

**Toronto Public Library Board****Meeting No. 4: Monday, April 28, 2014, from 6:40 p.m. to 9:00 p.m.****Mount Dennis Branch, Meeting Room 1, 1123 Weston Road, Toronto****Members Present:**

Mr. Michael Foderick (Chair)
Councillor Jaye Robinson (Vice Chair)
Councillor Paul Ainslie
Councillor Janet Davis
Councillor Sarah Doucette
Mr. Cameron MacKay
Mr. Kevin McGuire
Councillor Cesar Palacio
Mr. Ross Parry
Mr. Kenneth Stewart
Ms. Andrea Tagalakis
Mr. Benjamin Wulffhart

Regrets:

Ms. Lindsay Colley

14-070 Call to Order

Michael Foderick called the meeting to order at 6:40 p.m.

The Chair introduced Frances Nunziata, the local councillor for Ward 11 York South – Weston. Councillor Nunziata welcomed Library Board and staff and members of the public to the Mount Dennis Branch. She expressed appreciation to the Library for engaging the community in consultation for the renovations to the branch. Councillor Nunziata noted the importance of the library to the Mount Dennis community and how positively the community has responded to the revitalized branch.

Anne Bailey, Director, Branch Libraries introduced Barbara Tinsley, Area Manager. Ms. Tinsley provided a presentation regarding the history of the Mount Dennis Branch, including details concerning the 2013 renovation of the branch.

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14-071 Declarations of Conflict of Interest

There were no Declarations of Conflict of Interest by members of the Library Board.

14-072 Approval of Agenda

Moved by B. Wulffhart, seconded by Councillor Doucette:

That the Toronto Public Library Board approves the agenda as revised to:

1. *add a Presentations under Agenda Item No. 8 from Miroslav Glavic regarding Agenda Item Nos. 10 – Rules of Conduct – Exclusion, Reinstatement and Appeals Policy – Proposed Revisions, 12 – Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts, 21 – Naming Oppozrtunity – Toronto Reference Library and 22 – Adjournment;*
2. *move Agenda Item No. 14 – Book Lover’s Ball at Toronto Reference Library – 2015 to earlier on the agenda to accommodate guests in attendance for this item; and*
3. *consider a Notice without Motion from Councillor Davis regarding the City Librarian Selection Committee.*

Carried

14-073 Confirmation of March 24, 2014 Toronto Public Library Board Meeting Minutes

Moved by R. Parry, seconded by Councillor Ainslie:

That the Toronto Public Library Board:

1. *confirms the Minutes of the March 24, 2014 Toronto Public Library Board meeting.*

Carried

14-074 Business Arising from the Minutes

There were no *Business Arising from the Minutes* items at the April 28, 2014 meeting.

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14-075 Chair's Report*Moved by A. Tagalakis, seconded by C. MacKay:**That the Toronto Public Library Board:*

1. receives the Chair's Report for information.

*Carried***14-076 Communications***Moved by Councillor Palacio, seconded by R. Parry:**That the Toronto Public Library Board:*

1. receives Communication (a) from Ken Jacobsen, Board Chair and Leslie Fitch, CEO, Milton Public Library, to Michael Foderick, Chair, Toronto Public Library Board and Jane Pyper, City Librarian dated March 27, 2014 regarding *So Much More: The Economic Impact of the Toronto Public Library System on the City of Toronto*, for information;
2. receives Communication (b) from The Honourable Michael Chan, Minister, Ministry of Tourism, Culture and Sport, to Michael Foderick, Chair, Toronto Public Library Board and Jane Pyper, City Librarian dated April 4, 2014 regarding *So Much More: The Economic Impact of the Toronto Public Library System on the City of Toronto*, for information;
3. receives Communication (c) from Michael Foderick, Chair, Toronto Public Library Board to The Honourable Michael Chan, Minister, Ministry of Tourism, Culture and Sport dated April 16, 2014 regarding e-content available to public libraries;
4. receives Communication (d) from Michael Foderick, Chair, Toronto Public Library Board to The Honourable Shelly Glover, Minister, Canadian Heritage and Official Languages dated April 16, 2014 regarding e-content available to public libraries;
5. receives Communication (e) from Michael Foderick, Chair, Toronto Public Library Board to Mayor Rob Ford and City Councillors of Toronto dated February 20, 2014 regarding the *Toronto Public Library Workers Union Local 4948, Our Public Libraries* campaign, for information;
6. receives Communication (f) from Michael Foderick, Chair, Toronto Public Library Board to Marie DeYoung, President, Canadian Library Association dated April 16, 2014 regarding e-content available to public libraries; and
7. receives Communication (g) from Michael Foderick, Chair, Toronto Public Library Board to Mr. John Pecman, Commissioner of Competition, Industry Canada, Competition Bureau Canada dated April 16, 2014 regarding e-content available to public libraries.

Carried

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Presentations

14-077 Miroslav Glavic regarding Agenda Item Nos. 7 – *Communications*, 10 – *Rules of Conduct – Exclusion, Reinstatement and Appeals Policy – Proposed Revisions*, 12 – *Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts* and 21 – *Naming Opportunity – Toronto Reference Library*

Mr. Glavic outlined his concerns regarding:

- a. the negative impact of lower e-book prices on writers;
- b. the Board's role in final appeal decision-making under the proposed revisions to the Rules of Conduct – Exclusion, Reinstatement and Appeals Policy;
- c. the increased costs for the Scarborough Centre Public Space and Streetscape Master Plan; and
- d. the discussion of *Naming Opportunity – Toronto Reference Library* in a Closed meeting.

Moved by Councillor Palacio, seconded by A. Tagalakis:

That the Toronto Public Library Board:

1. *receives the presentation from Miroslav Glavic regarding Agenda Item Nos. 7 – Communications, 10 – Rules of Conduct – Exclusion, Reinstatement and Appeals Policy – Proposed Revisions, 12 – Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts and 21 – Naming Opportunity – Toronto Reference Library for information.*

Carried

Items for Approval:

14-078 Book Lover's Ball at the Toronto Reference Library – 2015

The Chair introduced Gillian Smith, Chair, Toronto Public Library Foundation Board, Helen Burstyn and Amy Burstyn-Fritz, 2015 Book Lover's Ball Co-Chairs in attendance for this item.

Moved by R. Parry, seconded by Councillor Doucette:

That the Toronto Public Library Board:

1. *approves the request from the Toronto Public Library Foundation to host the 2015 Book Lover's Ball at the Toronto Reference Library.*

Carried

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14-079 Circulation Policy & Fines Revenues Review – 2014***Moved by B. Wulffhart, seconded by R. Parry:******That the Toronto Public Library Board:***

1. *receives the results of the review of fines revenues and circulation trends; and*
2. *approves the revised Circulation and Collection Use (including Fees and Fines) Policy (Attachment 1).*

Carried**14-080 Rules of Conduct – Exclusion, Reinstatement and Appeals Policy – Proposed Revisions*****Moved by C. MacKay, seconded by K. McGuire:******That the Toronto Public Library Board:***

1. *revises the Rules of Conduct – Exclusion, Reinstatement and Appeals Policy as included in Attachment 1.*

Carried**14-081 Cisco Canada – Toronto Public Library Partnership****Library Board Decision**

The Toronto Public Library Board on April 28, 2014 adopted the following:

Moved by Councillor Robinson, seconded by R. Parry:***That the Toronto Public Library Board:***

1. *approves the proposed partnership between Cisco Canada and the Toronto Public Library Board;*
2. *authorizes the City Librarian to enter into a Memorandum of Understanding (MOU) with Cisco, according to the terms and conditions outlined on pages 4 and 5 of the report;*
3. *directs staff to report back on the specific initiatives resulting from the partnership; and*
4. *adds the following under Responsibilities and accountabilities of Cisco on page 5 of the staff report:*
 - *provide staffing and investment resources to investigate and pursue the partnership opportunities;*
 - *provide Cisco global resources and expertise, share access to Cisco's academic partnerships, and look for volunteers within the Cisco and Cisco partner community to support strategic initiatives.*

Carried as amended.

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Cisco Canada – Toronto Public Library Partnership – continued**Motions**

See the following:

*Moved by Councillor Robinson, seconded by R. Parry:**That the Toronto Public Library Board:*

1. *approves the proposed partnership between Cisco Canada and the Toronto Public Library Board;*
2. *authorizes the City Librarian to enter into a Memorandum of Understanding (MOU) with Cisco, according to the terms and conditions outlined on pages 4 and 5 of the report;*
3. *directs staff to report back on the specific initiatives resulting from the partnership.*

Amended

See the following motion to amend:

*Moved in amendment by K. McGuire, seconded by Councillor Robinson:**That the Motion moved by Councillor Robinson and seconded by R. Parry be amended to add the following recommendation:*

1. *adds the following under Responsibilities and accountabilities of Cisco on page 5 of the staff report:*
 - *provide staffing and investment resources to investigate and pursue the partnership opportunities;*
 - *provide Cisco global resources and expertise, share access to Cisco's academic partnerships, and look for volunteers within the Cisco and Cisco partner community to support strategic initiatives.*

Carried

Toronto Public Library Board**Meeting No. 4: Monday, April 28, 2014, from 6:40 p.m. to 9:00 p.m.****Mount Dennis Branch, Meeting Room 1, 1123 Weston Road, Toronto****14-082 Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts****Library Board Decision**

The Toronto Public Library Board on April 28, 2014 adopted the following:

Moved by Councillor Palacio, seconded by Councillor Ainslie:

That the Toronto Public Library Board:

1. *approves commitment increases totalling \$470,720.69 for the second phase of streetscape enhancements to support the Scarborough Centre Public Space and Streetscape Master Plan, funded from the City Planning division capital budget, subject to City Planning division receiving Council approval of the re-allocation of capital project funds, comprised of:*
 - a. *an increase to the award for architectural services to LGA Partners & Phillip H Carter Architects in Joint Venture by an amount of \$24,197.31, for a total award of up to \$565,737.54 [excluding the Harmonized Sales Tax (HST)]; and*
 - b. *an increase to the award for construction to Aquicon Construction Co. Ltd. by an amount of \$446,523.38, for a total award of up to \$8,427,309.29 [excluding HST]; and*
2. *approves further additional commitment increases for the Scarborough Civic Centre Civic Green project, funded from the City capital budgets, subject to City Council approval of the re-allocation of capital project funds, for an increase to the award for architectural services to LGA Partners & Phillip H Carter Architects in Joint Venture by an amount of up to \$200,000, for a total award of up to \$765,737.54 HST;*
3. *authorizes and directs staff to take the necessary action to give effect thereto; and*
4. *formally thanks and congratulates Councillor Glen De Baeremaeker for his excellent work enhancing the new Scarborough Civic Centre Branch.*

Carried as amended unanimously

Recorded Vote Requested:

Yes – 12

Councillor Ainslie, Councillor Davis, Councillor Doucette, Michael Foderick, Cameron MacKay, Kevin McGuire, Councillor Palacio, Ross Parry, Councillor Jaye Robinson, Kenneth Stewart, Andrea Tagalakis and B. Wulffhart

No – 0

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Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts – continued**Motions**

See the following:

Moved by Councillor Palacio, seconded by Councillor Ainslie:***That the Toronto Public Library Board:***

1. *approves commitment increases totalling \$470,720.69 for the second phase of streetscape enhancements to support the Scarborough Centre Public Space and Streetscape Master Plan, funded from the City Planning division capital budget, subject to City Planning division receiving Council approval of the re-allocation of capital project funds, comprised of:*
 - a. *an increase to the award for architectural services to LGA Partners & Phillip H Carter Architects in Joint Venture by an amount of \$24,197.31, for a total award of up to \$565,737.54 [excluding the Harmonized Sales Tax (HST)]; and*
 - b. *an increase to the award for construction to Aquicon Construction Co. Ltd. by an amount of \$446,523.38, for a total award of up to \$8,427,309.29 [excluding HST]; and*
2. *authorizes and directs staff to take the necessary action to give effect thereto.*

Amended

See the following motion to amend:

Moved in amendment by Councillor Palacio, seconded by Councillor Doucette:***That the Motion moved by Councillor Palacio and seconded by Councillor******Ainslie be amended to add the following recommendation:***

1. *approves further additional commitment increases for the Scarborough Civic Centre Civic Green project, funded from the City capital budgets, subject to City Council approval of the re-allocation of capital project funds, for an increase to the award for architectural services to LGA Partners & Phillip H Carter Architects in Joint Venture by an amount of up to \$200,000, for a total award of up to \$765,737.54 HST.*

Carried

At the request of Michael Foderick, Councillor Jaye Robinson presided over the meeting.

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Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts – continued

See the following motion to amend:

Moved in amendment by M. Foderick, seconded by A. Tagalakis:

That the Motion moved by Councillor Palacio and seconded by Councillor Ainslie be amended to add the following recommendation:

1. *formally thanks and congratulates Councillor Glen De Baeremaeker for his excellent work enhancing the new Scarborough Civic Centre Branch.*

Carried

14-083 Toronto Public Library Status at Ontario Municipal Board Hearings – Development Applications for Sites Adjacent to Northern District Branch

Moved by Councillor Ainslie, seconded by A. Tagalakis:

That the Toronto Public Library Board:

1. *requests participant status at the OMB hearings related to Comare Holdings Inc. and KCAP Helendale Inc; and*
2. *authorizes the City Librarian or delegate to convey the Library's position regarding the proposed developments, including:*
 - a. *adherence to the Council-approved Yonge, Duplex, Helendale and Orchard View Urban Design Guidelines;*
 - b. *maintenance of the setback distance of 12.5 meters and separation distance of 25 meters as per the City of Toronto Tall Building Guidelines for the Comare Holdings Inc. development at 31, 33, 35 and 37 Helendale in relation to 40 Orchard View Blvd.;*
 - c. *separation distances to be calculated on the basis of the future development potential of 40 Orchard View Blvd. for the Comare Holdings Inc. development at 31, 33, 35 and 37 Helendale;*
 - c. *west podium property line setback distance of 4.5 meters for the Comare Holdings Inc. development at 31, 33, 35 and 37 Helendale in relation to 40 Orchard View Blvd.;*
 - d. *no direct oversight from townhouse and podium into Library offices and tenant suites for the Comare Holdings Inc. development at 31, 33, 35 and 37 Helendale in relation to 40 Orchard View Blvd.;*
 - e. *ground floor setbacks to provide opportunities for soft landscaping and walkways for the Comare Holdings Inc. development at 31, 33, 35 and 37 Helendale in relation to 40 Orchard View Blvd. and in accordance with the Council-approved Yonge, Duplex, Helendale and Orchard View Urban Design Guidelines.*

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Items for Information:**14-084 Requests for Reconsideration of Library Materials – 2013 Annual Report***Moved by Councillor Ainslie, seconded by Councillor Davis:**That the Toronto Public Library Board:*

1. receives the Requests for Reconsideration of Library Materials – 2013 Annual Report for information.

*Carried***14-085 2013 Annual Performance Measures and Strategic Plan Update***Moved by C. MacKay, seconded by Councillor Doucette:**That the Toronto Public Library Board:*

1. receives the 2013 Annual Performance Measures and Strategic Plan Update report for information.

*Carried***14-086 Eglinton Connects Planning Study***Moved by Councillor Ainslie, seconded by B. Wulffhart:**That the Toronto Public Library Board:*

1. receives the Eglinton Connects Planning Study report for information.

*Carried***14-087 Operating Budget Monitoring Report – March 31, 2014***Moved by C. MacKay, seconded by R. Parry:**That the Toronto Public Library Board:*

1. receives the Operating Budget Monitoring Report – March 31, 2014 report for information.

Carried

Michael Foderick returned to chairing the meeting.

14-088 Capital Budget Monitoring Report – March 31, 2014*Moved by R. Parry, seconded by Councillor Ainslie:**That the Toronto Public Library Board:*

1. receives the Capital Budget Monitoring Report – March 31, 2014 report for information.

Carried

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14-089 Board Resolutions – Status Report*Moved by B. Wulffhart, seconded by Councillor Palacio:**That the Toronto Public Library Board:*

1. *receives the Board Resolutions – Status Report for information.*

*Carried***14-090 Motion without Notice**

Councillor Davis distributed a Motion without Notice requesting that the City Librarian Selection Committee established by the Board at its March 24, 2014 meeting be expanded by one position, and that Councillor Davis be added to the Committee.

The Chair ruled the Motion out of order as it did not meet the definition of an Urgent Matter as outlined in the Procedural By-Law and suggested that the matter be referred to the first meeting of the City Librarian Selection Committee.

After discussion, Councillor Davis withdrew her request.

14-091 Closed Meeting

At 8:45 p.m., it was:

*Moved by Councillor Robinson, seconded by K. McGuire:**That the Toronto Public Library Board:*

1. *conducts a Closed meeting as the subject matter being considered (Naming Opportunity – Toronto Reference Library) involves personal matters about an identifiable individual.*

Carried

At 8:55 p.m. the Board resumed its meeting in public.

Toronto Public Library Board

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Adoption of Closed Meeting Action:

14-092 Naming Opportunity – Toronto Reference Library

Moved by Councillor Doucette, seconded by A. Tagalakis:

That the Toronto Public Library Board:

1. *adopts the confidential recommendations in Attachment 1; and*
2. *holds the naming in confidence until negotiations are complete, appropriate approvals have been finalized, and the public announcement has been made, subsequent to the Board's approval of the naming; and*
3. *releases the general terms of the naming subsequent to the public announcement.*

14-093 Adjournment

Moved by Councillor Doucette, seconded by R. Parry:

That the Toronto Public Library Board:

1. *adjourns the April 28, 2014 Toronto Public Library Board meeting.*

Carried

The meeting ended at 9:00 p.m.

Signed: _____