



MINUTES

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Toronto Public Library Board

Meeting No. 3: Monday, March 24, 2014, from 6:05 p.m. to 8:40 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
Ms. Andrea Tagalakakis

Regrets:

Councillor Janet Davis
Mr. Benjamin Wulffhart

14-042 Call to Order

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

Mr. Foderick and Jane Pyper, City Librarian expressed appreciation to Katherine Palmer, Director, Planning, Policy and E-Service Delivery for her service to the Toronto Public Library Board. Ms. Palmer, who is retiring in early April, was presented with a book from the Board.

Michael Foderick advised that Paul Trumphour, Manager, Access and Information at the Toronto Reference Library will be the Acting Director, Policy, Planning & E-Services effective March 31, 2014.

As well, Jane Pyper presented Michael Foderick with a selection of children's books to commemorate the recent birth of his daughter.

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14-043 Declarations of Conflict of Interest

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

14-044 Approval of Agenda

Moved by R. Parry, seconded by Councillor Ainslie:

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

1. *add Communications (h) and (i);*
2. *add a Presentation under Agenda Item No. 8 from Miroslav Glavic regarding Agenda Item Nos. 13 – Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts, 18 – Notice of Motion: Lobbying Disclosure Policy, and 24 – Board Resolutions – Status Report; and*
3. *add a Presentation under Agenda Item No. 8 from Anthony Nolan regarding Agenda Item No. 21 – Toronto Public Library Advertising – Response to Concerns.*

Carried

14-045 Confirmation of February 10, 2014 Toronto Public Library Board Meeting Minutes

Moved by Councillor Ainslie, seconded by K. McGuire:

That the Toronto Public Library Board:

1. *confirms the Minutes of the February 10, 2014 Toronto Public Library Board meeting.*

Carried

14-046 Confirmation of February 10, 2014 Toronto Public Library Board Closed Meeting Minutes

Moved by C. MacKay, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. *confirms the Minutes of the February 10, 2014 Toronto Public Library Board Closed meeting.*

Carried

Toronto Public Library Board**Meeting No. 3: Monday, March 24, 2014, from 6:05 p.m. to 8:40 p.m.****Toronto Reference Library, Board Room, 789 Yonge Street, Toronto**

14-047 Business Arising from the Minutes

There were no *Business Arising from the Minutes* items at the March 24, 2014 meeting.

14-048 Chair's Report

Michael Foderick noted the following highlights from the Chair's Report:

- a. the damage to the Fairview Branch after flooding was not as extensive as originally expected; the branch will open later in April; and
- b. the presentation of the Excellence in Community Service Award from the Intercultural Dialogue Institute to the Toronto Public Library.

In addition, Michael Foderick:

- a. introduced Theresa Nguyen and Alex Wu, the Board's recently selected Youth Advisors; Ms. Nguyen and Mr. Wu will work with Andrea Tagalakakis, the Board's Liaison to the Youth Advisors; and
- b. advised of the continuing work of the First Parliament Site Working Group and the plans for relocating the St. Lawrence Branch to this site.

Moved by Councillor Robinson, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. receives the Chair's Report for information.

Carried

14-049 Communications

Moved by Councillor Robinson, seconded by K. McGuire:

That the Toronto Public Library Board:

1. receives Communication (a) from Heather Rumball, President, Toronto Public Library Foundation dated March 13, 2014 to the Toronto Public Library Board providing additional information regarding a letter to Councillor Paul Ainslie dated January 24, 2014 regarding Adopt-A-Branch (this communication provided to the Board at Councillor Ainslie's request), for information;
2. receives Communication (b) from Margie Singleton, Chief Executive Officer, Vaughan Public Libraries to Michael Foderick, Chair, Toronto Public Library Board and Jane Pyper, City Librarian dated February 18, 2014 regarding So Much More: The Economic Impact of the Toronto Public Library System on the City of Toronto, for information;

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Communications – continued

3. *receives Communication (c) 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;*
4. *receives Communication (d) from Maureen O'Reilly, President, Toronto Public Library Workers Union, Local 4948, to Michael Foderick, Chair, Toronto Public Library Board dated March 6, 2014 regarding Our Public Library campaign, for information;*
5. *receives Communication (e) from Maureen O'Reilly, President, Toronto Public Library Workers Union, Local 4948 to Michael Foderick, Chair, Toronto Public Library Board dated March 6, 2014 inviting members of the Toronto Public Library Board to a workshop on April 30th at 2:00 p.m. in the Beeton Auditorium at the Toronto Reference Library sponsored by the Toronto Public Library and the Toronto Public Library Workers Union, as part of a week-long public campaign to increase awareness of workplace violence, for information;*
6. *receives Communication (f) from Maureen O'Reilly, President, Toronto Public Library Workers Union, Local 4948, to Michael Foderick, Chair, Toronto Public Library Board dated March 6, 2014 regarding Implementation of the Standardized Hours of Service, for information;*
7. *receives Communication (g) from Councillor Michael Thompson, Ward 37 – Scarborough Centre, to Michael Foderick, Chair, Toronto Public Library Board dated March 17, 2014 regarding Maryvale Branch Lease – Amendment and Extension (see Resolution No. 14-056), for information;*
8. *receives Communication (h) from The Honourable Kathleen Wynne, Premier of Ontario, to Michael Foderick, Chair, Toronto Public Library Board and Jane Pyper, City Librarian dated March 13, 2014 regarding So Much More: The Economic Impact of the Toronto Public Library System on the City of Toronto, for information; and*
9. *receives Communication (i) from Anthony Nolan, to Michael Foderick, Chair, Toronto Public Library Board dated March 22, 2014 regarding Toronto Public Library Advertising – Response to Concerns (see Resolution No. 14-051), for information.*

Carried

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Presentations

- 14-050 a. Miroslav Glavic regarding Agenda Item Nos. 13 – *Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts*, 18 – *Notice of Motion: Lobbying Disclosure Policy*, and 24 – *Board Resolutions – Status Report***

Mr. Glavic outlined his concerns regarding:

- a. the increase of awards for architect and construction contracts at the Scarborough Civic Centre Branch;
- b. the provision of sufficient information on the Library's Lobbying Disclosure Form; and
- c. the delivery of live broadcasts of Library Board meetings on the Library's website.

- 14-051 b. Anthony Nolan regarding Agenda Item No. 21 – *Toronto Public Library Advertising – Response to Concerns***

Mr. Nolan outlined his concerns regarding Toronto Public Library's use of the term "free" in reference to library services. He requested the Board no longer use this term when promoting library services.

Moved by K. Stewart, seconded by Councillor Doucette:

That the Toronto Public Library Board:

1. *receives the presentation from Miroslav Glavic regarding Agenda Item Nos. 13 – Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts, 18 – Notice of Motion: Lobbying Disclosure Policy, and 24 – Board Resolutions – Status Report, for information; and*
2. *receives the presentation by Anthony Nolan regarding Agenda Item No. 21 – Toronto Public Library Advertising – Response to Concerns for information.*

Carried

Toronto Public Library Board**Meeting No. 3: Monday, March 24, 2014, from 6:05 p.m. to 8:40 p.m.****Toronto Reference Library, Board Room, 789 Yonge Street, Toronto**

*Items for Approval:***14-052 Strategic Plan – 2012 - 2015: 2014 Work Plan***Moved by Councillor Ainslie, seconded by R. Parry:**That the Toronto Public Library Board:*

1. *That the Toronto Public Library Board approves the following additions and changes to the Strategic Plan Work Plan 2014:*
 - a. *Change Goal 1: Objective 3 by inserting the following underlined wording so that it states: “Expand access to co-created content, including crowd-sourced content, about Toronto and its diverse communities and undertake an assessment of the current platform and infrastructure used to support it”;*
 - b. *Change the tactic in Goal 7: Objective 22 on responsive website design by inserting the following underlined wording so that it states: “Develop a responsive website design to address the needs of mobile users beginning with the Your Account circulation features, including borrower history, and develop the design based on usability and user testing and incorporating accessibility requirements and testing”;*
 - c. *Change Goal 8: Objective 23 to add the following tactic: “Continue to meet the City’s Green Standard for the built environment for all renovations and building projects and review environmental practices at an operational and facility level”;*
 - d. *Change Goal 8: Objective 24 to add the following tactic: “Host a major event to engage Torontonians in developing digital public spaces and to inspire demonstration projects”;*
 - e. *Change Goal 13: Objective 32 to add the following tactic: “Consult with staff to ensure training opportunities are tailored to respond to staff feedback and result in enhanced staff knowledge and skills”;*
 - f. *Change Goal 13: Objective 33 to add the following tactic: “Develop opportunities for staff to provide innovation and service development ideas”;*
 - g. *Change Goal 15: Objective 38 to add the following tactic: “Develop an Open Data policy that includes how data will be used and shared and participate in Toronto’s Open Data community”.*

Carried unanimously

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Strategic Plan – 2012 - 2015: 2014 Work Plan – continued

Recorded Vote Requested:

Yes – 11

Councillor Ainslie, Lindsay Colley, Councillor Doucette,
Michael Foderick, Cameron MacKay, Kevin McGuire,
Councillor Palacio, Ross Parry, Councillor Jaye Robinson,
Kenneth Stewart and Andrea Tagalakakis

No – 0

14-053 Reinvestment Study Request from City Council

See the following recommendation in the staff report:

That the Toronto Public Library Board:

1. *approves the proposed plan to respond to the City Council's study request by employing the Strategic Plan – 2012 - 2015 and the 2014 - 2023 Capital Plan as a framework for the study and defining the parameters to include:*
 - a. *updating of the Open Hours Vision and Plan;*
 - b. *advancing the service development for specific age groups, including middle childhood, youth and seniors;*
 - c. *advancing the Library's shift to digital and technology-based collections and services;*
 - d. *assessing state of good repair needs, including upgrades needed for compliance with the Accessibility for Ontarians with Disabilities Act specifications for the built environment; and*
 - e. *estimating costs for the operating and capital budgets to be included in the updated plan.*

As there was no Mover for the recommendation, the Board took no action on this item.

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14-054 2013 Year-End Capital Budget Adjustments*Moved by R. Parry, seconded by Councillor Ainslie:**That the Toronto Public Library Board:*

1. *approves year-end capital budget adjustments, which have no net impact on gross, debt or development charges funding for the 2013 and 2014 capital budgets, as follows:*
 - A. *Cash Flow Reallocations:*
 - 1.1 *advance \$628,180 development charges funded cash flow from 2014 to 2013, consisting of \$621,900 for the Fort York Library project and \$6,280 for the Scarborough Civic Centre Library project;*
 - 1.2 *defer \$628,180 development charges funded unspent cash flow from 2013 to 2014, consisting of \$136,307 for the Albion Library project, \$182,379 for the Bridlewood Library project, \$210,798 for the Brentwood Library project, and \$98,696 for the Multi-branch renovation project; and*
 - 1.3 *advance \$764,709 debt funded cash flow from 2014 to 2013 for the Multi-branch renovation project, offset by a \$764,709 unspent cash flow deferral from 2013 to 2014 for the Toronto Reference Library project; and*
 - B. *Budget Transfers:*
 - 2.1 *increase the 2013 Fairview Library project gross and debt funding by \$147,261, increasing the total project cost from \$4,641,000 to \$4,788,261, required to complete this project; and*
 - 2.2 *decrease the 2013 Mount Dennis Library project gross and debt funding by \$147,261, decreasing the total project cost from \$4,073,000 to \$3,925,739, reflecting project cost savings; and*
2. *authorizes staff to forward this report to the City for consideration.*

Carried

Toronto Public Library Board**Meeting No. 3: Monday, March 24, 2014, from 6:05 p.m. to 8:40 p.m.****Toronto Reference Library, Board Room, 789 Yonge Street, Toronto**

14-055 Scarborough Civic Centre Branch – Approval to Increase Awards for Architect and Construction Contracts*Moved by Councillor Doucette, seconded by A. Tagalakis:**That the Toronto Public Library Board:*

1. *approves commitment increases totalling \$635,826.14 for the Scarborough Civic Centre Library project, funded from the City Planning division capital budget, 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 \$41,040.23, for a total award of up to \$541,540.23 [excluding the Harmonized Sales Tax (HST)]; and*
 - b. *an increase to the award for construction to Aquicon Construction Co. Ltd. by an amount of \$594,785.91, for a total award of up to \$7,980,785.91 [excluding HST]; and*
2. *authorizes and directs staff to take the necessary action to give effect thereto.*

*Carried***14-056 Maryvale Branch Lease – Amendment for Additional Space and Extension**

Larry Hughsam, Director, Finance and Treasurer noted the following correction to Recommendation 2(b) on Page 1 of the staff report:

- the date of the term of the lease is to August 31, 2020.

Library Board Decision

The Toronto Public Library Board on March 24, 2014 adopted the following:

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

1. *approves an amendment to the current lease agreement between FCHT Holdings (Ontario) Corporation, as Landlord, and Toronto Public Library Board, as Tenant, to increase the size of the library space by approximately 577 square feet (the "Additional Space") effective May 1, 2014 until August 31, 2017 with base rent the same as the current lease:*
 - a. *\$19.00 per square foot, excluding Harmonized Sales Tax (HST), from May 1, 2014 to August 31, 2014;*
 - b. *\$20.00 per square foot, excluding HST, from the remaining three years, September 1, 2014 to August 31, 2017;*

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Maryvale Branch Lease – Amendment for Additional Space and Extension –
continued

2. *approves an extension of the term for the amended lease for the larger space with FCHT Holdings (Ontario) Corporation for an additional three years, September 1, 2017 to August 31, 2020, at an annual base rent of:*
 - a. *\$20.00 per square foot, excluding HST, for the first year, September 1, 2017 to August 31, 2018;*
 - b. *\$21.00 per square foot, excluding HST, from the remaining two years, September 1, 2018 to August 31, 2020;*
3. *requests City Council to increase the 2014 Multi-Branch capital project by \$60,000 gross for renovations to the new space, to be funded by a landlord contribution of \$20,000 and a draw from the Development Charges reserve of \$40,000;*
4. *requests City Council to approve a Municipal Capital Facility Agreement for the 577 square feet of Additional Space;*
5. *authorizes and directs staff to take appropriate action to give effect thereto; and*
6. *provides formal thanks to Councillor Michael Thompson for his excellent advocacy and work expanding the Maryvale Branch.*

Carried as amended unanimously**Recorded Vote Requested:**

Yes – 11

Councillor Ainslie, Lindsay Colley, Councillor Doucette,
Michael Foderick, Cameron MacKay, Kevin McGuire,
Councillor Palacio, Ross Parry, Councillor Jaye Robinson,
Kenneth Stewart and Andrea Tagalakis

No – 0

Motions

See the following recommendation in the staff report:

That the Toronto Public Library Board:

1. *approves an amendment to the current lease agreement between FCHT Holdings (Ontario) Corporation, as Landlord, and Toronto Public Library Board, as Tenant, to increase the size of the library space by approximately 577 square feet (the "Additional Space") effective May 1, 2014 until August 31, 2017 with base rent the same as the current lease:*

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Maryvale Branch Lease – Amendment for Additional Space and Extension –
continued

- a. \$19.00 per square foot, excluding Harmonized Sales Tax (HST), from May 1, 2014 to August 31, 2014;
 - b. \$20.00 per square foot, excluding HST, from the remaining three years, September 1, 2014 to August 31, 2017;
2. approves an extension of the term for the amended lease for the larger space with FCHT Holdings (Ontario) Corporation for an additional three years, September 1, 2017 to August 31, 2020, at an annual base rent of:
 - a. \$20.00 per square foot, excluding HST, for the first year, September 1, 2017 to August 31, 2018;
 - b. \$21.00 per square foot, excluding HST, from the remaining two years, September 1, 2018 to August 31, 2020;
3. requests City Council to increase the 2014 Multi-Branch capital project by \$60,000 gross for renovations to the new space, to be funded by a landlord contribution of \$20,000 and a draw from the Development Charges reserve of \$40,000;
4. requests City Council to approve a Municipal Capital Facility Agreement for the 577 square feet of Additional Space; and
5. authorizes and directs staff to take appropriate action to give effect thereto.

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 Councillor Palacio:

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

1. provides formal thanks to Councillor Michael Thompson for his excellent advocacy and work expanding the Maryvale Branch.

Carried

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14-057 Pauline Hinch Endowment Fund – Funding to Support Library Staff Development

Michael Foderick welcomed Gordon Hinch, husband of the late Pauline Hinch, in attendance at the meeting for this item.

Moved by Councillor Robinson, seconded by Councillor Doucette:

That the Toronto Public Library Board:

1. *approves a contribution of \$5,000 in 2014 and \$5,000 in 2015 for a total of \$10,000 over two years from the Toronto Public Library to the Pauline Hinch Endowment Fund held by the Toronto Public Library Foundation.*

Carried unanimously

Recorded Vote Requested:

Yes – 11

Councillor Ainslie, Lindsay Colley, Councillor Doucette, Michael Foderick, Cameron MacKay, Kevin McGuire, Councillor Palacio, Ross Parry, Councillor Jaye Robinson, Kenneth Stewart and Andrea Tagalakakis

No – 0

E-Book Working Group:**14-058 a. Approved Minutes of the E-Book Working Group Meeting of June 6, 2013**

Moved by K. Stewart, seconded by L. Colley:

That the Toronto Public Library Board:

1. *receives the Approved Minutes of the E-Book Working Group meeting of June 6, 2013 for information.*

Carried

14-159 b. Approved Minutes of the E-Book Working Group Closed Meeting of June 6, 2013

Moved by Councillor Ainslie, seconded by L. Colley:

That the Toronto Public Library Board:

1. *receives the Approved Minutes of the E-Book Working Group Closed meeting of June 6, 2013 for information.*

Carried

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E-Book Working Group – continued**14-160 c. Update on Public Library Access to E-Books and E-Magazines***Moved by Councillor Ainslie, seconded by R. Parry:**That the Toronto Public Library Board:*

1. *requests a meeting with the Minister of Culture, Tourism and Sport and the Minister of Canadian Heritage and Official Languages to discuss the issue of public library access to e-content;*
2. *requests that the Canadian Library Association provide their support in improving public library access to e-content; and*
3. *requests staff to bring the issues faced by libraries in securing access to e-content to the attention of the Competition Bureau staff, and report back on the response.*

Carried**14-161 Recruitment of a City Librarian***Moved by R. Parry, seconded by C. MacKay:**That the Toronto Public Library Board:*

1. *establishes a Selection Committee to recruit, select and recommend a candidate to the Board for the position of City Librarian;*
2. *establishes a Selection Committee to be comprised of seven (7) members, including:*
 - a. *Five (5) Board members, including:*
 - i. *Library Chair and Library Board Vice-Chair; ex officio members;*
 - ii. *three (3) other Library Board members, including at least one (1) Councillor and one (1) citizen member;*
 - iii. *one external member from the library community; and*
 - iv. *the Director, Human Resources (to provide technical assistance, and the only non-voting member of the Committee);*
3. *authorizes the Chair at the March 24, 2014 meeting, to take the names of volunteers and nominations for the citizen and councillor members of the Selection Committee, and if necessary conduct a vote to determine the members of the Committee;*
4. *approves the Terms of Reference (Attachment 1) for the Selection Committee;*
5. *authorizes staff to hire an external search firm to assist with the recruitment and selection process and to make expenditures appropriate with the recruitment and selection of a new City Librarian, in accordance with all applicable Board policies;*

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Recruitment of a City Librarian – continued

6. *approves the Selection Committee recommendation for the appointment of an Acting City Librarian for the period between the leaving of the City Librarian and the first day of work of the new City Librarian; and*
7. *approves the appointment of Larry Alford, Chief Librarian, University of Toronto as the external member of the Selection Committee, and releases the confidential information after it has been approved (see Confidential Attachment 2).*

Carried

As there were more Board members who expressed interest than positions available for the Selection Committee for a City Librarian (see Recommendation 2.a.ii), a vote by ballot was conducted. The following three Board members were appointed to the Committee: Councillor Paul Ainslie, Kevin McGuire and Ross Parry.

14-062 Notice of Motion – Lobbying Disclosure Policy***Moved by M. Foderick, seconded by Councillor Robinson:******That the Toronto Public Library Board:***

1. *requests the City Librarian to bring forward revisions to the Lobbying Disclosure Policy for Board Members that include:*
 - a) *the inclusion of unions, including Local 4948;*
 - b) *the explicit application of the policy to include lobbying of Board Members for the purposes of influencing employee-labour negotiations such as collective bargaining (the policy already explicitly only applies to Board Members, and does not apply to any Library staff whose job it is to negotiate);*
 - c) *the expansion of the Policy beyond merely procurement matters to include altering, interpreting, applying or otherwise dealing with existing contracts and agreements, or any Board resolution or policy;*
 - d) *the inclusion of sensible exemptions, similar to those found in the City of Toronto, Province of Ontario and Canadian Federal lobbyist registries, for deputations made at Board and Committee meetings and for communications with City or Agency, Board and Commission employees, if the employees are acting in their official capacity.*

Carried unanimously

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Notice of Motion – Lobbying Disclosure Policy – continued

Recorded Vote Requested:

Yes – 11

Councillor Ainslie, Lindsay Colley, Councillor Doucette,
M. Foderick, Cameron MacKay, Kevin McGuire,
Councillor Palacio, Ross Parry, Councillor Jaye Robinson,
K. Stewart and Andrea Tagalakakis

No – 0

Items for Information:**14-063 Annual Statistical Report to the Office of the Information and Privacy
Commissioner of Ontario***Moved by R. Parry, seconded by A. Tagalakis:**That the Toronto Public Library Board:*

1. receives the Annual Statistical Report to the Office of the Information and Privacy Commissioner of Ontario report for information.

*Carried***14-064 Toronto Public Library Foundation – Donor Recognition Policy***Moved by K. Stewart, seconded by K. McGuire:**That the Toronto Public Library Board:*

1. receives the Toronto Public Library Foundation – Donor Recognition Policy report for information.

*Carried***14-065 Toronto Public Library Advertising – Response to Concerns***Moved by K. Stewart, seconded by R. Parry:**That the Toronto Public Library Board:*

1. receives the Toronto Public Library Advertising – Response to Concerns report for information.

Carried

Toronto Public Library Board

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14-066 Operating Budget Monitoring Report – December 31, 2013

Moved by R. Parry, seconded by A. Tagalakis:

That the Toronto Public Library Board:

1. receives the Operating Budget Monitoring Report – December 31, 2013 report for information.

Carried

14-067 Capital Budget Monitoring Report – December 31, 2013

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

That the Toronto Public Library Board:

1. receives the Operating Budget Monitoring Report – December 31, 2013 report for information.

Carried

14-068 Board Resolutions – Status Report

Moved by Councillor Ainslie, seconded by L. Colley:

That the Toronto Public Library Board:

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

Carried

14-069 Adjournment

Moved by A. Tagalakis, seconded by L. Colley:

That the Toronto Public Library Board:

1. adjourns the March 24, 2014 Toronto Public Library Board meeting.

Carried

The meeting ended at 8:40 p.m.

Signed: _____