

Toronto Public Library Board

Meeting No. 5: Monday, May 26, 2014, from 6:05 p.m. to 9:35 p.m.

Toronto Reference Library, Board Room, 789 Yonge Street, Toronto

Members Present:

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

Regrets:

Councillor Janet Davis
Ms. Andrea Tagalakakis

14-094 Call to Order

Michael Foderick called the meeting to order at 6:05 p.m.

14-095 Declarations of Conflict of Interest

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

14-096 Approval of Agenda

Moved by B. Wulffhart, seconded by Councillor Doucette:

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

1. *move Agenda Item Nos. 10 and 16 – 2013 Audited Financial Statements and the Audit Year-End Report to earlier on the agenda to accommodate guests in attendance at the meeting;*

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Approval of Agenda – continued

2. *add an item under Agenda Item No. 8 – Presentations from Miroslav Glavic regarding Agenda Item Nos. 1 – Call to Order, 11 – Lobbying Disclosure for Board Members Policy – Proposed Revisions, 12 – Naming Policy – Proposed Revisions, 13 – Sponsorship Policy and 14 – Results of the RFI Process for Advertising on the Library’s Wi-Fi Networks; and*
3. *add a Motion without Notice regarding the Scarborough Civic Centre Civic Green Project.*

*Carried***14-097 Confirmation of April 28, 2014 Toronto Public Library Board Meeting Minutes***Moved by C. MacKay, seconded by B. Wulffhart:**That the Toronto Public Library Board:*

1. *confirms the minutes of the April 28, 2014 Toronto Public Library Board Meeting as revised to add the word “excluding” before the abbreviation “HST” on:*
 - a. *Item No. 2 on Page 7, and*
 - b. *Item No. 1 under “See the following motion to amend” on Page 8, regarding the Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts.*

Carried

The corrected motion reads as follows:

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 [excluding HST];*

14-098 Confirmation of April 28, 2014 Toronto Public Library Board Closed Meeting Minutes*Moved by K. Stewart, seconded by B. Wulffhart:**That the Toronto Public Library Board:*

1. *confirms the Minutes of the April 28, 2014 Toronto Public Library Board Closed meeting.*

Carried

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14-099 Business Arising from the Minutes

There were no *Business Arising from the Minutes* items at the May 26, 2014 meeting.

Chair's Report**14-100 Design-a-Bookmark Contest**

Anne Bailey, Director, Branch Libraries provided background information regarding the Design-a-Bookmark Contest, including that over 5,000 entries were received from children all across the city for the contest in 2014. The awards were presented at an event at the North York Central Library on May 7, 2014.

Ross Parry, in attendance at the May 7th event on behalf of the Board, expressed appreciation to staff for their efforts in providing excellent programming at an event that results in connecting children to the library.

Michael Foderick introduced two of the recent Design-a-Bookmark Contest award winners; Ethan Sue, a Grand Award winner and Sakeina Syed, an Elizabeth Cleaver Design Award winner. Both were presented with books from the Library Board in recognition of their achievement.

14-101 Keep Toronto Reading Festival – One Book

A video of the “Travelling Cellist” promotion in connection with the 2014 One Book selection – The Cellist of Sarajevo was shown at the meeting. The video, which is available on the Library’s YouTube channel, received over 1,700 views in less than one month.

14-102 In addition, Michael Foderick noted the opening of the Library’s 99th branch – Fort York Branch – on May 29, 2014.

Moved by K. Stewart, seconded by K. McGuire:

That the Toronto Public Library Board:

1. receives the Chair’s Report for information.

Carried

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Item for Information:**14-103 Audited Year-End Report – December 31, 2013 – Toronto Public Library Board**

Michael Foderick introduced Terri McKinnon, Partner, PricewaterhouseCoopers in attendance at the meeting.

Moved by Councillor Doucette, seconded by B. Wulffhart:

That the Toronto Public Library Board:

1. *receives the Audited Year-End Report – December 31, 2014 – Toronto Public Library Board for information.*

Carried

Item for Approval:**14-104 2013 Audited Financial Statements – Toronto Public Library Board**

Terri McKinnon and Larry Hughsam, Director, Finance and Treasurer, responded to questions from the Board regarding the *2013 Audited Financial Statements – Toronto Public Library Board*. Ms. McKinnon advised the Board that the 2013 audit went well with no major issues of concern.

In response to a question from Ms. McKinnon, Michael Foderick advised that the Board is not aware of any issues of fraud at the Library.

Moved by Councillor Palacio, seconded by Councillor Ainslie:

That the Toronto Public Library Board:

1. *approves the 2013 Audited Financial Statements of the Toronto Public Library Board, appended as Attachment 1.*

Carried

14-105 Communications

Moved by C. MacKay, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. *receives Communication (a) from John Pecman, Commissioner of Competition, Competition Bureau Canada, to Michael Foderick, Chair, Toronto Public Library Board dated May 2, 2014 regarding Provision of e-books to the Toronto Public Library, for information;*
2. *receives Communication (b) from Joe Clark to Michael Foderick, Chair, Toronto Public Library Board dated May 6, 2014 regarding Ongoing defacement of materials by TPL Processing staff, for information; and*

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Communications – continued

3. *receives Communication (c) from Joe Clark to Michael Foderick, Chair, Toronto Public Library Board dated May 9, 2014 regarding Collections “policy” on TV shows on DVD, for information.*

Carried

Benjamin Wulffhart expressed his concern regarding the negative tone, particularly regarding staff, in Joe Clark’s communications to the Board.

Presentations

- 14-106** As Miroslav Glavic was not in attendance to make his presentation as he requested, there were no *Presentations* at the May 26, 2014 meeting.

Items for Approval:**14-107 Lobbying Disclosure for Board Members Policy – Proposed Revisions**

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

Moved by M. Foderick, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. *approves the revisions to the Lobbying Disclosure for Board Members Policy (including Appendix A: Lobbying Discussion Memorandum and Appendix B: Lobbying Disclosure Form).*

Carried

Michael Foderick returned to chairing the meeting.

14-108 Naming Policy – Proposed Revisions

Moved by Councillor Doucette, seconded by R. Parry:

That the Toronto Public Library Board:

1. *adopts amendments to the Naming Policy as outlined in Attachment 1.*

Carried

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14-109 Sponsorship Policy – Proposed Revisions**Library Board Decision**

The Toronto Public Library Board on May 26, 2014 adopted the following:

Moved by B. Wulffhart, seconded by R. Parry:

That the Toronto Public Library Board:

1. *adopts amendments to the Sponsorship Policy as outlined in Attachment 1; and*
2. *approves the addition of the words “written legal” before the word “contract” in the last sentence under the heading “Written Agreements” on Page 5 of the policy.*

Carried as amended

The revised sentence in the policy reads as follows:

“All sponsorships valued over \$100,000 require a written legal contract.”

Motions

See the following:

Moved by B. Wulffhart, seconded by R. Parry:

That the Toronto Public Library Board:

1. *adopts amendments to the Sponsorship Policy as outlined in Attachment 1.*
- Amended***

See the following motion to amend:

Moved in amendment by L. Colley, seconded by Councillor Ainslie:

That the Motion moved by B. Wulffhart and seconded by R. Parry be amended to add the following recommendation:

1. *approves the addition of the words “written legal” before the word “contract” in the last sentence under the heading “Written Agreements” on Page 5 of the policy.*

Carried

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14-110 Results of the Request for Information Process for Advertising on the Library's Wi-Fi Networks**Library Board Decision**

The Toronto Public Library Board on May 26, 2014 adopted the following:

Moved by B. Wulffhart, seconded by Councillor Robinson:

That the Toronto Public Library Board:

1. *receives Recommendation No. 1 in the staff report for information only; and*
2. *requests the Toronto Public Library Foundation to assess the viability of sponsorship and report back to the Toronto Public Library Board in the Foundation's annual report.*

Carried as amended

Motions

See the following recommendation in the staff report:

That the Toronto Public Library Board:

1. *not implement an advertising program on the Library's Wi-Fi network; and;*
2. *request that the Toronto Public Library Foundation pursue sponsorship opportunities for this channel.*

Amended

See the following motion to amend:

Moved in amendment by B. Wulffhart, seconded by Councillor Robinson:

That the recommendations in the staff report be replaced with the following recommendations:

1. *receives Recommendation No. 1 in the staff report for information only;*
2. *requests the Toronto Public Library Foundation to assess the viability of sponsorship and report back to the Toronto Public Library Board in the Foundation's annual report.*

Carried

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14-111 RFP for RFID Tags – Award of Contract*Moved by Councillor Ainslie, seconded by Councillor Palacio:**That the Toronto Public Library Board:*

1. *awards the contract to SirsiDynix/Biblioteka for the purchase of RFID print tags for a three-year period, at a cost of approximately \$214,200 per year for a total cost of \$642,600 over three years (excluding Harmonized Sales Tax);*
2. *awards the contract to RFID Canada for the purchase of RFID audio-visual tags for a three-year period, at a cost of approximately \$125,400 per year for a total cost of \$376,200 over three years (excluding Harmonized Sales Tax);*
3. *authorizes Library staff to purchase additional RFID tags, if needed and subject to budget availability, and under the same pricing as in the original award; and*
4. *authorizes and directs the appropriate Library staff to take the necessary action to give effect thereto.*

Carried**14-112 Motion without Notice – Scarborough Civic Centre Civic Green Project**

Councillor Palacio advised of a Motion without Notice regarding the Scarborough Civic Centre Civic Green Project.

In a two thirds vote of all members (nine Board members) the Motion without Notice regarding the Scarborough Civic Centre Civic Green Project was introduced as it related to an Urgent Matter.

Library Board Decision

The Toronto Public Library Board on May 26, 2014 adopted the following:

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

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 additional funds, for an increase to the award for construction to Aquicon Construction Co. Ltd. by an amount of up to \$1,000,000, for a total award of up to \$9,427,309.29 [excluding HST].*

Carried

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Motion without Notice – Scarborough Civic Centre Civic Green Project –continued

Recorded Vote Requested:

Yes – 9

Lindsay Colley, Michael Foderick, Cameron MacKay,
Kevin McGuire, Councillor Palacio, Ross Parry,
Councillor Jaye Robinson, Kenneth Stewart and Benjamin
Wulffhart.

No – 2

Councillor Ainslie and Councillor Doucette.

Motions

See the following:

Moved by Councillor Palacio, seconded by Councillor Robinson:

That the Toronto Public Library Board:

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 additional funds, for an increase to the award for construction to Aquicon Construction Co. Ltd. by an amount of up to \$1,000,000, for a total award of up to \$9,427,309.29 [excluding HST].*

Carried

See the following motion to amend:

Moved in amendment by Councillor Ainslie, seconded by Councillor Doucette:

That the Toronto Public Library Board:

1. *defers the approval of further additional commitment increases for the Scarborough Civic Centre Civic Green project until the June meeting of the Board.*

Defeated

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Items for Information:**14-113 Accounts Written-off in 2013****Library Board Decision**

The Toronto Public Library Board on May 26, 2014 adopted the following:

Moved by C. MacKay, seconded by B. Wulffhart:

That the Toronto Public Library Board:

1. receives the Accounts Written-off in 2013 report for information; and
2. requests staff to prepare a detailed report on the \$375,521 waived by staff.

Carried as amended

Motions

See the following:

Moved by C. MacKay, seconded by B. Wulffhart:

That the Toronto Public Library Board:

1. receives the Accounts Written-off in 2013 report for information.

Amended

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

See the following motion to amend:

Moved in amendment by M. Foderick, seconded by L. Colley:

That the Motion moved by C. MacKay and seconded by B. Wulffhart be amended to add the following recommendation:

1. requests staff to prepare a detailed report on the \$375,521 waived by staff.

Carried

Michael Foderick returned to chairing the meeting.

14-114 2013 Grants

Moved by Councillor Ainslie, seconded by L. Colley:

That the Toronto Public Library Board:

1. receives the 2013 Grants report for information.

Carried

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14-115 Comparison of Small Business Services offered by Toronto Economic Development & Culture and Toronto Public Library

Moved by Councillor Robinson, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. requests staff to ensure the collections and resources of the Library are marketed to Enterprise Toronto users and explore more opportunities to collaborate, including co-location, joint marketing strategies and sharing of resources.

Carried

14-116 Board Resolutions – Status Report

Moved by L. Colley, seconded by Councillor Palacio:

That the Toronto Public Library Board:

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

Carried

14-117 Closed Meeting

At 9:20 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 (City Librarian Selection Committee: Appointment of Acting City Librarian) is personal matters about an identifiable individual.

Carried

At 9:30 p.m. the Board resumed its meeting in public.

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Adoption of Closed Meeting Action:

14-118 City Librarian Selection Committee: Appointment of an Acting City Librarian

Moved by R. Parry, seconded by Councillor Robinson:

That the Toronto Public Library Board:

1. *approves the recommendations for the Acting City Librarian in Confidential Attachment 1; and*
2. *releases the name of the Acting City Librarian after approval by the Toronto Public Library Board at its May 26, 2014 meeting.*

Carried

14-119 Adjournment

Moved by K. Stewart, seconded by C. MacKay:

That the Toronto Public Library Board:

1. *adjourns the May 26, 2014 Toronto Public Library Board meeting.*

Carried

The meeting ended at 9:35 p.m.

Signed: _____