

Toronto Public Library Board

Meeting No. 8: Monday, September 24, 2012, from 6:20 p.m. to 8:15 p.m.

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

Members Present:

Councillor Paul Ainslie (Chair)
Mr. Michael Foderick (Vice Chair)
Councillor Janet Davis
Mr. Cameron MacKay
Councillor Cesar Palacio
Mr. Ross Parry
Councillor Jaye Robinson
Mr. Kenneth Stewart
Mr. Benjamin Wulffhart

Regrets:

Councillor Sarah Doucette
Ms. Kimberley Korinek
Ms. Andrea Zammit

12-146 Call to Order

Councillor Paul Ainslie called the meeting to order at 6:20 p.m. when quorum was achieved. Councillor Ainslie welcomed Araceli Legasto, attending the meeting as a participant in the Taylor-Massey Neighbourhood Action Partnership's community-based governance program.

12-147 Declarations of Conflict of Interest

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

12-148 Approval of Agenda

Moved by C. MacKay, seconded by M. Foderick, and carried:

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

- 1. add a presentation from Councillor Pam McConnell regarding Agenda Item No. 11 – Relocation of Front Street Operations to Secure the First Parliament Site; and*
- 2. move Agenda Item No. 11 – Relocation of Front Street Operations to Secure the First Parliament Site to immediately follow Councillor Pam McConnell's presentation.*

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12-149 Confirmation of June 25, 2012 Toronto Public Library Board Meeting Minutes

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

That the Toronto Public Library Board:

1. *confirms the Minutes of the June 25, 2012 Toronto Public Library Board meeting.*

12-150 Confirmation of June 25, 2012 Toronto Public Library Board Closed Meeting Minutes

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

That the Toronto Public Library Board:

1. *confirms the Minutes of the June 25, 2012 Toronto Public Library Board Closed meeting.*

12-151 Business Arising

There were no Business Arising items at the September 24, 2012 meeting.

12-152 Chair's Report

Moved by B. Wulffhart, seconded by Councillor Robinson, and carried:

That the Toronto Public Library Board:

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

Presentations

12-153 Councillor Pam McConnell regarding Agenda Item No. 11 – Relocation of Front Street Operations to Secure the First Parliament Site

Councillor McConnell addressed the Board to express her appreciation for the efforts of the Library Board and staff to assist in securing the First Parliament Site on Front Street. She requested the Board consider participation in a community working group to be established for the project.

Moved by Councillor Palacio, seconded by M. Foderick, and carried:

That the Toronto Public Library Board:

1. *receives the presentation by Councillor Pam McConnell regarding Agenda Item No. 11 – Relocation of Front Street Operations to Secure the First Parliament Site for information.*

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12-154 Relocation of Front Street Operations to Secure the First Parliament Site*Moved by Councillor Palacio, seconded by M. Foderick, and carried:**That the Toronto Public Library Board:*

1. *endorses the City Council decisions as contained in Appendix 1 to this report to negotiate with Bresler, and authorize Library staff to take the actions identified in this report to facilitate the City Council decisions; and*
2. *authorizes Library staff to enter into a lease/licence agreement with Bresler for a portion of lands known municipally as 281 Front Street East, which shall include the building situate on the said lands for an initial term of 18 months with no base rent and an option to extend the term a further 18 months at a base rent approximately equivalent to the rent to be received from the City's tenant at 271 Front Street East and on such further and other terms as may be acceptable to the City Librarian.*

*Moved in amendment by M. Foderick, seconded by B. Wulffhart, and carried:**That the Toronto Public Library Board:*

3. *requests the City Librarian to keep the Board updated in either written or verbal form on any significant discussions underway, including with City staff or City Councillors, that may result in adjustments to the capital or operating budgets as soon as possible.*

*Moved in amendment by Councillor Davis, seconded by Councillor Palacio, and carried:**That the Toronto Public Library Board:*

4. *requests the City Librarian poll members of the Board to determine interest in participating in the First Parliament Site Working Group and report to the next meeting of the Board.*

Michael Foderick assumed the Chair at the request of Councillor Ainslie.

*Moved in amendment by Councillor Ainslie, seconded by Councillor Robinson, and carried:**That the Toronto Public Library Board:*

5. *approves the site for the relocation of the St. Lawrence Branch currently slated to begin in 2016, to the First Parliament site at 271 Front Street East, subject to successful negotiation of the exchange of lands at 271 Front Street East and 25 Berkeley Street for 281 Front Street and 43A Parliament Street; and*
6. *requests Council approve this site for the relocated St. Lawrence Branch.*

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**Relocation of Front Street Operations to Secure the First Parliament Site –
continued**

Councillor Ainslie assumed the Chair again.

Recorded Vote Requested:

Yes – 8

Councillor Paul Ainslie, Councillor Janet Davis, Michael Foderick, Cameron MacKay, Councillor Cesar Palacio, Ross Parry, Councillor Jaye Robinson, Benjamin Wulffhart.

No – 1

Ken Stewart.

12-155 Communications***Moved by Councillor Davis, seconded by Councillor Palacio, and carried:
That the Toronto Public Library Board:***

1. *receives the following items for information:*
 - (a) *Lobbying Disclosure Form from Michael Foderick, Vice Chair, Toronto Public Library Board dated July 2012 regarding Parking in Toronto Public Library Lots and State of Good Repair of Toronto Public Library Parking Lots as provided for in the Board's Lobbying Disclosure for Board Members Policy;*
 - (b) *Communication from The Honourable Christian Paradis, Minister of Industry and Minister of State (Agriculture) to Councillor Paul Ainslie, Chair, Toronto Public Library Board dated July 23, 2012 in response to Councillor Ainslie's letter to the Minister regarding the Community Access Program (provided to the Board at the April 30, 2012 meeting);*
 - (c) *Communication from Cheryl Agoston to the Toronto Public Library Board dated August 18, 2012 regarding Toronto Public Library fines; and*
 - (d) *Communication from Christine Petersen, President, TripAdvisor for Business to the Toronto Public Library regarding a TripAdvisor Certificate of Excellence for 2012.*

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Items for Approval:**12-156 Toronto Public Library Board Procedural By-law – Revisions***Moved by R. Perry, seconded by B. Wulffhart, and carried:**That the Toronto Public Library Board:*

1. *approves the revised Toronto Public Library Board Procedural By-law (Attachment 1).*

12-157 Fairview Branch – Award of Tender*Moved by R. Parry, seconded by Councillor Palacio, and carried:**That the Toronto Public Library Board:*

1. *awards the contract to the lowest bidder, The Atlas Corporation, for the renovation of the Fairview Branch, at a cost of \$4,328,500, which includes a contingency of \$393,500 [excluding Harmonized Sales Tax (HST)];*
2. *approves increasing the contract for architectural services to Makrimichalos-Cugini Architects by an amount of \$95,823 for a total cost of \$337,623 [excluding Harmonized Sales Tax (HST)]; and*
3. *authorizes and directs the appropriate Library staff to take the necessary action to give effect thereto.*

Employee & Labour Relations Committee:**12-158 a. Approved Minutes of the Employee & Labour Relations Committee Meeting of February 24, 2012***Moved by Councillor Davis, seconded by K. Stewart, and carried:**That the Toronto Public Library Board:*

1. *receives the Approved Minutes of the Employee & Labour Relations Committee Meeting of February 24, 2012 for information.*

12-159 b. Approved Minutes of the Employee & Labour Relations Committee Closed Meeting of February 24, 2012*Moved by K. Stewart, seconded by Councillor Davis, and carried:**That the Toronto Public Library Board:*

1. *receives the Approved Minutes of the Employee & Labour Relations Committee Closed Meeting of February 24, 2012 for information.*

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12-160 c. Non-Union Compensation – 2012 and 2013

The Toronto Public Library Board on September 24, 2012, adopted the following motion as amended:

1. *adopts the same market-rate adjustments and performance pay increases for 2012, for all non-union employees of Toronto Public Library, as were approved by City Council for City non-union employees, and as identified below:*
 - a. *Performance based increases for progression through the salary range will be 0% to 3%, based on the objectives that were established for an employee’s performance and assessing the work performed by the employee in 2011. The Performance pay increases are as follows: Did Not Meet Objectives – 0%; Developmental – 1% ; and Met Objectives – 3%;*
 - b. *For those employees who have reached the top of the salary range, there is a re-earnable lump sum payment of up to 0%, 1% or 3%, based on the 2011 performance rating, and 2011 earnings;*
 - c. *The annual market-rate adjustment (cost-of-living) will be 1.9%;*
 - d. *The market-rate adjustment and performance pay adjustment are retroactive to January 1, 2012;*
2. *defers any decision on 2013 performance bonuses to the next Board meeting so it can be dealt with at the same time as the 2013 operating budget;*
3. *approves the same changes to the non-union benefits plan, as were approved by City Council for City non-union employees, and as identified in the chart below and effective January 1, 2013:*

<i>Benefit Type</i>	<i>New/Changes to Provisions</i>
<i>Drugs</i>	<i>Dispensing Fee Cap of \$9.00</i>
<i>Physiotherapy</i>	<i>\$2,000.00 maximum per person, per year</i>
<i>Orthopaedic Devices</i>	<i>One device every 2 years for persons over 18 years of age (for persons 18 and under, the entitlement remains one device per person per benefit year) and payment will be limited to the cost of the modification on the device</i>
<i>Dental</i>	<i>One year lag on Ontario Dental Association (ODA) Fee Guide</i>
<i>Health Care Spending Account</i>	<i>\$50 for single and \$100 for family coverage</i>
<i>Paramedical Coverage</i>	<i>Eliminate the option for \$800 for one (1) practitioner</i>
<i>Dental</i>	<i>Move from six to nine month Recall for routine exams only for adults</i>

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Employee & Labour Relations Committee – continued**Non-Union Compensation – 2012 and 2013 – continued**

4. *requests staff, for future years beyond 2013 when non-union “performance pay” is brought forward for approval, to bring forward a proposed benchmark for where Toronto Public Library should be in relation to “market comparator groups” which are other library systems, and an analysis of where Toronto Public Library staff currently stand.*

MOTIONS:***Moved by Councillor Davis, seconded by R. Parry, and defeated:******That the Toronto Public Library Board:***

1. *adopts the same market-rate adjustments and performance pay increases for 2012 and 2013, for all non-union employees of Toronto Public Library, as were approved by City Council for City non-union employees, and as identified below:*
 - A. *For 2012:*
 - i. *Performance based increases for progression through the salary range will be 0% to 3%, based on the objectives that were established for an employee’s performance and assessing the work performed by the employee in 2011. The Performance pay increases are as follows: Did Not Meet Objectives – 0%; Developmental – 1% ; and Met Objectives – 3%;*
 - ii. *For those employees who have reached the top of the salary range, there is a re-earnable lump sum payment of up to 0%, 1% or 3%, based on the 2011 performance rating, and 2011 earnings;*
 - iii. *The annual market-rate adjustment (cost-of-living) will be 1.9%; and*
 - iv. *The market-rate adjustment and performance pay adjustment are retroactive to January 1, 2012.*
 - B. *For 2013:*
 - i. *A new Performance Pay system is introduced effective January 1, 2013, based on the assessment of work performance in 2012, with performance ratings and pay increases for progression through the salary range, as follows: Unsatisfactory – 0%; Meets Most But Not All Expectations and/or Developmental – 1%; Meets Expectations – 2%; and Exceeds Expectations – 3%;*
 - ii. *For those employees who have reached the top of the salary range, there is a re-earnable lump sum payment of up to 0%, 1%, 2% or 3%, based on the 2012 performance rating, and 2012 earnings;*

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Non-Union Compensation – 2012 and 2013 – continued

- iii. *The annual market-rate adjustment(cost-of-living) will be 1.9%;*
- iv. *The market-rate adjustment and performance pay adjustment are effective January 1, 2013; and*
- v. *The new Performance Pay system includes ‘targets’ for the allocation of performance ratings, as follows:*

<i>Performance Review Levels</i>	<i>Performance Target Allocations*</i>	<i>Performance Financial Rewards</i>
<i>Unsatisfactory</i>	<i>3% of staff complement</i>	<i>0%</i>
<i>Meets Most But Not All Expectations and/or Developmental</i>	<i>10% of staff complement</i>	<i>1%</i>
<i>Meets Expectations</i>	<i>70% of staff complement</i>	<i>2%</i>
<i>Exceeds Expectations</i>	<i>Up to 20% of staff complement</i>	<i>3%</i>

*Approximate allocations

2. *approves the same changes to the non-union benefits plan, as were approved by City Council for City non-union employees, and as identified in the chart below and effective January 1, 2013:*

<i>Benefit Type</i>	<i>New/Changes to Provisions</i>
<i>Drugs</i>	<i>Dispensing Fee Cap of \$9.00</i>
<i>Physiotherapy</i>	<i>\$2,000.00 maximum per person, per year</i>
<i>Orthopaedic Devices</i>	<i>One device every 2 years for persons over 18 years of age (for persons 18 and under, the entitlement remains one device per person per benefit year) and payment will be limited to the cost of the modification on the device</i>
<i>Dental</i>	<i>One year lag on Ontario Dental Association (ODA) Fee Guide</i>
<i>Health Care Spending Account</i>	<i>\$50 for single and \$100 for family coverage</i>
<i>Paramedical Coverage</i>	<i>Eliminate the option for \$800 for one (1) practitioner</i>
<i>Dental</i>	<i>Move from six to nine month Recall for routine exams only for adults</i>

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Non-Union Compensation – 2012 and 2013 – continued**Employee & Labour Relations Committee – continued**

Moved in amendment by M. Foderick, seconded by Councillor Robinson, and carried:

That the Toronto Public Library Board:

1. *requests staff, for future years beyond 2013 when non-union “performance pay” is brought forward for approval, to bring forward a proposed benchmark for where Toronto Public Library should be in relation to “market comparator groups” which are other library systems, and an analysis of where Toronto Public Library staff currently stand; and*
2. *approves the proposed performance bonus for 2012, but defers any decision on 2013 performance bonuses to the next Board meeting so it can be dealt with at the same time as the 2013 operating budget.*

The motion as amended was carried.

Budget Committee:**12-161 a. Approved Minutes of the Budget Committee Meeting of June 11, 2012**

Moved by B. Wulffhart, seconded by M. Foderick, and carried:

That the Toronto Public Library Board:

1. *receives the Approved Minutes of the Budget Committee Meeting of June 11, 2012 for information.*

12-162 b. 2013 – 2022 Capital Budget Submission – Revised

Moved by Councillor Palacio, seconded by K. Stewart, and carried:

That the Toronto Public Library Board:

1. *approves the revised 2013 - 2022 capital budget submission of \$12.968 million debt (\$33.297 million gross) for 2013 and \$173.683 million debt (\$257.680 million gross) over 2013 - 2022 as detailed in Attachment 1, which has been amended to include the following projects, which do not impact debt:*
 - a) *Library Processing Centre Relocation to 1076 Ellesmere with revised cash flows of \$0.250 million in 2012, \$6.000 million in 2013 and \$3.080 million in 2014;*
 - b) *Brookbanks Renovation with cash flows of \$0.924 million in 2020 and \$5.330 million in 2021;*

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2013 – 2022 Capital Budget Submission – Revised – continued

- c) *Centennial Renovation with cash flows of \$0.223 million in 2020 and \$2.728 million in 2021;*
- d) *Perth/Dupont Renovation with cash flows of \$0.288 million in 2020 and \$3.616 million in 2021;*
2. *requests staff to report at an upcoming meeting of the Budget Committee on the vetting process by which issues are added to the State of Good Repair list (including specifically how parking lots are added to the list and how Toronto Public Library criteria varies from Toronto Parking Authority criteria); and*
3. *requests a verbal report from staff as part of the capital budget process in 2014 on other site options nearby the Perth/Dupont area besides renovating, which would meet the current neighbourhood branch 10,000 – 15,000 square foot standard stipulated in the Library Service Delivery Model for neighbourhood branches.*

Items for Information:**12-163 Toronto Reference Library Capital Project – Award of Construction Tenders under Pre-approval Authorization – for the Quarter ending June 30, 2012***Moved by C. MacKay, seconded by K. Stewart, and carried:**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 June 30, 2012 report for information.*

12-164 Operating Budget Monitoring Report – June 30, 2012*Moved by B. Wulffhart, seconded by M. Foderick, and carried:**That the Toronto Public Library Board:*

1. *receives the Operating Budget Monitoring Report – June 30, 2012 report for information.*

12-165 Capital Budget Monitoring Report – June 30, 2012*Moved by C. MacKay, seconded by M. Foderick, and carried:**That the Toronto Public Library Board:*

1. *receives the Capital Budget Monitoring Report – June 30, 2012 report for information.*

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12-166 Board Resolutions – Status Report

Moved by Councillor Palacio, seconded by Councillor Robinson, and carried:

That the Toronto Public Library Board:

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

12-167 Motion without Notice

Moved by M. Foderick, seconded by Councillor Robinson, and carried:

That the Toronto Public Library Board:

1. introduces a Motion without Notice.

Moved by Councillor Palacio, seconded by M. Foderick, and carried:

That the Toronto Public Library Board:

2. requests staff to meet with representatives of Pelham Park Gardens Community, Toronto Community Housing staff and the local City Councillor to advise on a procedure to establish a Reading Room at 61 Pelham Park Gardens.

12-168 Adjournment

Moved by Councillor Robinson, seconded by B. Wulffhart, and carried:

That the Toronto Public Library Board:

1. adjourns the September 24, 2012 Toronto Public Library Board meeting.

The meeting ended at 8:15 p.m.

Signed: _____