

Mission Statement

The Hamilton Public Library unites people and ideas in a warm and welcoming environment. The library's staff, collections, and access to global electronic resources help to enrich the lives of individuals. The library actively champions literacy, access to information, and the joy of reading.

Strategic Priorities

Empower Communities Celebrate Diversity Strengthen Our Organization

HAMILTON PUBLIC LIBRARY BOARD

**Regular Board Meeting
Wednesday, June 20, 2007
Ancaster Library, Program Room Room**

5:00 p.m. Meeting
6:30 p.m. Cocktails
7:30 p.m. Dinner, Ancaster Old Mill

AGENDA

1. **Discussion Period**
2. **Acceptance of the Agenda**
3. **Minutes of the Hamilton Public Library Board Meeting of Wednesday, May 16, 2007** **Attachment #3**
4. **Presentations**

No presentations.
5. **Consent Items**

5.1 Meeting Rooms Policy – KR **Attachment #5.1**
Suggested Action: Recommendation
6. **Business Arising**

6.1 Renaming Central Library - Request from Mr. Valeriano **Attachment #6.1**
Suggested Action: Recommendation
7. **Correspondence**

No correspondence.

8. Reports

8.1 Chief Librarian's Report

Attachment #8.1

Suggested Action: Receive

9. New Business

9.1 One Book One City – MS

Oral Report

Suggested Action: Receive

9.2 Naming of New Library Branch - KR

Attachment #9.2

Suggested Action: Recommendation

9.3 WiFi Project Authentication – KR

Attachment #9.3

Suggested Action: Recommendation

9.4 Notice of Motion – Board Bylaws

Attachment #9.4

Suggested Action: Recommendation

9.5 Internal Equity – LF

Attachment #9.5

Suggested Action: Recommendation

10. Private and Confidential

11. Date of Next Meeting

Wednesday, September 19, 2007

Central Library, Board Room, 5th Floor

5:30 p.m. Dinner

6:00 p.m. Meeting

12. Adjournment

HAMILTON PUBLIC LIBRARY
LIBRARY BOARD

UPCOMING/OUTSTANDING ISSUES

Issue	Date Action Initiated	Admin Member/Staff Who Initiated	Month item will appear on Agenda

**HAMILTON PUBLIC LIBRARY BOARD
Regular Meeting**

**Wednesday, May 16, 2007
Board Room
5:30 p.m. Dinner
6:30 p.m. Meeting**

MINUTES

PRESENT: George Geczy, Jennifer Gautrey, Maureen McKeating, Mavis Adams, Doreen Horbach, Krzysztof Gumieniak, Suzan Fawcett, Mary Ann Leach

REGRETS: Councillor Maria Pearson, Councillor Tom Jackson, Santina Moccio

STAFF: Ken Roberts, William Guise, Linda Foley, Maureen Sawa, Helen Benoit, Kit Darling, Beth Hovius, Karen Hartog

GUESTS: Mr. Pat Valeriano, Dijia Qin and Margaret Houghton

1. DISCUSSION PERIOD

2. ACCEPTANCE OF THE AGENDA

Add: 4.2 Digitization Presentation

MOVED by Ms McKeating, seconded by Ms Gautrey,

THAT THE AGENDA BE APPROVED AS AMENDED.

MOTION CARRIED.

**3. MINUTES OF THE HAMILTON PUBLIC LIBRARY BOARD MEETING OF
WEDNESDAY, APRIL 18, 2007**

MOVED by Ms Leach, seconded by Ms Fawcett,

**THAT THE HAMILTON PUBLIC LIBRARY BOARD MINUTES OF
WEDNESDAY, APRIL 18, 2007 BE ADOPTED AS PRESENTED.**

MOTION CARRIED.

4. PRESENTATIONS

4.1 Request to Rename Central Library

Mr. Valeriano was welcomed to the Library Board meeting. Mr. Valeriano detailed his reasons for renaming the Central Library the Jack MacDonald Library. This item will be placed on the June 20, 2007 board agenda for discussion by library board members.

4.2 Digitization Presentation

Ms Houghton and Ms Qin were welcomed to the meeting. A PowerPoint presentation was provided highlighting the achievements made to date on the digitization project.

5. CONSENT ITEMS

No consent items.

6. BUSINESS ARISING

No business arising items.

7. CORRESPONDENCE

No correspondence.

8. REPORTS

8.1 Chief Librarian's Report

Received for information.

8.2 Report from the Audit Committee

MOVED by Ms Adams, seconded by Mr. Geczy,

THAT THE 2006 AUDITED FINANCIAL STATEMENTS FOR THE HAMILTON PUBLIC LIBRARY BOARD ATTACHED TO THIS REPORT BE APPROVED, AND

THAT A NOTICE OF MOTION TO MODIFY THE LIBRARY BOARD BYLAWS BE PLACED ON THE JUNE AGENDA. THE AUDIT COMMITTEE COMPOSITION WILL BE CHANGED FROM 3 MEMBERS TO 4 MEMBERS.

MOTION CARRIED.

9. **NEW BUSINESS**

9.1 Digitization Request

MOVED by Ms Horbach, seconded by Ms Adams,

THAT \$30,000 BE ALLOCATED FROM THE SPECIAL GIFTS FUND (CTTRUS 25010) FOR THE IMAGE DIGITIZATION PROJECT TO SUPPORT ADDITIONAL HARDWARE, CONSULTING SERVICES AND STAFF.

MOTION CARRIED.

10. **PRIVATE AND CONFIDENTIAL**

MOVED by Ms Gautrey, seconded by Ms Leach,

THAT THE LIBRARY BOARD GO IN-CAMERA TO DISCUSS INTERNAL EQUITY AND LABOUR ISSUES.

MOTION CARRIED.

MOVED BY Ms Adams, seconded by Ms Gautrey

THAT THE IN-CAMERA SESSION BE ADJOURNED.

MOTION CARRIED.

10.1 Internal Equity

MOVED by Ms Leach, seconded by Ms Gautrey,

THAT THE HAMILTON PUBLIC LIBRARY BOARD ENTER INTO DISCUSSION WITH CUPE 932 TO DETERMINE IF AN AGREEMENT CAN BE REACHED REGARDING INTERNAL EQUITY.

MOTION CARRIED.

11. **DATE OF NEXT MEETING**

Wednesday, June 20, 2007

Ancaster Library, Program Room

5:00 p.m. Meeting

6:30 p.m. Cocktails, Ancaster Old Mill

7:30 p.m. Dinner, Ancaster Old Mill

12. ADJOURNMENT

MOVED by Ms Fawcett, seconded by Ms McKeating,

**THAT THE HAMILTON PUBLIC LIBRARY BOARD MEETING OF
WEDNESDAY, MAY 16, 2007 BE ADJOURNED.**

The meeting was adjourned at 7:45 p.m.

Minutes recorded by Karen Hartog.



Hamilton Public Library

Date: June 13, 2007

To: Chair and Members of the Board

From: Ken Roberts, Chief Librarian

Subject: Amendments to the Meeting Rooms Policy

Recommendation:

That the current Meeting Rooms Policy be amended to allow for limited “free” use of appropriate library meeting rooms by councillors representing Wards where libraries with public meeting spaces exist, and that such free use be limited to two sessions each month on the understanding that the meetings booked by Councillors are public sessions of groups in which the councillor is a member and a regular attendee; and

That Appendix A of the current Meeting Rooms Policy be amended to include a rental rate for the Central Library 5th floor Board room of \$250 for a four hour period and \$450 for an eight-hour period.

Background:

There are two components to this recommendation and I will deal with them separately.

1. We have had requests from councillors for free meeting room space. The most recent request came last week from Councillor McHattie. He is a member of several neighbourhood organizations and they have few meeting room locations within his Ward. Councillor McHattie would like to use the meeting room in the Westdale Branch, without charge. I think we should encourage Councillors to use library meeting rooms but also need to ensure that there are times available for other community organizations and for library uses. Fewer than half the Wards have libraries with rooms that could be used.

2. The Meeting Rooms Policy establishes that the Board Room may be booked by the public, but it does not establish a rate. The temporary Board Room was not seen as a room that would be in demand and was not made available. The former Hamilton Public Library's Meeting Rooms Policy established a rate of \$200 for a half day rental and \$350 for a full day rental of the former sixth floor Board Room, which was very good space. That rate was approved by the former Hamilton Public Library Board in the early nineties. It did not include the cost of the Security Guard, which is required for evening and weekend bookings.

We are proposing a rate of \$250 for a half day and \$450 for a full day, with the security guard included in that rate. We have compared the capacity and the ambiance of the Board Room with similar premium rental locations in the city and the proposed rate is aligned with the rates charged for comparable space.

The rental rate would include the room but would not include equipment that might be needed.

Meeting Rooms Policy

Policy Level: Library Board

Author: D. Wood

Revision Date: September 2001; September 2002; October 2006

Date of Formal Board Approval: September 18, 2002

First Approved: April 23, 1998

POLICY

Meeting rooms are provided for library and library-related programs and meetings. After these needs are met, the meeting room facilities are available to groups and organizations in accordance with this policy as established by the Library Board.

Use of the meeting rooms by any group or organization does not constitute an endorsement by the Library Board of the group's policies or beliefs. The Library will not knowingly permit any individual or groups to use its facilities in contravention of the *Criminal Code of Canada*.

Exclusions

- Private social events;
- Business activities such as sales promotions;
- Programs that are not suitable for the Library's physical facilities.

Groups using the facilities may not limit attendance on the basis of race, colour, religion, sex, age, sexual orientation, mental or physical disability as defined by the *Constitution Act, Canadian Charter of Rights and Freedom, 1982*. The Library reserves the right to attend any meeting held in its facilities.

The Library may deny applications for use based on the availability of space, frequency of use, or requests for space by other groups and organizations.

Fees

Rooms are rented on a cost recovery basis. There is a basic rental rate per four-hour period for each room. Additional fees are applied for custom room set-ups, security guard service, and equipment rental. Discounts apply for multiple bookings. Fees are established in Appendix A and Appendix B. Payment should be made by credit card (Mastercard or VISA), Interac, cash, or cheque in advance.

Non-profit organizations will be given a 33% discount off the regular rate. Non-profit organizations charging admission, advertising "admission by donation" or "donation suggested," or fundraising in library facilities will be charged the full rate.

Cancellation Fees

Cancellations must be reported at least seven (7) days in advance, freeing rooms for other bookings. Cancellations of less than seven (7) days' notice will result in a 100% charge. The Library may charge an additional fee of \$25 for each room booking change, which requires an invoice to be reissued.

Damages

The organization is responsible for any damages to library property incurred while renting a meeting room.

Loss of Rental Privileges

Failure to follow this policy, the Hamilton Public Library Rules, or the terms described in the rental agreement, after one written warning, will result in the cancellation of future room booking privileges.

The Library will not accept new bookings and will cancel existing room bookings for groups that have invoices outstanding 45 days or longer.

Subject:
Page 3 of 4
Date

Room bookings are accepted from individuals on behalf of organizations. The Library accepts no responsibility if the individual in question does not have authority to book a room; the invoice will be sent to the organization in all cases.

Liquor Licence

Alcohol consumption is restricted to hours that the Library is closed and confined to the meeting rooms. The renting group is responsible for obtaining the liquor licence and following its regulations. A liquor licence is required whenever liquor is served; a copy of the licence must be given to Security staff or Branch Library staff.

Publicity and Signage

Publicity and signs, provided by the organization, must not give the impression that the Library sponsors the event. All signs must be professional, placed in the display stand provided, and removed immediately after the program.

Smoking

Smoking is prohibited at all library locations.

Freedom of Information

Personal information required on Library forms is for statistical or registration purposes only. Such information is collected under the authority of the *Ontario Public Libraries Act, 1984*, and will be used to facilitate the daily activities of the Library. Questions about the collection of this information should be directed to the Director, Public Service and Community Development, 55 York Blvd., Box 2700, Hamilton ON L8N 4E4.

Central Library Restrictions

Only an outside caterer may serve food and beverages in the Auditorium (Hamilton-Wentworth Rooms). All food and equipment is to be removed within the booking period.

Rentals include only the meeting room and any equipment; the lobby may be neither booked nor used by a group as part of the meeting space. The projection room and loading dock are not available for public use.

APPENDIX A – MEETING ROOM FEE SCHEDULE

Category	Rooms	Set-up Style/ Capacity	Maximum Capacity	Regular (Full) Rate	Non-profit Rate
Large	Central Library Hamilton- Wentworth	Theatre Style (230)	200	\$135	\$90
Medium	Central Library Hamilton Room	Theatre Style (100)	100	\$75	\$50
	Central Library Wentworth Room	Boardroom Style (25)	60 - Theatre Style (extra custom set- up charge-\$30)	\$75	\$50
	Sherwood Branch Room A/B	No set-up provided	100	\$75	\$50
Small	Central Library Board Room	No set-up Provided	30	\$250 half day \$450 full day	
	Concession Branch Program Room	No set-up provided	40	\$60	\$40
	Dundas Branch	No set-up provided	33 (theatre style) 26 (with tables)	\$60	\$40
	Red Hill Branch	No set-up provided	60	\$60	\$40
	Sherwood Branch Rooms A or B	No set-up provided	50	\$60	\$40
	Westdale Branch	No set-up provided	50	\$60	\$40

Note: GST of 6% is added to the above fee schedule.

Please check with branch for details regarding equipment availability.



Hamilton Public Library

Date: June 7, 2007
To: Chair and Members of the Board
From: Ken Roberts, Chief Librarian

Subject: Re-naming of the Central Library

Recommendation:

That Mr. Pat Valeriano be thanked for his efforts to have a civic facility named for former Mayor Jack MacDonald but that his request to have the Central Library re-named be denied.

Background:

Former City of Hamilton Alderman Pat Valeriano appeared at the May, 2007 Board meeting and made an eloquent plea to have the Central Library re-named the "Jack MacDonald Central Library" in honour of former Mayor Jack MacDonald. Mr. Valeriano commented that he believes the City should honour its former Mayors.

The Hamilton Public Library Board passed a "Naming Opportunities Policy" in November, 2006. The purpose of the policy is: "To provide opportunity for public recognition of distinguished individuals who have made a lasting contribution to the development of library services in the City of Hamilton or significant financial donors."

The Guidelines for the policy state: "The naming of a room or facility in recognition of a significant financial donor or distinguished individual is a decision that requires special consideration by the Library Board of the value and benefits of such recognition and the suitability of the room or facility for such recognition purposes."

"Recommendations for the naming of a room or facility after an individual may be considered to honour the individual's contribution to the Hamilton Public Library; the naming of a room or facility may also be considered in recognition of a significant financial donation to the Hamilton Public Library."

"Rooms or facilities named after the implementation date of this policy require a review by the Hamilton Public Library Board every five (5) years at which time Board approval will be required to renew the named room/facility."

We have reviewed Mayor MacDonald's contributions to the Hamilton Public Library. While Mayor MacDonald was a library supporter and remains a library supporter, we can find no archival evidence that he made such significant contributions to library services that the Central Library should be re-named. Jack MacDonald was Mayor while the Central Library was constructed and when it was opened. All funding and all approvals were, however, approved before he became Mayor. The resume for Mayor MacDonald that Mr. Valeriano submitted as part of his request does not highlight any contributions to the Hamilton Public Library system.

While it is easy to support Mr. Valeriano's intent – to honour our past and those who have made lasting contributions – Mayor MacDonald's primary contributions were focused on other developments within the City of Hamilton. The Library Board's Naming Opportunities Policy requires that the contribution of the honoured individual be directly related to library services.

Chief Librarian's Report

June, 2007

Integrated Library System

Two months ago we let the Library Board know that Sirsi/Dynix has discontinued future development of the Horizon line of product. The Hamilton Public Library currently uses Horizon version 7.34 and staff had been looking forward to many of the features that were to have been a part of Horizon 8.0. Libraries currently using the Horizon line of products are being encouraged to migrate to a new Sirsi/Dynix product tentatively called "Rome." Rome will use the Sirsi/Dynix Unicorn product as its core and will add additional features.

The staff at the Hamilton Public Library – and at many other libraries – have concerns. We certainly do not recommend that the Hamilton Public Library be an early adapter of the "Rome" product. The Hamilton Public Library had many problems with our migration to Horizon. We want to make sure that the product is stable and that the functionality is worth the effort of a major migration.

The issue is made even more complex since our current servers are due to be replaced this fall. It would be hard to scope and to replace servers without knowing how those servers are to be used during their life expectancy (three years). Electronic Services considered our various options and recommended that we replace our servers this fall. We can do this within our budget since the servers are self-leased. The impact of this decision is that we would not migrate to Rome in the near future and we would not send out an RFP for a new system in the near future. We would stay with Horizon 7.34 and would try to obtain much of the lost Horizon 8.0 functionality by the use of third-party products, potentially including open source software.

Administration staff have accepted this recommendation. There is no Board decision required since the recommendation does not require additional funding or a changed direction. At the same time, I feel the need to highlight the decision in case Board members wish us to pursue any other options.

Canadian Library Association

The Hamilton Public Library was exceptionally well represented at the CLA conference. Staff members participated in or helped to organize multiple events and conference sessions. Some of the HPL highlights included the "Creating a Positive Organizational Culture" day long pre-conference workshop that Daphne Wood and I organized, along with senior staff from the University of Guelph and the Director of the School of Information Management at Dalhousie. Beth Hovius, Maureen Sawa, Helen Benoit and I conducted a very popular session on the value of community partnerships. Paul Takala participated in a session on working in partnership with City ITY departments. Lita Barrie and Sybil Harrison contributed to CLA sessions as well.

Central Library

The renovations to the fifth floor of the Central Library should be complete by the time of the Board meeting. Inform Hamilton (Community Information Services) will move from the first floor to the fifth floor in July. Hamilton Wentworth CommunityNet is delaying their move but we expect them to be out of the first floor by September.

Lynden Branch

The City of Hamilton Facilities division has assigned a consultant to evaluate the former Credit Union on Lynden Road in order to determine its suitability as a library location. I expect to have his report in July.

South Mountain Community Centre "Sod Turning"

The sod turning, which was primarily a YMCA event, took place on Thursday, June 14th. Board Chair George Geczy and Board member Tom Jackson spoke eloquently about the entire project and highlighted the library's involvement. We will bring floor plans of the 25,000 square foot library branch to the June Board meeting so that new Board members can see what has been designed for the complex and for the library.



Hamilton Public Library

Date: June 7, 2007
To: Chair and Members of the Board
From: Ken Roberts, Chief Librarian
Subject: Naming of New Branch

Recommendation:

That the library branch under construction in Turner Park be named the Turner Park Branch of the Hamilton Public Library.

Background:

For the past six years the new branch on the south mountain informally has been called either the South Mountain Branch or the Turner Park Branch.

Traditionally, library branches in the former Hamilton Public Library and in the former Wentworth Libraries system were given names that reflected either their location in the city by community (Ancaster, Stoney Creek, Westdale) or by street (Barton, Kenilworth and Locke). Some library systems give names to honour important individuals who have contributed to the library system (e.g. The Lillian Smith Branch of the Toronto Public Library or the Penny McKee Branch of the Edmonton Public Library) but naming a branch after an individual is rare.

The Administration Team unanimously supports the name "Turner Park" Branch, feeling that it is more explicit. The entire complex is to be called the South Mountain Community Centre and the YMCA is to be called the Les Chater Family YMCA. The police facility is called the Mountain Police Station.



Hamilton Public Library

Date: June 14, 2007
To: Chair and Members of the Board
From: Ken Roberts, Chief Librarian
Subject: WiFi Pilot Project Update

Recommendation

That the Hamilton Public Library cardholder numbers and PIN numbers be used as a means to authenticate customers of the Hamilton WiFi project on the understanding that all links to personal library patron information be protected and that such information only be disclosed under the terms of the Board.

Background:

This is a not an easy recommendation to make and does come with some concerns.

As you know, the Hamilton Public Library has been a partner in the community WiFi project. The project is primarily funded by a grant from the Hamilton Futures Fund. I have attached a project update that was recently given to City Council members.

The public sector WiFi project is designed to determine if a common wireless backbone could be used to enhance City mobile office capabilities. Public WiFi is a spin-off service that can be provided as a result of this project.

Ideally, members of the public who have a portable computer in a WiFi zone could simply detect a WiFi signal and use the Internet. No authentication (user identification) would be required. There are many examples of open access WiFi zones. They are easy to use and they are popular when they are available. A coffee shop or a hotel lobby, for example, may provide WiFi access as a service to attract customers. Any form of authentication would make the service too cumbersome.

The partners in the Hamilton WiFi project, with the exception of the Hamilton Public Library, are reluctant to provide open Internet access. Fibrewired, the service provider, has made it clear that they will require the ability to hold an individual end user responsible for the sites they might visit and the ways they might use the service. Hamilton Police Services has also made it clear that they feel there must be some ability to locate people who may have engaged in illegal activities.

After many lengthy discussions, the members of the authentication committee agreed to two possible means of authentication.

1. People could ask for an account through their cell phone and an account number and password would be sent to them. The cell phone number would be retained by Fibrewired in case of problems with the way the account might be used. The cell phone password would expire in 24 hours, making this method one that is geared mostly to visitors, not to Hamilton residents.

2. People could use their library card number and their personal PIN number to access the WiFi network. If this method were used, Fibrewired would be allowed enough access to our Dynix system to allow for authentication. No personal information would be available to Fibrewired – only a number. If there were police investigations or allegations of misuse, the library would have to be contacted in order for the number to be linked to personal information. All partners understand that the conditions set out in the library's Privacy Policy for Library Users (attached) would have to be met before any personal information could be given.

Both methods of authentication act as a roadblock to easy use. Both methods will limit public WiFi activity. Basically, however, public "free" WiFi access within the hot zones becomes a service available to library card holders, if they wish to use that service. There is no guarantee that this method of authentication or that free public WiFi service would continue after the pilot project is complete.

The first two "hot spot" implementations will be the Pier Four Park area close to the Chamber of Commerce building and Memorial Park in Waterdown. Both are set to open this summer.

Board members may have noticed that the WiFi project has been in the news, primarily as a comparison with a private sector WiMax initiative launched by Primus. Primus will be providing selected members of the public with free WiMax access during its trial period. The two projects are compatible but use very different technologies. WiMax uses licensed spectrum and WiFi uses unlicensed spectrum. Both WiMax and WiFi require for portable computing devices to have a card that enables the device to receive signals. At present, WiFi enabled portable computing devices are fairly common while WiMax devices are not common. This may change over the next few years.

Privacy Policy for Library Users

Policy Level: Library Board

Author: Chief Librarian

Date of Formal Board Approval: December 15, 2004

First Approved: December 15, 2004

See also: 27-12 Procedures for Confidentiality and Access to Borrower Records

PURPOSE

To ensure that the Hamilton Public Library Board is in compliance with the **Municipal Freedom of Information and Protection of Privacy Act, 1989** and that the library adheres to the principles outlined in the *Canadian Standards Association Model Code for the Protection of Personal Information*. These principles are:

- **Accountability:** The library will clearly state who is to be contacted whenever a user questions the use of personal information. The library will ensure that its privacy policy is enforced by all library staff members as well as any third party organizations or agencies that may have legitimate access to such information in support of the library's business.
- **Identifying Purpose:** The library will clearly state the purpose for collecting any personal information before such information is collected. Consent must be obtained before the information can be used in any new way, except where such use is required by law.
- **Consent:** Any individual may choose not to allow the collection of such information, although such an action may affect a person's ability to use the affected library services.
- **Limiting Collection:** Information shall be collected using only legal and lawful means and use shall be limited to that which is necessary for the purposes identified by the library.
- **Use, Disclosure and Retention:** Personal information shall not be used or disclosed for purposes other than that for which it was collected, except with the consent of the individual or as required by law. Personal addresses and phone numbers that are collected by the Hamilton Public Library will not be given or sold to other organizations and will only be used for Library-only mailings that are approved by the Board. Information may be shared with agencies or companies working within the scope of their duties on behalf of the library. The library shall ensure that such agencies or companies abide by the library's policy. Personal information shall be retained only for the period of time required to fulfill the purposes for which it was collected.
- **Accuracy:** Under the terms of the legislation, we will commit to an annual review to ensure that the collection, storage and disposal of the information is carried out in a manner that conforms to the Municipal Freedom of Information and Protection of Privacy Act, 1989. Personal information shall be as accurate, complete and as up-to-date as is necessary to fulfill the purpose for which it is collected. Individuals may challenge the accuracy of their personal information.
- **Safeguards:** Personal information shall be protected by safeguards that are appropriate for the sensitivity of the information collected.
- **Openness:** The library shall answer any individual's questions about the uses of specific information and about specific practices, ensuring that practices abide by this policy.

- **Access:** The library shall allow users to see personal information about themselves. Library staff must provide loan information about a child less than 16 years of age to that child's parent or guardian. Library staff must also honour court orders issued by a judge that require the release of personal information. With approval of the Chief Librarian, library staff may also disclose personal information in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased. Any disclosures to law enforcement officials or to assist in compassionate circumstances must be reported to the Library Board, without identifying the individual concerned.
- **Challenging Compliance:** Any library users who feel their privacy has not been protected may challenge library practices through the Chief Librarian. A library user who, after such a challenge, is not satisfied with the result, may appeal to the Library Board, maintaining either that the current policy has been violated or that the current policy needs to be changed in order to address a perceived issue.

PROCEDURE

Staff Policies: What we collect and why

The staff of the Hamilton Public Library collect the following information about individual library users. Board policy states that such information "shall be retained only for the period of time required to fulfill the purposes for which it was collected." The retention period for each item cited in this section is listed in the Library Board Retention Policy, a copy of which is available through the library's administration and on the library's website.

1. *The library system collects the name, address, and telephone number of each registered library user.*

Such information is used by staff and by agencies and companies working within the scope of their duties on behalf of the library. Such information can be used in the provision of library services.

2. *The library system collects information about what an individual library user may have borrowed from the library system.*

Information about what an individual library patron may have borrowed is not shared with anyone. Possession of a library card is considered consent by the person to share such information with the person holding the library card. Patrons may designate family members or others to check out material for them, using their card. Information about what a person may have borrowed is not retained when the item is returned except where fines and fees may have occurred or where the person is registered for the Visiting Library Service.

3. *The library system collects information about items placed on Hold to be borrowed by an individual library user.*

Information about what an individual library user places on Hold is not shared with any member of the public.

An individual user may designate others to know what has been placed on Hold for him or her so that these specific people may pick up their Holds. Without such a designation, Holds may only be checked out by the person who has the library card of the individual placing such a Hold.

Holds are kept in a public area at some library branches so that individual users may pick up their own Holds. The material kept in these areas is filed by an individual user's last name. Anyone

concerned about the fact that such material is held in a public area may request that their Holds be kept away from potential public scrutiny.

4. *The library system collects information about public meeting room space that a specific individual may rent and programs that people may have registered to attend.*

Information about what an individual library user rents or registers to attend is not shared with any member of the public.

5. *The library system collects information about when an individual may have booked a public use computer as well as how that computer has been used.*

All history or cache files which might identify how a person has used a library public access computer are erased once the computer is rebooted at the end of a session. At present (December, 2004) software limitations require that back-up information about who might have used a particular public computer is stored for approximately one week after a machine has been used. The library's goal is to ensure that all such information is erased at the end of the day upon which a computer is used.

Upon complaint, the library may review the use of a particular computer to ensure that the library's Internet Use Policy is being upheld. Such a complaint must be lodged on the day of the alleged abuse so that an investigation may occur.

6. *The library collects information about who has requested material borrowed through Interlibrary Loan as well as information about the material requested.*

The provincial Interlibrary Loan process is managed by software used by all provincial libraries that participate in the Interlibrary Loan program. The name and the address and phone number of any person requesting material from another library system is collected by Hamilton Public Library staff and is stored on servers in other places and in other countries. While there are safeguards in the software to ensure that personal information is protected, the Hamilton Public Library cannot monitor nor control the use of this information.

7. The library system collects Comment forms, letters from individual users and Requests for Reconsideration from individual users (A Request for Reconsideration is a request that an item held in the library's collection be removed).

Comment Forms addressed to staff are used internally to improve services. Comment Forms that affect overall services are reviewed by senior staff and, at times, by the Library Board. Comment Forms may form part of the Board package. The names of anyone submitting forms that are included in a Board package form part of that package and may appear on the Board's public documents

Letters sent to staff by individual users are considered confidential. Letters that are sent to the Library Board may form part of the Board's public documents.

A Request for Reconsideration that is appealed to the Library Board becomes part of the public record, including the name of the individual making such a request.

8. *At times, library staff collect personal information that may be required to assist in answering reference questions either in person, over the phone, or through electronic mail.*

The Library may collect personal information in order to assist a person but, once the question is complete, staff will keep no permanent records that link reference questions to a specific person.

9. *The library system collects visual images through security cameras inside some locations.*

Visual images may be used by library staff to ensure the safety of staff and persons using the library itself. Agencies or companies working within the scope of their duties on behalf of the library may also use such images. Images are only used to ensure that library behavioural policies are enforced or that the safety of the people whose images are collected is protected.

10. *The library system collects photos of library users at library events and programs.*

Photos of recognizable individuals taken by library staff or for library purposes will not be used without proper permission.

11. *The library system may, on occasion, permit valid research within the library. This may include the use of individual library records.*

Any such research must be approved by the Library Board, which will apply the principles of the *Canadian Standards Association Model Code for the Protection of Personal Information*. Any research that is conducted by an outside agency must be approved by an appropriate research ethics board. Whenever individual user information is used under the approved terms of a research agreement, personal information will be destroyed before the publication of any results.

Hamilton Community WiFi Project Report May, 2007

Introduction

This report is intended to provide Council Members and interested parties with an update on the Hamilton WiFi pilot project initiative approved by both the Hamilton Future Fund and by City Council.

The Hamilton WiFi Project receives its mandate from a motion of Council passed on September 27, 2006. (Item 2 of COW Report 06-019). The motion reads:

Request to Hamilton Future Fund for Municipal Wireless project (FCS06102) (Item 6.2)

- (a) *That Phase One of the Municipal Wireless Project be funded as follows*
 - (i) *\$400,000 grant for Capital from the Hamilton Future Fund*
 - (ii) *\$100,000 loan for Operations from the Hamilton Future Fund with repayment terms to be provided to the Future Fund Board*
- (b) *That an RFP process be initiated to determine how the service will be delivered including the recovery of capital costs*

Council's approval sets Hamilton Fibrewired as the sole hardware and services provider for the pilot project. Hamilton Fibrewired and all project partners understand and acknowledge that any permanent WiFi initiative that might be built and funded through a local public consortium will require an open RFP process.

The Hamilton WiFi pilot project recognizes that many North American municipalities are experimenting with a variety of publicly funded WiFi initiatives.

Some municipal projects concentrate on the ability of WiFi to link all citizens and visitors with free or inexpensive Internet services. Such projects stem from the belief that attracting and keeping an educated and creative workforce is reliant on the provision of amenities such as easily accessible WiFi access. Such municipal projects generally target popular destination locations within a municipality and provide local WiFi hot zones.

Other WiFi projects that centre on public access see WiFi as a means of providing free or inexpensive broadband Internet services to target groups. Philadelphia, for example, is trying to link low income homes within a geographic area with inexpensive Internet services. In such instances, WiFi is used as a technology that is cheaper to install, for certain neighborhoods, than cable or fibre-optics.

The third typical installation of public WiFi stems from a belief that the provision of local government services can become more efficient or more effective when WiFi technology is used. A typical example of an anticipated operational efficiency stems from the use of WiFi to create a more mobile workforce. A mobile workforce might use vehicle-based computers to download work assignments and to upload completed work, such as building inspections. A typical example of greater effectiveness might be the ability of police officers to view surveillance video from their cars or on foot, using mobile devices.

The Hamilton WiFi pilot project

The Hamilton WiFi initiative is intended to provide City departments and other agencies with sufficient information to determine if ubiquitous WiFi access within the City of Hamilton can provide business improvements and efficiencies. Specifically, the pilot is designed to measure the impact of WiFi's ability to carry video (e.g. security camera output from responding police vehicles), audio (IP telephony), and data (mobile offices). The pilot is also intended to determine if a common network can address the security concerns of all partners.

The Hamilton WiFi Project is managed by a Steering Committee composed of representatives from the broader public sector as well as from the business community. It is the assumption of the pilot's steering committee that while public WiFi Internet access is a desirable outcome, it is not financially feasible without the public sector using such a network.

The pilot is designed to provide answers to some key questions. These questions include:

- Can a single WiFi network, shared by key stakeholders, provide each partner with sufficient security to meet their business needs?
- Can a single WiFi network, shared by key stakeholders, provide each partner with sufficient bandwidth to meet their needs?
- Can a single WiFi network, shared by stakeholders, be deployed at a cost that meets the requirements of each potential partner?
- Can the excess capacity of a single WiFi network be made available to members of the public at a fair and reasonable cost?
- Can a single WiFi network provide the public with an easy-to-use service that also provides protection against inappropriate activity?

The methodology by which these questions are to be tested is

1. To provide a 4 square kilometre WiFi zone in the downtown area and to provide five "hot spots" in suburban areas.
2. To approve, pilot and measure specific business application pilots that can be offered within WiFi enabled areas of the City of Hamilton.
3. To provide public Internet access within the WiFi enabled areas and to test for problems and issues that would have to be addressed if a city-wide project were approved.

Timing

The WiFi pilot was originally scheduled to begin in July, 2007 and to last for just over a one-year. The hardware provider recently announced it will be releasing new technology which will be available in July. The steering committee reviewed the options and made the decision to wait for the new technology allowing us to take advantage of the greater functionality, security and speed it offers. This will push most aspects of pilot start date to a September timeframe.

There is an exception to this delay. In order to provide WiFi to the public in a location that has a great deal of summer activity, the steering committee has decided to install the hardware that is currently available in the Chamber of Commerce/Pier 4 area. This will allow public access to begin early in July as originally planned for the waterfront hotspot.

Multiple Technologies

The City currently uses a technology called 1X over a cellular network as well as the recently announced faster EVDO network for any mobile workers. During the pilot we will be testing the ability of staff to use wi-fi technology when in the wi-fi zone and then switch over to 1X or EVDO when they leave the wi-fi area. This ability is critical to and will be tested by the Emergency Services during the pilot period. This will provide them with a faster wireless connection while in the wi-fi zone but also the ability to leave the zone and maintain their network connection.

Funding

The Hamilton WiFi pilot project will cost \$500,000. \$400,000 is to be funded by a Future Fund grant and \$100,000 is provided to the project as a loan. This funding will allow the partners to:

- Install the necessary hardware to allow for a WiFi zone in the downtown core as well as five small WiFi hot spots.

- Provide some funding to partners with approved pilots projects when there is a need for special hardware that may connect to the network.
- Provide for one year's operating cost of the WiFi network.

The partners in this project have made no commitment to provide, amongst themselves, a method for re-paying the \$100,000 loan. Project partners asked the City of Hamilton's Finance Department for more information about how the loan was to be repaid. The response we received is that the loan is not the responsibility of the partners but will become a responsibility of those groups or organizations that may subsequently provide city-wide WiFi services.

Location of "Hot Spots"

An attachment to this report shows the expected coverage for each WiFi location. There will be coverage in the downtown core from Main St. to Barton St. between Queen St. and Victoria Ave.. This will allow the pilot to test the ability of the hardware to overcome visual obstacles. It will also provide the pilot with more information about the issues to be faced if a more comprehensive project is funded. **We need to stress that each WiFi zone includes only the outdoor space within the zone. The WiFi signals do not penetrate into buildings without the use of technologies that are not in the scope of the pilot.**

Originally, we had hoped to have a hot zone in each of the former suburban municipalities. This did not prove practical. Hot spots were chosen using the following criteria.

- Must have existing fibre
- Appropriate parking available
- Public space
- Good line of sight for maximized coverage
- Natural gathering place
- Tenant approval

WiFi zones will include an area extending approximately 200 meters from the hardware equipment. The chosen locations are:

- Valley Park Community Centre
- Carlisle Community Centre or Waterdown Memorial Park
- Dundas Driving Park/Parkside School
- Turner Park
- Hamilton Chamber of Commerce/Pier 4

The downtown WiFi area will provide outdoor wireless access to a number of key areas including:

- City Hall Courtyard
- Art Gallery Courtyard
- Jackson Square rooftop
- McMaster University Building – Main and John
- Sir John A. McDonald Secondary School
- Public School Board office
- Separate School Board office
- Beasley Park
- Gore Park
- Hess Village
- John Sopinka Courthouse
- Central Police Station
- Central Fire Station
- Central Library front entrance
- Central Park with EMS station

- Ferguson Station

Project partners include:

- The City of Hamilton,
- Hamilton Police Services,
- Economic Development,
- McMaster University,
- The Hamilton Public Library,
- The Hamilton Chamber of Commerce
- The Hamilton-Wentworth District School Board,
- The Hamilton-Wentworth Catholic District School Board.
- The Hamilton Port Authority
- Hamilton Health Sciences
- St. Joseph's hospital
- Mohawk College

Steering Committee Members include:

- Fred Snelling, City of Hamilton, Information Technology Services, Co-Chair
- Ken Roberts, Hamilton Public Library, Co-Chair
- James Goodram, Hamilton Economic Development
- Jay McMaster, FibreWired
- Jay Rosenblatt, Hamilton Chamber of Commerce
- Al Little, City of Hamilton, Information Technology Services
- John Lavery, MUSH Sector
- -Ross Memmolo, First Responders

Description of approved projects

Emergency Medical Services: MapLocator Auto-updates (Data Pilot)

Hamilton's ambulances utilize mapping software provided by the Ministry of Health. This software allows ambulances to respond quickly, to 911 calls. The software is updated quarterly so that it reflects changes.

Software located inside each ambulance has to be updated manually. This pilot project will automate that process, using the WiFi backbone. The goal of the pilot is to reduce the possibility of paramedics getting lost on the way to an emergency call.

City of Hamilton Building Inspections

All building inspectors will have laptops using the cellular network by the middle of 2007. The pilot test the functionality of Wi-Fi to allow them to access and update data and emails throughout the day as opposed to coming back to the office at the end of the day and entering data that has been captured manually. It will also allow changes in appointments to be received immediately. The hotspots will also allow inspectors in the outlying areas to send and receive data and emails throughout the day by entering one of the hot zones.

Inspection Pilots

Other inspection staff within the City such as Public Health currently have laptops and are using the cellular network to send and receive data. Where appropriate the wi-fi network will be used to test the functionality and determine the feasibility of wi-fi.

Hamilton Police Services will participate in all aspects of the Wi-Fi pilot including data, video and voice.

- Hamilton Police Services: Beat Tracker (Data Pilot)
- Hamilton Police Services: Mobile vehicle computer systems (Data Pilot)
- Hamilton Police Services: Systems Administration (Data Pilot)
- Hamilton Police Services: Voice Application – Technical Support (Voice Pilot)
- Hamilton Police Services: Command Van (Video Pilot)
- Hamilton Police Services: CCTV (Video Pilot)

Hamilton Public Library, City of Hamilton, and Fibrewired Hamilton: Public Internet Access

Providing free public Internet access through WiFi is complex. Despite the fact that access is free, there must be some means of user authentication. WiFi systems that are intended to be “for profit” simply collect credit card information as their form of authentication. The pilot project will attempt to provide a simple means of authenticating City residents (library cards, McMaster student cards, Mohawk student cards, school identification, etc) and will also attempt to develop a simple means of authenticating visitors. There has to be a delicate balance between the need to authenticate and the need to ensure that there are not too many barriers to access.

Health Issues

When the pilot project was announced, the City of Hamilton did receive a letter that expressed concern about the potential health hazards of WiFi. The Steering Committee asked the Public Health Department for an opinion. The Public Health Department responded that WiFi operates within parameters that are approved for use and, as such, are not a concern.

WiFi uses microwave technology. Any Internet search will quickly produce opinions and comments about health concerns. We cannot discount that people have concerns about any addition to the number of radio and microwave emissions that they are exposed to on a daily basis. One of our reasons for wishing to investigate the use of WiFi is to address other environmental concerns and to reduce the need for staff to use cars and trucks to pick up work assignments and to deliver the results of their work. We are working within all approved safety standards and regulations.

Authentication Issues

Each time a person from the public accesses the Internet through the provided WiFi service, that person will see a screen that outlines the rules and responsibilities. Authentication is the means by which these conditions are monitored and controlled.

Marketing Issues

While partner organizations are excited about the possibilities of this pilot project, including public WiFi use, it needs to be highlighted that there is no marketing budget for the project. While the City of Hamilton's Communications Department has offered to place several newspaper ads, at a bare minimum we will need to let people know that they are in a WiFi zone.

Key Issues

1. The Steering Committee will incorporate the repayment of the \$100,000 loan into the business plan to be developed during the pilot. None of the partner organizations represented on the Steering Committee have assumed any responsibility for the repayment of the loan. It is, instead, their assumption that any vendor that builds the permanent Wi-Fi network will take responsibility for the loan.
2. Because of the desire to test the latest technology, only one public Internet Access Hot Spot will be available this summer and that Hot Spot will be located at the Waterfront/Pier 4.

3. The location of the five suburban hot spots has changed since the original report was approved by Council. The changes reflect the fact that there were several complications with some suburban areas and that newer locations represent a better test of the technology.
4. Public Internet Access will require some form of authentication. This may make it a little harder for a resident to access the WiFi network, particularly their first time. It will, however, offer better assurance that the Conditions for Use can be enforced.
5. There is currently no marketing budget for public WiFi use.



DATE: June 14, 2007

TO: Hamilton Public Library Board Members

C.C.: Administration Committee

FROM: Karen Hartog, Administrative Assistant

SUBJECT: NOTICE OF MOTION – AMENDMENT TO HAMILTON
PUBLIC LIBRARY BOARD BY-LAWS

MOVED BY:

SECONDED BY:

**THAT THE HAMILTON PUBLIC LIBRARY BOARD APPROVE THE
ATTACHED REVISED BY-LAWS AT ITS MEETING OF SEPTEMBER 19,
2007.**

BACKGROUND:

At its meeting of May 16, 2007, the Audit Committee proposed that the membership composition be changed from three members to four members.

The amendments are reflected on the attached document.

As Recommended by the Board By-Law Transition Team

**HAMILTON PUBLIC LIBRARY BOARD
BY-LAW FOR THE REGULATION OF THE BUSINESS OF THE BOARD**

The Hamilton Public Library Board is duly constituted as a corporation and governed by the provisions of the *Public Libraries Act, Statutes of Ontario, 1990, Chapter P. 44* and is established by the provisions of City of Hamilton By-Law 04-019.

The Hamilton Public Library Board, hereinafter called "the Board", enacts the following by-laws for regulation of the business of the Board.

Corporation

1. In accordance with the *Corporations Act*, the Board shall have a corporate seal, which shall be under the control and responsibility of the Chief Executive Officer. This seal shall be affixed under the direction of the Board to all deeds, contracts, or documents requiring the seal, which seal shall be attested to by the signatures of the Chair and the Secretary, or by such other member and/or other officer as the Board shall direct.
2. The Head Office of the Board shall be at 55 York Boulevard, Hamilton, Ontario L8N 4E4.

Officers

3. The Board shall have the following officers:
 - Chair
 - Vice-Chair
 - Secretary
 - Treasurer
 - Chief Executive Officer

Chair

4. The Chair shall be elected at the first meeting of the Board in each year, shall hold office for one year and may be re-elected for a maximum of two additional consecutive years.
5. The primary role of the Chair of the Board is to ensure the proper functioning of the Board and the proper conduct of Board business, in accordance with all relevant legislation and with the rules of procedure adopted by the Board.
6. The Chair's responsibilities include:
 1. Presiding at regular and special meetings of the Board in the manner and extent prescribed by the Board.

2. Committing the Board to no course of action unless specifically authorized by the Board to do so.
3. Serving as an *ex officio* member of all Board committees.
4. Only the Chair may represent and speak for the Board in an official capacity to outside parties in announcing Board-stated positions and in stating Chair decisions.
5. Acting as one of the authorized signing officers of all documents pertaining to Board business.
6. Representing the Board, alone or with other members of the Board, at any public or private meetings for the purpose of conducting, promoting or completing the business of the Board.
7. Notifying the Vice-Chair, if for any reason, the Chair is unable to perform these functions.

Vice-Chair

7. The Vice-Chair shall be elected at the first meeting of the Board in each year, shall hold office for one year and may be re-elected for a maximum of two additional consecutive years.
8. The Vice-Chair, in the absence or illness of the Chair, shall act in the place and stead of the Chair and while so acting has all the powers of the Chair.

Secretary

9. The Secretary of the Board shall be the Chief Executive Officer.

Treasurer

10. The Board shall appoint a Treasurer.

Chief Executive Officer

11. The Board shall appoint the Chief Executive Officer, who shall be its Chief Librarian, and who shall hold office until the Board rescinds the appointment or a new appointment is made. The Chief Executive Officer shall be responsible, under the supervision of the Board, for the general conduct and management of the Hamilton Public Library.

Systematic and rigorous monitoring of CEO job performance will be solely against the only expected job outputs: organizational accomplishments of Board policies on Ends and organizational operation within the boundaries established by the Board.

1. Monitoring is simply to determine the degree to which Board policies and strategic priorities are being met. Data that do not do this will not be considered to be monitoring data.

2. The Board will acquire monitoring data by one or more of three methods:
 - (a) Internal report, in which the CEO discloses compliance information to the Board
 - (b) External report, in which a disinterested, external third party selected by the Board, assesses compliance with Board policies.
 - (c) Direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria.
3. In every case, the standard for compliance shall be *any reasonable CEO interpretation* of the Board policy or priority being monitored.
4. All policies that instruct the CEO will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any methods, but will ordinarily depend on a routine schedule.
5. The Board may exercise discretion in evaluating CEO performance based on length of service or circumstances beyond the CEO's control.

Only decisions of the Board are binding on the CEO.

1. Decisions or instructions of individual Board members, officers or committees are not binding on the CEO except in rare circumstances when the Board has specifically authorized or delegated such exercise of authority.
2. In the case of Board members or committees requesting information or assistance without Board authorization, the CEO can refuse such requests.

The CEO is the Board's only link to operational achievement and conduct, so that authority and accountability of staff, as far as the Board is concerned, is considered to be authority and accountability of the chief executive.

1. The Board will never give instructions to persons who report directly or indirectly to the CEO.
2. The Board will refrain from evaluating, either formally or informally, any staff other than the CEO.

Board Members Code of Conduct

12. Board Members must avoid any conflict of interest with respect to their fiduciary responsibility by adhering to the regulations of the Municipal Conflict of Interest Act.
- (a) There will be no self-dealing or any conduct of private business or personal services between any Board member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to inside information.
 - (b) Board Members will not use their positions to obtain employment in the organization for themselves, family members or close associates. Should a member desire employment, he or she must first resign.
 - (c) Members will annually disclose their involvements with other organizations, with vendors, or any other associations that might produce a conflict.

Members will respect the confidentiality appropriate to issues of a sensitive nature and understand that it is the Chair's role to represent and speak on behalf of the Board.

Vacancies

13. In the event of a vacancy occurring on the Board, the Secretary, upon instructions from the Board in session, shall advise Council and request that a new member be appointed to fill the vacancy under the conditions contained in the *Public Libraries Act*.
14. In the event of a vacancy occurring during the year in office of Chair or Vice-Chair, the Board at its first regular meeting thereafter shall elect a new Chair or Vice-Chair to serve for the remainder of the elected time in that office.

Resignation

15. Members of the Board who must resign before the end of their term of appointment on the Board shall inform both the Clerk of the City of Hamilton and the Secretary of the Board in writing, specifying the effective date of their resignation.

Elections

16. Election of Chair and Vice-Chair shall take place annually at the Board's inaugural meeting.
17. The Chief Executive Officer shall take the chair and shall call for nominations for Chair from the Nominating Committee and then from the floor. Nominations shall be made with no seconder required. Nominations shall be closed by a motion made and seconded. Voting shall be by a show of hands or by secret ballot if requested by any member of the Board. The nominee receiving a clear majority of the votes cast shall be declared elected by the

Chief Executive Officer. Should no member receive a clear majority, balloting shall proceed with the nominee's name receiving the smallest number of votes being dropped.

18. The Chief Executive Officer shall call for nominations for Vice-Chair from the Nominating Committee and then from the floor and the election shall be conducted in the manner outlined above.
19. The new Chair shall take the chair immediately after elections have been completed.

Meetings and Notice of Meetings

20. A regular meeting of the Board shall be held on the third Wednesday of the month (except July and August) at 6:00 p.m. in the Board Room at the Central Library, 55 York Boulevard, Hamilton or at such other day or time or such other place as may be agreed upon by the Board.
21. Written notice of all regular meetings together with the proposed agenda and the minutes of the immediately preceding regular meeting and of any special meetings shall be communicated to each member of the Board at least three days in advance of such meetings.

Special Meetings

22. The Chair may, or upon the written request of any two members of the Board shall, call a Special Meeting by giving, through the Secretary, at least two days written notice to each member, specifying the purpose for which the meeting is called.
23. The purpose of a Special Meeting shall be specific. No business shall be transacted or considered at such a meeting other than that specified in the notice.

Inaugural Meeting

24. In the first year of its term, the Board shall hold its annual inaugural meeting at a place and time to be determined by the Chief Executive Officer, provided that such meeting shall be held within 30 days of the appointment of a majority of its members.
25. In the second and third years of its term, the Board shall hold its annual inaugural meeting at the place and time of its regular January meeting and the regular meeting shall take place immediately following the inaugural meeting.

Attendance

26. Board members are expected to attend all meetings of the Board. Any member who must be absent from a meeting must advise the Secretary in advance. In any event, absence from three consecutive meetings of the Board will result in the member's disqualification from the Board unless the member is 'excused for cause' by a motion of the Board
27. The Secretary shall record the names of members in attendance in each meeting of the Board and of its committees.

Quorum

28. A quorum, which shall be a majority of the Board, must be present for the transaction of business at a meeting. If a quorum is not present within fifteen minutes after the hour for which any Board meeting has been called, the Secretary shall record the names of such members present and the Board shall stand adjourned.
29. Nothing in the foregoing shall prohibit the members in attendance for a regular meeting, when no quorum is present, from constituting themselves as a committee dealing with such agenda items as they see fit. However, no decisions taken at such meeting may be executed until ratified by motion at a regular meeting of the Board or, when time is of the essence, written approval of such decisions may be obtained from a majority of the members of the Board.

Voting

30. All members of the Board (including the Chair) shall vote on all questions unless they have declared an interest in the matter. Any motion on which there is an equality of votes shall be deemed to be lost.
31. Motions shall be carried by a simple majority of those present except as otherwise provided for in this By-Law.
32. Notice of motion given at the previous meeting and two-thirds majority vote is required for:
- a motion to reconsider a lost motion.
 - a motion to amend the by-laws.

Procedure

33. All motions other than routine business or those arising out of reports from standing or special committees may be ruled out of order unless the mover gives notice at least seven (7) days before the meeting at which said motion is presented. Notice of motion, in writing, shall be delivered both to the Secretary and to all members of the Board seven (7) days before the Board meeting.

Rules of Debate

34. The rules and practice set out in *Robert's Rules of Order* shall govern wherever applicable in all cases not specifically provided for in these by-laws.

Order of Business

35. The order of business at regular meetings of the Board shall be:

1. Discussion
2. Acceptance of the Agenda
3. Minutes
4. Presentations
5. Reports
6. Consent Items
7. Business Arising from the Minutes
8. Correspondence
9. New Business
10. Private and Confidential
11. Date of Next Meeting
12. Adjournment

Delegations

36. Members of the public may make verbal presentations to the Board as a delegation with the permission of the Chair or upon written notification to the Secretary, received seven (7) days in advance of the meeting.

Minutes

37. The Secretary shall keep Minutes of every meeting of the Board.
38. The Minutes shall be confirmed at the next following meeting, and shall be signed by the Chair or person presiding at the meeting at which the Minutes are confirmed.

Committees

39. Ad Hoc Committees may be appointed by the Board to deal with special issues assigned by the Board. Such committees report to the Board and shall be dissolved immediately upon making their final report to the Board.
40. A committee may have any number of members. The Board shall name a chair for each ad hoc committee. Such committees report to the Board and shall be dissolved immediately upon making their final report to the Board.
41. A quorum for all committees shall be the majority of members. Committees meet when required at the call of the committee chair.
42. The Chair of the Board shall be a member of all Committees of the Board *ex-officio*.

43. The Secretary of the Board (or designate) shall attend all committee meetings and shall be the Secretary of all committees.

44. **A Nominating Committee** composed of four members, one of whom shall be the Chair of the Board, shall be appointed by the Board annually at its November meeting to present the slate of officers for the ensuing year at the next Inaugural Meeting. In a municipal election year, the outgoing Chair of the Board shall appoint the Nominating Committee from among the members of the new Board immediately following the appointment of the new Board by City Council. In each year, the Nominating Committee shall meet before and report to the next Inaugural Meeting following its appointment.

45. **An Executive Committee** may be appointed by the Board as required. This Committee shall consist of four (4) members, one of whom shall be the Chair of the Board. The Executive Committee shall exercise all of the powers of the Board during the months of July and August or any other specific time period, subject to any restrictions that may be imposed upon it from time to time by the Board. The Chair of the Board shall appoint alternate members as required in the event that any member(s) of the Executive Committee is unable to attend a meeting of the Committee. The Committee shall meet at the call of the Chair and a quorum shall consist of three (3) members.

46. Board meetings are open to the public.

In Camera Sessions

47. An *in camera* session of the Board shall be held when it is expedient to consider all or part of an agenda *in camera* because "intimate financial or personal matters" may be disclosed in debate and the desirability of protecting against the consequences of such disclosure outweighs the desirability of holding the meeting in public.

48. The decision must be confirmed by the Board or Board Committee in the form of a motion "THAT item(s) #___ be considered during an *in camera* session". *Such a motion shall be non-debatable and, if it is carried, the Chair shall designate a time for the session to be held. An in camera session shall be ended by a motion that the regular session be resumed.*

49. Any actions determined during an *in camera* session must be authorized by Board motion passed during regular open session and recorded in public minutes. However, the Board's Secretary may designate the minutes of *in camera* sessions as confidential if Section 28(2) of the *Public Libraries Act* applies.

Payment of Board Expenses

50. Citizen appointees shall be paid no salary, fees or honorarium for their services. However, any member of the Board may be reimbursed for their actual, out of pocket expenses and travel costs, incurred as a result of their acting either within or outside the municipality in their capacity as members of the Board. Such payments must be allowed for in the budget that is approved by the Board and Council and the expenses must have been incurred with the prior approval of the Board.

Amendment of the By-Laws

51. Amendments to these by-laws may only be made at a regular meeting provided that Notice of Motion in writing shall have been given at the previous meeting. Such amendments shall require a two-thirds majority vote of the Board.

Effective Date

These By-Laws shall come into effect on March 23, 2005 and all former By-Laws and Rules of Procedure of predecessor Boards are hereby repealed.

AUDIT COMMITTEE

Terms of Reference

PURPOSE

The Committee is to oversee the financial reporting process, monitoring the choice of accounting policies and procedures and monitoring internal control procedures to ensure the effective development and maintenance of adequate financial controls and reporting. The Committee is to be independent of the auditing function and ensure appropriate actions are taken with audit findings. The Committee has no direct responsibility for the operations and functions of audit areas. It does however make recommendations to the Board regarding both factors.

Appointment of External Auditors

Under the authority of the Municipal Act, the City of Hamilton shall appoint the external auditor for the Hamilton Public Library.

Membership

The Audit Committee will be composed of ~~four~~ members of the Hamilton Public Library Board. A quorum shall be two members.

Deleted: three

Preference will be given to Library Board members who are financially literate with relevant background in financial matters (i.e. prior experience as a business person, recognized accounting designation, work in the accounting profession, or in the financial accounting department of a current or past organization). Committee members will have no current business relationship or financial interests with the Library or its management.

Members will be appointed at the first meeting in the first year of the Board's term and will serve until the end of the Board's three (3) year term of office.

The members of the Audit Committee will appoint one of the members as Chair who will chair the meeting of the Audit Committee and perform such other duties as required to ensure the proper functioning of the Committee.

Meetings

The Committee will meet at least twice in each year – in the fall with the external auditors to discuss the scope of the annual audit and in the spring with the external auditors to discuss the results of the annual audit.

Additional meetings may be held at the Call of the Chair of the Audit Committee, request by a Committee member or by the external auditors.

Notice of each meeting confirming the venue, time and date of the meeting together with an agenda of items to be discussed shall be forwarded to each member of the Committee prior to the date of the meeting in a timely manner.

The external auditors, Chief Librarian and the Director, Finance and Facilities will be invited to attend meetings and at least once a year, the Committee will meet with the external auditors without Library staff present.

The Audit Committee may invite such other persons to its meetings as it deems necessary.

Duties

The duties of the Committee will be:

To meet with the external auditors before the audit commences and to discuss and approve the nature and scope of the audit

To discuss with external auditors issues such as compliance with accounting standards and proposals by external auditors

To monitor the integrity of the financial statements of the Library and to review, and challenge where necessary, the actions and judgements of management in relation to financial statements before submission to the Board, focusing particularly on:

- Significant accounting policies and practices and any changes in them;
- Major judgemental areas
- The extent to which the financial statements are affected by any unusual transactions in the year and how they are disclosed;
- The clarity of disclosures
- Significant adjustments resulting from the audit

To meet with the external auditors post-audit at the reporting stage to discuss the audit, including problems and reservations arising from the audit, and any matters the auditor may wish to discuss;

To review the management representation letter, the external auditors' management letter and the management's response.

To monitor and review the internal audit programme (if any) and its effectiveness;

To monitor and review the Library's systems for internal financial control, financial reporting and risk management;

To consider any major audit recommendations and to consider the major findings of internal investigations and management's response;

Reporting

The minutes of the meetings of the Committee shall be circulated to all members of the Committee and to all other members of the Board.

The Chair of the Committee shall report to the Board on all meetings of the Committee.

The Committee shall make whatever recommendations to the Board it deems appropriate on any area within its responsibility where action or improvement is needed.

The Committee members shall conduct an annual review of their work and these terms of reference and make recommendations to the Board.



Hamilton Public Library

Date: June 12, 2007

To: Chair and Members of the Board

c.c. Ken Roberts, Chief Librarian

From: Linda Foley, Director, Human Resources

Subject: CUPE 932 Internal Equity Plan

RECOMMENDATION:

That the CUPE 932 Internal Equity tentative agreement be approved effective April 1, 2007, and that the estimated 2007 costs associated with the compensation program of \$121,160 be funded from the 2007 operating budget.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The annualized costs associated with the tentative deal will have a budget impact of approximately 0.50% for the 2008 budget submission. The 2007 costs will be lower since the agreement calls for only nine months of funding in 2007. The library will attempt to cover 2007 costs through the existing operating budget as no funds were set aside. Should the Library operations run a deficit, monies will be requested from reserves to cover the shortfall in this fiscal year.

The tentative agreement recommended for adoption by the Library Board will proceed to a ratification vote by the bargaining unit members on June 22, 2007, provided the Board accepts the recommendation. Both parties are seeking a equitable solution to this issue.

The City of Hamilton CUPE 5167 bargaining unit covering both inside and outside workers has been used for pay equity comparator purposes, as required by our pay equity agreement. The outcome of the City's collective bargaining process is not yet known and therefore the impact on the Library could be greater. A contingent amount equivalent to budgeted salary assumptions has been included in the costing above.

BACKGROUND:

The Library and its bargaining agent, CUPE 932 met to discuss the internal equity issues to determine whether any agreement could be reached prior to collective bargaining in 2009 as previously agreed and discussed with the Library Board. The movement from 29 salary bands to 8 salary bands was agreed to as part of the Library's pay equity negotiations with CUPE 932. A pay equity plan was finalized by the parties; however pay equity legislation is not intended to address other compensation issues than that of addressing pay inequities between male and female dominated positions.