "To Be Shelved area" around the perimeter to the podium that is staffed with DRI staff. Yes, there were voters that left and felt the frustration. But the majority stayed in line and chatted quietly with others. Staff good-naturedly stayed late after closing, working the circulation desk, checking out materials as people left and registering citizens for cards. Patrons were thrilled that we were still here and they

could check out materials. They could not thank the library enough for being open.

_ We had 8,989 new registrations for October, which is quite high. Oct 1-15 accounted for 4225, leaving 4764 which were completed Oct 16-31 in the early voting time frame. The early voting allowed us a tremendous opportunity to sign up new library customers and market our wonderful services and products.

_ We are featuring a holiday gift promotion in the December ***Books and Beyond*** email newsletter. It will promote gifts to the Library in honor of friends or family. Just access the link on our website by clicking on the "Just Give " account.

_ U.S. Surgeon Richard Carmona M.D. presented a press conference at the main Library on October 22 to inform the public about the flu vaccine. He signed our Visiting Dignitaries Board. He had his picture taken for Library bookmarks and enjoyed seeing the display in Library Central marked " The U.S. Surgeon General Richard Carmona Recommends"

_ Staff Development Day, to be held on 11 November 2004, is a day when all staff gather together in one place to be inspired, hear new ideas, visit with former colleagues and make new friends. This year our keynote speaker is Simon Bailly, America's leading authority on " Releasing Brilliance." Employees will be able to choose from 19 different breakout sessions with topics including "Survival Spanish," "Photo Shop," "Successful Investing," and "Marketing Library Services," facilitated by Board President Sara Brady. This is the first year (and hopefully not the last) in which we will feature an employee talent contest, 'OCLS Idol." Board members are welcome to attend this fun and informative day that will begin at 8:30 a.m. and end at 5:00 p.m.

_ Geotechnical and Environmental Consultants, Inc. and Glatting Jackson participated in the pumpkin display and contest. Staff from all locations and departments also participated in a pumpkin contest.

_ National Federation for the Blind received a library tour of the Main Library on 23 October and the Mid- Florida Council for the Blind is scheduled for a tour on 6 November. A presentation was given to the Parkinson's Group on the Talking books Program on 5 November.

_ The advertisement for the East Wing of the third floor renovation project has been placed in the Sentinel for publication on Tuesday, 11/9!

_ ***Shrek 2*** premiered in Library Central, West Oaks Branch, West Orange Branch, Edgewater, and Alafaya Branches on Friday, 5 November, simultaneous with the release of the DVD. It will also be shown at Alafaya on Saturday, 6 November at 3:00 p.m. as well.

_ The Library Card ad in Spanish published in El Nuevo Dia on October 29 appeared again on Friday, November 5. In exchange for this newspaper coverage, Library Card bookmarks have been created for distribution to the paper and the community. About a dozen applications from the paper showed up by Wednesday of the following week.

_ Connie May Fowler, author of *Before Women Had Wings*, will appear in person on Saturday, November 13, 10:00 a.m. in Library Central. Her 2005 Harley calendars are available in The Friends of the Library Gift and Greetings Shop or through the Library's website.

_ In conjunction with UCF's Frankenstein exhibit, the Library presents "It Was A Dark and Stormy Night" in Library Central on Sunday, November 14 at 2:00 p.m. Celebrate the 200th anniversary of the writing of *Frankenstein* while discussing the life and times of Mary Shelly.

_ December will be focused on health, with the kickoff of Healthy Connections, presenting classes on Prenatal Care, Diabetes, Senior Wellness as well as the ALA/Walgreen's programs with pharmacists sharing information on the Medicare Discount Card program.

_ Local author Bill Belleville will discuss Florida environmental challenges and the 1929 book ***From Eden to Sahara: Florida's Tragedy***.

_ Join the Friends at their Second Saturday program to hear the great Gilbert and Sullivan songs on December 11 at 10:00 am in Library Central.

**Orange County Library System
Board of Trustees Meeting
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Winter Garden Project Summary

Winter Garden Project Summary

Oct 31, 2004

<u>Category</u>	<u>Budget Approved 12/12/02</u>	<u>Revised Budget</u>	<u>Expended to Date</u>
Architect/engineer	150,000	152,148	143,301
Construction			
Contractor	2,100,000	2,216,822	2,035,265
Carpet	35,000	26,085	0
Impact & Permit Fees	40,000	25,000	22,594
Testing	8,000	15,000	13,461
Other	10,000	2,500	2,001
Construction Total	<u>2,193,000</u>	<u>2,285,406</u>	<u>2,073,321</u>
Contingency	207,000	112,446	
TOTAL PROJECT	<u><u>2,550,000</u></u>	<u><u>2,550,000</u></u>	<u><u>2,216,622</u></u>

Construction Contract Summary

Base Contract	1,961,100
CO #1 - Civil Improvements	71,187
CO #2 - Additional civil improvements required by WG)	20,903
CO#3 - Additional City requirements & Primary power costs	18,409
CO #4 - Additional Civil Improvements	23,401
CO #5 - Upgrade glass	9,271
CO #6 - 2nd Book return, storm water structure adjustment, toilet partition change	9,548
CO #7 - Ramp walls, truncated domes, 2nd book return rev, remove columns, secondary feeders	34,012
CO #8 - Terrazzo	53,778
CO #9 - 85 days and fixture deletion	-4,934
CO #10 - Site issues (in process)	20,147
Total	<u>2,216,822</u>

Winter Garden Project Summary November 2004

Most of the irrigation rough-in is complete, but cannot be tested until the water service is turned on. Work is proceeding on the brick patio pavers and most of the sidewalks are now poured. While most of the asphalt work is done, APM still needs to repair some asphalt problems on the north side of the building.

Water, sewer, and storm water issues remain the critical path items. The sewer lift station work is approaching completion. Our understanding is application has been made to the Department of Environmental Protection (DEP) for water service. Once the sewer work is complete, APM must obtain approval from the City of Winter Garden before application can be made to DEP. As previously indicated, the DEP approval process can take up to 30 days.

The terrazzo sub-contractor has been in a contractual dispute with APM, which has delayed the completion of the floor. The carpet installer is waiting until the terrazzo is completed to begin laying the carpet. APM is continuing to do interior touchup work. The interior glass wall is still being investigated by both APM and our architect, Harvard Jolly.

The most often asked question is, "When will it be finished?" APM is now saying that Substantial Completion (SC) for the project should be early December. It is highly dependent upon DEP approval of the water and the sanitary system. After SC, it will take at least a month to prepare for opening and move in the collection, equipment, and furnishings.

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**Third Floor Construction
Project Summary**

Third Floor Construction Project Summary

Contractor Selection Process

In the past, the Library used a low bid process to select contractors for capital projects. This bid process did result in a lower contract price, but came at a higher expense in other areas, such as legal expenses. The Library and our architect used a due diligence process to evaluate contractors which submitted bids but the evaluation process was far from perfect. It was difficult to find solid information on contractors' previous performance on other contracts, especially if there was poor performance or cost overruns. Contractors do not talk about their mistakes. As a result, we have experienced problems with contractors selected through this low bid process, including delays and additional costs. In one case, the contractor with the lowest bid withdrew his bid shortly before we were to execute a contract with him. The cited reason was that he had made a substantial mistake in his bid. Underlying a low bid contractor are low-bid sub-contractors. On the Winter Garden project, three of the sub-contractors went bankrupt or left the job. Getting the sub-contractors to perform has been a major component of the Winter Garden delays.

Staff approached our legal counsel about a contractor selection process that complied with Florida Statutes and reduced the Library's exposure to the problems inherent in the low bid scenario. Counsel recommended using "Construction Management at Risk", which utilizes a process similar to that used for selecting architects and other professionals.

The selection process begins by requesting proposals in a published Request for Qualifications. A Selection Committee evaluates the proposals and selects at least three of the contractors for an interview (the 'short list'). After the interviews, the Committee ranks the short listed contractors and presents a recommended ranking to the Library Board for review and approval. The Library Board may change the ranking. Upon Board approval of the ranking, Library staff negotiates with the highest ranked contractor to determine the contractor fee and the "Guaranteed Maximum Price" (GMP) for the project. Should negotiations with the highest ranked contractor fail, negotiations proceed with the second highest ranked contractor. This process continues until staff negotiates an acceptable contractor fee and GMP, which are then presented to the Library Board for approval.

This selection process is used by a number of governmental agencies, including Orange County Public Schools. According to our attorney, it generally results in a better contractor/owner relationship and more successful projects. Staff has begun this process for the selection of a contractor for the 3rd floor renovation project and intends to bring a recommended contractor ranking to the January Library Board meeting.

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**Public Comment:
Non-Agenda Items**