

Toronto Public Library Board

Meeting No. 1: Monday, January 21, 2013, from 6:05 p.m. to 9:55 p.m.

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

Members Present:

Councillor Paul Ainslie (Chair)

Mr. Michael Foderick (Vice Chair)

Ms. Lindsay Colley

Councillor Janet Davis

Councillor Sarah Doucette

Mr. Cameron MacKay

Councillor Cesar Palacio

Mr. Ross Parry

Councillor Jaye Robinson

Mr. Kenneth Stewart

Mr. Benjamin Wulffhart

Ms. Andrea Zammit

13-001 Call to Order

Jane Pyper, City Librarian, called the meeting to order at 6:05 p.m.

13-002 Election of Chair of the Board

Jane Pyper called for nominations for the Chair of the Toronto Public Library Board.

Moved by M. Foderick, seconded by Councillor Doucette:

That:

1. *Councillor Paul Ainslie be nominated for Chair.*

Carried.

Councillor Paul Ainslie agreed to stand for election.

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Election of Chair of the Board – continued

There being no further nominations, it was:

Moved by Councillor Doucette, seconded by A. Zammit:

That:

1. *nominations be closed.*

Carried.

Jane Pyper declared Councillor Paul Ainslie duly elected Chair of the Toronto Public Library Board by acclamation.

Councillor Ainslie assumed the Chair.

13-003 Election of Vice Chair of the Board

Councillor Ainslie called for nominations for the Vice Chair of the Toronto Public Library Board.

Moved by Councillor Palacio, seconded by B. Wulffhart:

That:

1. *Michael Foderick be nominated for Vice Chair.*

Carried.

Michael Foderick agreed to stand for election.

There being no further nominations, it was:

Moved by Councillor Doucette, seconded by Councillor Palacio:

That:

1. *nominations be closed.*

Carried.

Councillor Ainslie declared Mike Foderick duly elected Vice Chair of the Toronto Public Library Board by acclamation.

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13-004 Selection of Committee, Board Representatives and Association Members – 2013*Moved by K. Stewart, seconded by R. Parry:**That the Toronto Public Library Board:*

1. *approves the Terms of Reference for the following committees and working groups:*
 - a. *Employee and Labour Relations Committee (Attachment 1);*
 - b. *Budget Committee (Attachment 2);*
 - c. *E-Book Working Group (Attachment 3);*
2. *amends the membership section of the Terms of Reference of the Advertising Review Working Group (Attachment 4) to five (5) Board members;*
3. *requests the Chair and Vice Chair to consider the following expressions of interest by Board members in participating in the following committees for 2013:*
 - a. *Employee and Labour Relations Committee:
Councillor Paul Ainslie, ex officio; Councillor Janet Davis;
Councillor Sarah Doucette; Michael Foderick; Ross Parry and
Kenneth Stewart;*
 - b. *Budget Committee:
Councillor Paul Ainslie, ex officio; Michael Foderick, ex officio;
Councillor Janet Davis; Councillor Sarah Doucette; Cameron
MacKay; Benjamin Wulffhart;*
4. *appoints the following Library Board members to the following committee for 2013:*
 - a. *City Librarian's 2011 Performance Review Committee:
Councillor Paul Ainslie, ex officio; Michael Foderick, ex officio
and Councillor Sarah Doucette;*
5. *confirms the following recently established membership of the E-Book Working Group:*
 - *Lindsay Colley;*
 - *Michael Foderick;*
 - *Kenneth Stewart;*
 - *Benjamin Wulffhart;*
 - *Andrea Zammit;*
6. *appoints the following five Library Board members to the Advertising Review Working Group:*
Councillor Janet Davis, Michael Foderick, Kenneth Stewart, Benjamin Wulffhart; Andrea Zammit;

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Selection of Committee, Board Representatives and Association Members – 2013 –
continued

7. *appoints the following Library Board representative to the Toronto Public Library Foundation Board:
Ross Parry;*
8. *appoints the following two Library Board member representatives to the Board of the Federation on Ontario Public Libraries:
Councillor Paul Ainslie and Benjamin Wulffhart.*

Carried as amended.

See the following motion to amend:

*Moved in amendment by M. Foderick, seconded by B. Wulffhart:**That the motion moved by K. Stewart and seconded by R. Parry be amended as follows:*

1. *amends the membership section of the Terms of Reference of the Advertising Review Working Group (Attachment 4) to five (5) Board members.*

*Carried.***13-005 Declarations of Conflict of Interest**

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

13-006 Approval of Agenda*Moved by R. Parry, seconded by Councillor Doucette:**That the Toronto Public Library Board approves the agenda as revised to:*

1. *add a presentation under Agenda Item No. 10 from Miroslav Glavic regarding Agenda Item Nos. 14 – Paid Parking at Library Lots - Update and 15 – Proposed Changes to the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies; and*
2. *add Agenda Item No. 12a – 2013 Operating Budget Adoption – Update for information.*

Carried.

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13-007 Confirmation of December 17, 2012 Toronto Public Library Board Meeting Minutes*Moved by K. Stewart, seconded by Councillor Palacio:**That the Toronto Public Library Board:*

1. *confirms the Minutes of the December 17, 2012 Toronto Public Library Board meeting.*

*Carried.***13-008 Business Arising**

There were no Business Arising items at the January 21, 2013 meeting.

13-009 Chair's ReportCouncillor Ainslie noted the "*For Me, there is No Other Choice*" –Raoul Wallenberg 1912 – 2012 special exhibition in the Beeton Auditorium at the Toronto Reference Library.*Moved by Councillor Robinson, seconded by R. Parry:**That the Toronto Public Library Board:*

1. *receives the Chair's Report for information.*

*Carried.***Presentations****13-010 Miroslav Glavic regarding Agenda Item Nos. 14 – Paid Parking at Library Lots – Update and 15 – Proposed Changes to the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies**

Mr. Glavic outlined his concerns regarding paid parking at Library lots and the proposed changes to the Rules of Conduct and the Rules of Conduct – Exclusion, Reinstatement and Appeals policies.

*Moved by Councillor Doucette, seconded by K. Stewart:**That the Toronto Public Library Board:*

1. *receives the presentation from Miroslav Glavic regarding Agenda Item Nos. 14 – Paid Parking at Library Lots – Update and 15 – Proposed Changes to the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies for information.*

Carried.

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13-011 Communications

Moved by A. Zammit, seconded by B. Wulffhart, and carried:

That the Toronto Public Library Board:

1. *receives Communication (a) from The Honourable Michael Chan, Minister, Ministry of Tourism, Culture and Sport dated December 19, 2012 regarding the Public Library Operating and Pay Equity Grant 2012 – 2013 for information.*

Carried.

Item for Approval:

13-012 2013 Operating Budget Adoption

Moved by Councillor Doucette, seconded by R. Parry:

That the Toronto Public Library Board:

1. *adopts a 2013 operating budget of \$180.794 million gross and \$165.360 million net, subject to Council approval, comprised of the following services:*

Service	Gross (\$000s)	Net (\$000s)
Library Services	174,558.1	159,263.3
Library Administration	6,235.8	6,096.3
	<u>180,793.9</u>	<u>165,359.6</u>

Carried.

See the following motion to amend:

Moved by A. Zammit, seconded by M. Foderick:

That the motion moved by Councillor Doucette and seconded by R. Parry be amended as follows:

1. *requests City Council redirects the \$200,000 additional funds allocated for collections during the 2013 budget process to staffing with the addition of 3.2 FTEs to expand open hours in accordance with the Board's 2013 operating budget submission, with no net budget impact.*

Defeated.

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Item for Information:

13-013 2013 Operating Budget Adoption – Update

Moved by M. Foderick, seconded by Councillor Robinson:

That the Toronto Public Library Board:

1. *receives the 2013 Operating Budget Adoption – Update report for information.*

Items for Approval:

13-014 2014 – 2022 Capital Budget Plan and Adoption

Larry Hughsam, Director, Finance and Treasurer noted the following corrections on the chart on page 2 of the report:

- a. “800” under the “2018” column moves to the “2017” column in the “Budget” line;
- b. “21,110” under the “2017” column in the “Plan” line is changed to “20,310”;
- c. “21,370” under the “2018” column in the “Plan” line is changed to “22,170”.

The revised chart reads as follows:

Description (\$000's)	2013	2014 - 2022										Total 2013 -2022
		2014	2015	2016	2017	2018	2019	2020	2021	2022	Total 2014- 2022	
Budget: Projects appvd. 2013/earlier	30,794	24,102	13,575	3,055	800	-	-	-	-	-	41,532	72,326
Plan: Projects starting after 2013		563	4,913	16,810	20,310	22,170	25,311	23,561	31,231	19,982	164,851	164,851
Total gross cash flow	30,794	24,665	18,488	19,865	21,110	22,170	25,311	23,561	31,231	19,982	206,383	237,177
Budget: Projects appvd. 2013/earlier	10,968	13,230	10,019	3,055	-	-	-	-	-	-	26,304	37,272
Plan: Projects starting after 2013		-	4,431	12,183	16,065	16,933	16,933	16,933	16,933	16,000	116,411	116,411
Total debt funding	10,968	13,230	14,450	15,238	16,065	16,933	16,933	16,933	16,933	16,000	142,715	153,683
Operating costs/(savings)	(153)	904	1,093	58	76	996	817	120	150	56		

A revised version of the report will be provided to the Board and updated on the Library’s website.

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2014 – 2022 Capital Budget Plan and Adoption – continued*Moved by Councillor Doucette, seconded by Councillor Palacio:**That the Toronto Public Library Board:*

1. *adopts the 2013 - 2022 capital budget and plan of \$237.177 million gross (\$153.683 million debt), subject to Council approval as detailed in Attachment 1, and comprised of:*
 - a. *2013 capital budget of \$30.794 million gross (\$10.968 million debt) with future year commitments of \$39.632 million gross (\$26.304 million debt); and*
 - b. *2014 – 2022 capital plan totalling \$166.751 million gross (\$116.411 million debt).*

*Carried.***13-015 Paid Parking at Library Lots – Update***Moved by M. Foderick, seconded by B. Wulffhart:**That the Toronto Public Library Board:*

1. *not solicit an assessment from private parking providers of the feasibility of paid parking at Toronto Public Library lots;*
2. *directs staff to implement a pilot project for paid parking with Toronto Parking Authority at the Parkdale Branch, and that feedback on this change be solicited from the public and local councillors and be reported to the Board near the completion of the pilot project;*
3. *directs staff to implement a pilot project for paid parking with Toronto Parking Authority at the Fairview Branch, and that feedback on this change be solicited from the public and local councillors and be reported to the Board near the completion of the pilot project; and*
4. *requests Toronto Parking Authority to erect parking signs at conspicuous locations at no cost to the Library – at the southeast corner of Oakwood and Holland Park avenues – that will help to advertise the parking at the Oakwood Village Library and Arts Centre.*

Carried as amended.

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Paid Parking at Library Lots – continued

See the following motions to amend:

Moved in amendment by M. Foderick, seconded by K. Stewart:

That the motion moved by M. Foderick and seconded by B. Wulffhart be amended as follows:

1. *replaces “considers implementing a pilot project for paid parking with Toronto Parking Authority at Parkdale Branch, after consultations with the local Councillor and public” with “directs staff to implement a pilot project for paid parking with Toronto Parking Authority at Parkdale Branch, and that feedback on these changes be solicited from the public and local councillors and be reported to the Board” and “directs staff to implement a pilot project for paid parking with Toronto Parking Authority at Fairview Branch, and that feedback on these changes be solicited from the public and local councillors and be reported to the Board”.*

Carried.

Moved in amendment by Councillor Palacio, seconded by M. Foderick:

That the motion moved by M. Foderick and seconded by B. Wulffhart be amended as follows:

1. *adds the following additional clause:
“requests Toronto Parking Authority to erect parking signs at conspicuous locations at no cost to the Library – at the southeast corner of Oakwood and Holland Park avenues – that will help to advertise the parking at the Oakwood Village Library and Arts Centre.*

Carried.

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13-016 Proposed Changes to the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies*Moved by L. Colley, seconded by Councillor Palacio:**That the Toronto Public Library Board:*

1. *adopts amendments to the Rules of Conduct Policy as included in Attachment 1;*
2. *adopts amendments to the Rules of Conduct – Exclusion, Reinstatement and Appeals Policy as outlined in Attachment 2;*
3. *approves the Terms of Reference for the Rules of Conduct Appeals Working Group as outlined in Attachment 5; and*
4. *appoints two Board representatives to the Rules of Conduct Appeals Working Group; and*
5. *requests the City Librarian to revise the proposal for changes to the Rules of Conduct – Exclusion, Reinstatement and Appeals Policy to allow for an appeal to the Board of a 12-month exclusion, and/or request for reinstatement if the appeal is denied by the Rules of Conduct Appeals Working Group.*

Carried as amended.

See the following motions to amend:

*Moved in amendment by M. Foderick, seconded by Councillor Palacio:**That the motion moved by L. Colley and seconded by Councillor Palacio be amended as follows:*

1. *refers the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies report and amalgamated policy to the City Librarian to report back to the next regular Board meeting with changes that:*
 - a. *maintain an appeal to the Board / Board Committee to anyone excluded from Library premises;*
 - b. *allow an appeal at any time during the exclusion period; and*
 - c. *revise the membership of any committee to hear appeals to include Board members only.*

Defeated.

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Proposed Changes to the Rules of Conduct and Rules of Conduct – Exclusion, Reinstatement and Appeals Policies – continued*Moved in amendment by Councillor Davis, seconded by Councillor Doucette:**That the motion moved by L. Colley and seconded by Councillor Palacio be amended as follows:*

1. *adds the following clause to the motion:
“requests the City Librarian to revise the proposal for changes to the Rules of Conduct – Exclusion, Reinstatement and Appeals Policy to allow for an appeal to the Board of a 12-month exclusion, and/or request for reinstatement if the appeal is denied by the Rules of Conduct Working Group.*

*Carried.***13-017 Toronto Public Library Board – 2013 Meeting Schedule***Moved by Councillor Doucette, seconded by K. Stewart:**That the Toronto Public Library Board:*

1. *approves the Toronto Public Library Board 2013 meeting schedule.*

*Carried.***Items for Information:****13-018 Special Collections at Toronto Public Library**

Linda Mackenzie, Director, Research and Reference Libraries and Mary Rae Shantz, Manager, Special Collections, Archives and Digital Collections provided an overview of special collections at Toronto Public Library, including the Baldwin Room's Collection of Canadiana; Merrill Collection of Science Fiction, Fantasy and Speculation; Osborne Collection of Early Children's Books; Arthur Conan Doyle Collection and special collections in the arts.

*Moved by Councillor Doucette, seconded by L. Colley:**That the Toronto Public Library Board:*

1. *receives the Special Collections at Toronto Public Library verbal report for information.*

Carried.

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13-019 Toronto Reference Library Capital Project – Award of Construction Tenders under Pre-Approval Authorization – for the Quarter ending December 31, 2012

Moved by A. Zammit, seconded by B. Wulffhart:

That the Toronto Public Library Board:

1. *receives the Toronto Reference Library Capital Project – Award of Construction Tenders under Pre-Approval Authorization – for the Quarter ending December 31, 2012 for information.*

Carried.

13-020 Board Resolutions – Status Report

Moved by Councillor Davis, seconded by L. Colley:

That the Toronto Public Library Board:

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

Carried.

13-021 Closed Meeting

At 9:25 p.m., it was:

Moved by Councillor Doucette, seconded by Councillor Palacio:

That the Toronto Public Library Board:

1. *conducts a Closed meeting as the subject matter being considered (City Librarian's Annual Performance Review) is personal matters about an identifiable individual.*

Carried.

At 9:50 p.m. the Board resumed its meeting in public.

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Adoption of Closed Meeting Action:

13-022 City Librarian's Annual Performance Review Committee

a. City Librarian's Annual Performance Review

Moved by Councillor Doucette, seconded by L. Colley:

That the Toronto Public Library Board:

1. *adopts the confidential recommendations concerning the City Librarian's Annual Performance Review; and*
2. *recommends that the information concerning the City Librarian's Annual Performance Review not be made public as the subject matter being considered is personal matters about an identifiable individual.*

Carried.

13-023 Adjournment

Moved by K. Stewart, seconded by Councillor Doucette:

That the Toronto Public Library Board:

1. *adjourns the January 21, 2013 Toronto Public Library Board meeting.*

Carried.

The meeting ended at 9:55 p.m.

Signed: _____