

Toronto Public Library Board

Meeting No. 8: Monday, November 22, 2010, from 6:05 p.m. to 8:15 p.m.

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

Members Present:

Mr. Matthew Church (Chair)
Ms. Eman Ahmed (Vice Chair)
Councillor Paul Ainslie
Mr. Adam Chaleff-Freudenthaler
Councillor Janet Davis
Ms. Ann Decter
Ms. Tina Edan
Ms. Kathy Gallagher Ross
Mr. Okeima Lawrence
Ms. Kate Wilson

Regrets:

Councillor Chin Lee
Councillor Anthony Perruzza
Councillor Adam Vaughan

10-138 Call to Order

Matthew Church called the meeting to order at 6:05 p.m.

10-139 Declarations of Conflicts of Interest

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

10-140 Approval of Agenda

Moved by K. Gallagher Ross, seconded by E. Ahmed, and carried:

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

- 1. move Agenda Item No. 15 – City Librarian's Annual Performance Review, which is a confidential item, to the end of the agenda to avoid disruption in the public portion of the meeting.*

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10-141 Motion to Excuse Absence

Moved by A. Chaleff-Freudenthaler, seconded by T. Edan, and carried:

That the Toronto Public Library Board:

1. *excuses Councillor Adam Vaughan's absence from three consecutive Board meetings.*

10-142 Confirmation of September 20, 2010 Toronto Public Library Board Meeting Minutes

Moved by E. Ahmed, seconded by O. Lawrence, and carried:

That the Toronto Public Library Board:

1. *confirms the Minutes of the September 20, 2010 Toronto Public Library Board meeting.*

10-143 Business Arising

There were no Business Arising items at the November 22, 2010 meeting.

10-144 Chair's Report

Matthew Church noted the following items:

1. any changes to the Councillor representation on the Board are expected to take place in December; changes to the Citizen representation on the Board are expected to take place in the spring;
2. in the year after a municipal election, the Board's "first meeting" takes place following the appointment of Board members by Council;
3. the interview with Mayor David Miller in the Appel Salon on October 19;
4. the Staff Recognition event in the Appel Salon on November 17 for staff achieving significant service anniversaries.

Moved by O. Lawrence, seconded by A. Chaleff-Freudenthaler, and carried:

That the Toronto Public Library Board:

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

10-145 Presentations

There were no Presentations at the November 22, 2010 meeting.

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10-146 Communications

There were no Communications items at the November 22, 2010 meeting.

Items for Approval:**10-147 2011 Operating Budget Submission including Service Review Reduction**

Jane Pyper, City Librarian, and Larry Hughsam, Director, Finance & Treasurer, provided the Board with an overview of the Library's 2011 operating budget submission.

***Moved by K. Gallagher Ross, seconded by A. Chaleff-Freudenthaler, and carried:
That the Toronto Public Library Board:***

1. *adopts the original 2011 operating budget submission of \$173.110 million net (\$185.872 million gross) which represents a net 3.6% increase (Attachment 1);*
2. *approves a \$0.5 million (0.3%) budget reduction that results from reinstating the draw from development charge reserves to fund library materials, thereby reducing the 2011 operating budget request to \$172.610 million net or a 3.3% increase;*
3. *receives the 2011 Operating Budget – Service Review 5% Reduction report (Attachment 2); and*
4. *adopts the 2011 Program Overview (Attachment 3).*

10-148 2010 Capital Budget – Technical Adjustments as of October 31, 2010

***Moved by A. Chaleff-Freudenthaler, seconded by E. Ahmed, and carried:
That the Toronto Public Library Board:***

1. *approves the following debt cash-flow reallocations:*
 - a) *advance \$700,000 gross and debt from 2011 to 2010 for the Cedarbrae Library project and defer \$700,000 gross and debt from 2010 to 2011 from the Malvern Library youth hub project; and*
 - b) *advance \$300,000 gross and debt from 2011 to 2010 for the self-service check out project and defer offsetting gross and debt funding from 2010 to 2011 as follows: \$100,000 from the Brentwood Library project, \$150,000 from the Thorncliffe Library project and \$50,000 from the Virtual Branch Library project;*

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2010 Capital Budget – Technical Adjustments as of October 31, 2010 – continued

2. *approves the following non-debt cash-flow reallocations:*
 - a) *\$77,000 gross (\$0 debt) from 2010 to 2011 for the Mount Dennis Library project;*
 - b) *\$126,000 gross (\$0 debt) from 2010 to 2011 for the Fairview Library project;*
 - c) *\$300,000 gross (\$0 debt) from 2010 to 2011 for the Toronto Reference Library ISF project;*
3. *approves staff to forward this report to the City for approval.*

10-149 Financial Control Policy

Larry Hughsam, Director, Finance & Treasurer, provided the Board with an overview of the Financial Control and Procurement Processes policies, highlighting the revisions.

*Moved by O. Lawrence, seconded by K. Gallagher Ross, and carried:
That the Toronto Public Library Board:*

1. *approves the revised Financial Control Policy (Attachment 1);*
2. *rescinds the Purchasing Policy; and*
3. *rescinds the Selection and Hiring of Professional and Consulting Services Policy.*

10-150 Procurement Processes Policy

*Moved by A. Decter, seconded by K. Gallagher Ross, and carried:
That the Toronto Public Library Board:*

1. *approves the revised Procurement Processes Policy (Attachment 1).*

In response to questions, staff will bring back to the Board information regarding the differences in handling unsolicited proposals at the City compared to the Library.

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10-151 Toronto Public Library Board Lease Transactions

*Moved by K. Gallagher Ross, seconded by A. Chaleff-Freudenthaler, and carried:
That the Toronto Public Library Board requests:*

1. Council consent to the Toronto Public Library Board entering into lease/licence transactions subject to the following provisions:
 - (A) in cases where the Toronto Public Library Board is the landlord:
 - (i) the term of the lease/licence, including renewal options, shall be less than 21 years;
 - (ii) the rent to be negotiated shall be in the range of market value except in the case of non-profit organizations; and
 - (iii) the total lease/licence costs to be received, including renewal options, shall not exceed \$2 million;
 - (B) in cases where the Toronto Public Library Board is the tenant:
 - (i) the term of the lease/licence, including renewal options, shall be less than 21 years;
 - (ii) the rent to be negotiated in the range of market value or below;
 - (iii) total lease/licence costs, including renewal options, shall not exceed \$5 million; and
 - (iv) funds to cover the lease/licence costs have been approved by Council in the Library Board's operating budget;
2. Council rescind the consent provided by Clause No. 11 of Report No. 6 of the Administration Committee (Toronto Public Library Board Leases) adopted by Council at its meeting of October 26 and 27, 1999.

10-152 Delegation of Authority for Leases

*Moved by Councillor Ainslie, seconded by E. Ahmed, and carried:
That subject to City Council authorizing its consent for certain lease/licence transactions enumerated in the report (Toronto Public Library Lease Transactions) from the City Librarian dated November 22, 2010, the City Librarian recommends that the Toronto Public Library Board:*

1. delegates to the City Librarian authority to approve lease/licence transactions where the Toronto Public Library is the landlord provided that:
 - (i) the term, including renewal options, shall be less than 16 years;
 - (ii) the rent to be negotiated shall be in the range of market value except in the case of non-profit organizations; and
 - (iii) the total compensation, including renewal options, shall not exceed \$1.5 million;

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Delegation of Authority for Leases – continued

2. *delegates to the City Librarian authority to renew lease/licence transactions where the Toronto Public Library is the tenant, provided that:*
 - (i) *each period of renewal, including options, shall be less than 16 years;*
 - (ii) *the rent to be negotiated is in the range of market value or below;*
 - (iii) *the total compensation, including renewal options, shall not exceed \$3.75 million; and*
 - (iv) *funds to cover the compensation have been approved by Council in the Toronto Public Library's operating budget;*
3. *rescinds the delegated authority provided in a report, Delegation of Certain Leasing/Property Matters, approved by the Library Board at its meeting on May 29, 2000.*

Items for Information:**10-153 The Bram and Bluma Appel Salon at the Toronto Reference Library – Update**

Moved by K. Gallagher Ross, seconded by A. Chaleff-Freudenthaler, and carried: That the Toronto Public Library Board:

1. *receives the The Bram and Bluma Appel Salon at the Toronto Reference Library – Update report for information.*

10-154 Security Video Surveillance – 2010 New Locations

Moved by Councillor Ainslie, seconded by K. Gallagher Ross, and carried: That the Toronto Public Library Board:

1. *receives the Security Video Surveillance – 2010 New Locations report for information.*

10-155 Toronto Reference Library Capital Project – Award of Construction Tenders under Pre-Approval Authorization – as of September 30, 2010

Moved by A. Chaleff-Freudenthaler, seconded by Councillor Davis, and carried: That the Toronto Public Library Board:

1. *receives the Toronto Reference Library Capital Project – Award of Construction Tenders under Pre-Approval Authorization – as of September 30, 2010 report for information.*

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10-156 Operating Budget Monitoring Report – September 30, 2010

Moved by K. Gallagher Ross, seconded by Councillor Davis, and carried:

That the Toronto Public Library Board:

1. receives the Operating Budget Monitoring Report – September 30, 2010 for information.

10-157 Capital Budget Monitoring Report – September 30, 2010

Moved by O. Lawrence, seconded by A. Chaleff-Freudenthaler, and carried:

That the Toronto Public Library Board:

1. receives the Capital Budget Monitoring Report – September 30, 2010 for information.

10-158 In expectation of changes to the Councillor representation at the December meeting, Matthew Church acknowledged the efforts of Councillors Ainslie, Davis, Lee, Perruzza and Vaughan as Library Board members, and expressed gratitude for their contributions.

10-159 Closed Meeting

At 7:55 p.m., it was:

Moved by O. Lawrence, seconded by A. Decter, and carried:

That the Toronto Public Library Board:

1. conducts a Closed meeting as the subject matter being considered is personal matters about an identifiable person.

At 8:15 p.m. the Board resumed its meeting in public.

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Confirmation of Closed Meeting Decision

10-160 City Librarian's Annual Performance Review

Moved by Councillor Ainslie, seconded by Councillor Davis, and carried:

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.*

10-161 Adjournment

Moved by Councillor Davis, seconded by Councillor Ainslie, and carried:

That the Toronto Public Library Board:

1. *adjourns the November 22, 2010 Toronto Public Library Board meeting.*

The meeting ended at 8:15 p.m.

Signed: _____