

# **EXHIBIT A**

## **TO ORDINANCE NO. 75-20**

**(Agreement between the Lorain Public Library  
and the City of Avon)**

**BOARD OF LIBRARY TRUSTEES  
LORAIN PUBLIC LIBRARY**

The Board of Library Trustees (the "Board") of the Lorain Public Library System (the "Library"), Lorain County, Ohio, met in regular session on July 16, 2020, at 5:00 p.m., conducted by teleconference, videoconference or similar electronic technological means, as permitted by Amended Substitute House Bill 197 of the 133rd General Assembly of the State of Ohio, effective March 27, 2020, with the following members participating:

Ms.      Schiemann \_\_\_\_\_ introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT  
RELATING TO THE AVON BRANCH OF THE LORAIN PUBLIC LIBRARY.

(R.C. Section 3375.42)

WHEREAS, voters of the City of Avon (the "City") approved a new 2.00-mill tax levy (the "Tax Levy") for current expenses of the Avon Branch of the Lorain Public Library system, including the construction and operation thereof at the March 17, 2020 election; and

WHEREAS, this Board wishes to enter into an agreement relating to the operation of the Avon Branch of the Library and to use the proceeds of the Levy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the Lorain Public Library, Lorain County, Ohio, two-thirds of all of the members appointed thereto concurring, that:

Section 1. Pursuant to Ohio Revised Code Section 3375.42, this Board hereby finds and determines it to be necessary to enter into an agreement (the "Agreement") with the City relating to the operation of the Avon Branch of the Library and to the use of the proceeds of the additional tax levy approved March 17, 2020 and of other funds available for the operation of the Avon Branch of the Library.

Section 2. The Agreement is hereby approved in substantially the form attached hereto as **Exhibit A**, with such changes therein as are not inconsistent with this resolution and not substantially adverse to the Board as shall be approved by the officers executing the Agreement; provided, that the approval of those changes by those officers, and their character as not being substantially adverse to the Board, shall be evidenced conclusively by their execution of that Agreement.

Section 3. The President and Chief Financial Officer of the Board of Library Trustees are hereby authorized and directed, for and in the name and on behalf of this Board, to execute and deliver the Agreement in substantially the form attached hereto as **Exhibit A**.

Section 4. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the

Ohio Revised Code.

Ms. McClelland seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: President Tomas, Ms. Snipes, Ms. Schiemann, Ms. McClelland

Nays: None

The resolution passed.

The resolution passed.

Passed: July 16, 2020

BOARD OF LIBRARY TRUSTEES  
LORAIN PUBLIC LIBRARY  
LORAIN COUNTY, OHIO

Attest: Erika Ventura  
Chief Financial Officer

Garalynn V. Tomas  
Board President

#### CERTIFICATE

The foregoing is a true and correct extract from the minutes of the July 16, 2020 meeting of the Board of Library Trustees of the Lorain Public Library, showing the passage of the resolution set forth above.

Ethel M Schiemann  
Secretary  
Board of Library Trustees of the  
Lorain Public Library

**EXHIBIT A**

**AGREEMENT**

Between the Lorain Public Library and  
City of Avon, Ohio

This Agreement, dated as of    July 16           , 2020 is by and between the City of Avon, Ohio (the “City”) and the Board of Library Trustees (the “Board”) of the Lorain Public Library (the “Library”); and

WHEREAS, the Library provides free public library service to the people of the City; and

WHEREAS, pursuant to Ohio Revised Code Section 3375.42, the Library and the City are desirous of entering into an agreement, pursuant to which agreement the Library will operate and pay the current operating expenses of the Avon Branch of the Library and provide library service to all inhabitants of the City on equal terms without cost to the City and pursuant to which the Library will receive for such purpose all funds derived from an operating tax levy passed for such purpose as a supplemental revenue to the Library.

NOW THEREFORE, in consideration of the mutual covenants herein contained, it is mutually agreed by and between the parties as follows:

1. At the March 17, 2020 election, the City voters approved the question of an additional levy within the City at a rate not exceeding two mills (2.00) mills for each one dollar of valuation, which amounts to twenty cents (\$0.20) for each one hundred dollars of valuation, for 20 years (the “Tax Levy”) for the purpose of paying the current operating expenses of the Avon Branch of the Library.

2. The City shall appropriate and pay to the Library each year funds derived from any tax levy heretofore or hereafter passed for the purpose of paying the current operating expenses of the Library, including the Tax Levy. The Library shall use all funds raised and paid to the Library from the collection of the Tax Levy for the current operating expenses of the Avon Branch of the Library. The Library shall not alter the allocation of revenues other than the Tax Levy in the budget of the Avon Branch of the Library as a result of any moneys received from the Tax Levy to be used for the current operating expenses of the Avon Branch of the Library.

3. The Library will provide library service to all inhabitants of the City without cost to the City during the effective period of this Agreement.

4. The Library will provide to the City each year during the effective period of this Agreement an annual report in writing as referred to in Ohio Revised Code Section 3375.42 that itemizes the expenditure of the moneys derived from the Tax Levy.

5. The Library and the City agree that any equipment or materials purchased by the Library from the moneys derived from the Tax Levy shall remain the property of the Library for use within the City by the Avon Branch of the Library.

6. In the event that the Library shall consolidate with or transfer all of its assets to another public library system governed by the provisions of Ohio Revised Code Chapter 3375, the rights and obligations of the Library under this Agreement shall inure to and become the rights and obligations

of the resulting public library system for the benefit of the branch or branches of the resulting public library system located in the City.

7. This Agreement will be effective from the date of its execution and shall continue to be effective throughout the duration of the Tax Levy and extended to include the duration of subsequent tax levies heretofore or hereafter passed for the purpose of paying the current operating expenses of the Library.


This Agreement executed this 16 day of July, 2020.


LORAIN PUBLIC LIBRARY

By: Garalynn V. Tomas  
President

By: Erika Ventura  
Chief Financial Officer

CITY COUNCIL  
CITY OF AVON  
LORAIN COUNTY, OHIO

By:   
Mayor **Bryan K. Jensen**

By:   
Finance Director **William D. Logan**

CERTIFICATE OF CHIEF FINANCIAL OFFICER OF LORAIN PUBLIC LIBRARY

I, as the Chief Financial Officer of the Board of Library Trustees of Lorain Public Library, Lorain County, Ohio, certify that the moneys required to meet the obligations of the Board of Library Trustees of the Lorain Public Library during the year 2020 under the attached Agreement have been lawfully appropriated by the Board of Library Trustees of the Lorain Public Library for that purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

Dated: July 23, 2020

**Erika Ventura**

---

Chief Financial Officer  
Board of Library Trustees of the  
Lorain Public Library

CERTIFICATE OF CHIEF FINANCIAL OFFICER OF CITY OF AVON, OHIO

I, as the Chief Financial Officer of the City of Avon, Lorain County, Ohio, certify that the moneys required to meet the obligations of City during the year 2020 under the attached Agreement have been lawfully appropriated by the City Council of the City for that purpose and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

Dated: July 23<sup>rd</sup>, 2020

Will D. Logan  
Finance Director **William D. Logan**  
City of Avon  
Lorain County, Ohio

**CERTIFICATE**

The undersigned Clerk of Council, City of Avon, Ohio, hereby certifies that the foregoing is a true copy of Ordinance No. \_\_\_\_\_ duly adopted by said Council on \_\_\_\_\_, 2020, and that a true copy thereof was certified to the County Auditor of Lorain County, Ohio, on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk of Council **Barbara Brooks**  
City of Avon, Ohio

**Signature:** Erika Ventura  
Erika Ventura (Jul 23, 2020 13:34 EDT)  
**Email:** eventura@lpls.info

**Signature:** Garalynn V. Tomas  
Garalynn V. Tomas (Jul 23, 2020 13:45 EDT)  
**Email:** gvtomas@ix.netcom.com

**Signature:** Ethel Schiemann  
Ethel Schiemann (Jul 23, 2020 21:29 EDT)  
**Email:** emschiemann@windstream.net













# Pages from Lorain Public Library - 2020 Notes - Agreement with City of Avon

Final Audit Report

2020-07-24

Created:	2020-07-23
By:	Anastasia Diamond-Ortiz (adiamond-ortiz@lpls.info)
Status:	Signed
Transaction ID:	CBJCHBCAABAAe4sY76zJ7Mgz5zFXSZz0N0U0HRykatRL

## "Pages from Lorain Public Library - 2020 Notes - Agreement with City of Avon" History

-  Document created by Anastasia Diamond-Ortiz (adiamond-ortiz@lpls.info)  
2020-07-23 - 4:06:15 PM GMT- IP address: 174.232.8.119
-  Document emailed to Erika Ventura (eventura@lpls.info) for signature  
2020-07-23 - 4:08:59 PM GMT
-  Email viewed by Erika Ventura (eventura@lpls.info)  
2020-07-23 - 5:32:25 PM GMT- IP address: 66.213.15.15
-  Document e-signed by Erika Ventura (eventura@lpls.info)  
Signature Date: 2020-07-23 - 5:34:04 PM GMT - Time Source: server- IP address: 66.213.15.15
-  Document emailed to Garalynn V. Tomas (gvtomas@ix.netcom.com) for signature  
2020-07-23 - 5:34:06 PM GMT
-  Email viewed by Garalynn V. Tomas (gvtomas@ix.netcom.com)  
2020-07-23 - 5:44:24 PM GMT- IP address: 76.188.252.232
-  Document e-signed by Garalynn V. Tomas (gvtomas@ix.netcom.com)  
Signature Date: 2020-07-23 - 5:45:54 PM GMT - Time Source: server- IP address: 76.188.252.232
-  Document emailed to Ethel Schiemann (emschiemann@windstream.net) for signature  
2020-07-23 - 5:45:56 PM GMT
-  Email viewed by Ethel Schiemann (emschiemann@windstream.net)  
2020-07-23 - 9:01:54 PM GMT- IP address: 162.40.220.27
-  Document e-signed by Ethel Schiemann (emschiemann@windstream.net)  
Signature Date: 2020-07-24 - 1:29:22 AM GMT - Time Source: server- IP address: 162.194.159.216

✔ Signed document emailed to Erika Ventura (eventura@lpls.info), Garalynn V. Tomas (gvtomas@ix.netcom.com), Ethel Schiemann (emschiemann@windstream.net), and Anastasia Diamond-Ortiz (adiamond-ortiz@lpls.info)

2020-07-24 - 1:29:22 AM GMT



Adobe Sign