

## Mission Statement

*Freedom to Discover.*

## Strategic Priorities

*Strengthening Communities*

*Strengthening Individuals*

*Strengthening Our Organization*

## HAMILTON PUBLIC LIBRARY BOARD

Regular Board Meeting  
Wednesday, September 23, 2009  
Central Library, Board Room

5:30 p.m. Dinner  
6:00 p.m. Meeting

### AGENDA

1. Discussion Period
2. Acceptance of the Agenda
3. Minutes of the Hamilton Public Library Board Meeting of Wednesday, June 17, 2009 Attachment #3
4. Presentations
5. Consent Items
  - 5.1 Fire Drill Policy – LD Attachment #5.1  
**Suggested Action: Recommendation**
  - 5.2 Casual Staff Salary Grid – LD Attachment #5.2  
**Suggested Action: Recommendation**
  - 5.3 Red Hill Lease – WG Attachment #5.3  
**Suggested Action: Recommendation**
  - 5.4 2010 Holiday Closures – LD Attachment #5.4  
**Suggested Action: Recommendation**
6. Business Arising
  - 6.1 Facilities Update – KR Attachment #6.1  
**Suggested Action: Receive**
  - 6.2 Website and Portal Presentation – PT Attachment #6.2  
**Suggested Action: Recommendation**
7. Correspondence

**8. Reports**

8.1 Report from the Audit Committee

Attachment #8.1

**Suggested Action: Recommendation**

8.2 Chief Librarian's Report

Attachment #8.2

**Suggested Action: Receive**

**9. New Business**

9.1 Terryberry Renovation – BH

Attachment #9.1

**Suggested Action: Recommendation**

9.2 2010 Operating Budget – WG

Attachment #9.2

**Suggested Action: Receive**

9.3 Capital Budget – WG

Attachment #9.3

**Suggested Action: Recommendation**

9.4 Carpenter's Union Letter of Understanding – KR

Attachment #9.4

**Suggested Action: Recommendation**

**10. Private and Confidential**

10.1 Labour Issues – LD

**11. Date of Next Meeting**

Wednesday, October 21, 2009

**Central Library, Board Room, 5<sup>th</sup> Floor**

5:30 p.m. Dinner

6:00 p.m. Meeting

**12. Adjournment**



**HAMILTON PUBLIC LIBRARY**  
**LIBRARY BOARD**

**UPCOMING/OUTSTANDING ISSUES**

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



HAMILTON PUBLIC LIBRARY BOARD  
Regular Meeting

Wednesday, June 17, 2009  
Central Library, Board Room  
5:30 p.m. Dinner  
6:00 p.m. Meeting

MINUTES

**PRESENT:** Jennifer Gautrey, George Geczy, Suzan Fawcett, Krzysztof Gumieniak, Maureen McKeating, Mary Ann Leach, Doreen Horbach, Councillor Jackson, Councillor Pearson, George Nakamura

**REGRETS:** Santina Moccio

**STAFF:** Beth Hovius, Lisa DuPelle, Paul Takala, Ken Roberts, William Guise, Maureen Sawa, Karen Hartog

**GUESTS:** Robert Plant, Kathrine Watson

Ms Gautrey called the meeting to order at 5:05 p.m.

1. **DISCUSSION PERIOD**

1.1 Ms Watson was welcomed to the meeting. Ms Watson provided the board chair with a petition of 167 signatures requesting the Library Board to retain the Highland bookmobile stop.

2. **ACCEPTANCE OF THE AGENDA**

Items 9.1 and 9.2 were requested to be moved to the Presentations section.

**MOVED** by Ms McKeating, seconded by Ms Leach,

**THAT THE AGENDA BE APPROVED AS AMENDED.**

**MOTION CARRIED.**

3. **MINUTES OF THE HAMILTON PUBLIC LIBRARY BOARD MEETING OF WEDNESDAY, MAY 20, 2009**

**MOVED** by Ms McKeating, seconded by Councillor Pearson,

**THAT THE HAMILTON PUBLIC LIBRARY BOARD MINUTES OF WEDNESDAY, MAY 20, 2009 BE ADOPTED AS PRESENTED.**

**MOTION CARRIED.**

4. **PRESENTATIONS**

No presentations.

5. **CONSENT ITEMS**

No consent items

6. **BUSINESS ARISING**

6.1 Strategic Plan

**MOVED** by Ms Leach, seconded by Ms Horbach,

**THAT THE HAMILTON PUBLIC LIBRARY BOARD ADOPT THE STRATEGIC PLAN AS AMENDED.**

**MOTION CARRIED.**

6.2 Preliminary Rural Branch Service Report

Received for information. Minor changes were made to the report. Ms Hovius will make the recommended changes and forward a copy to Councillor Pasuta.

6.3 Central Update

Ms Sawa provided an update on the Central renovation.

6.4 Bookmobiles

Board members discussed the bookmobile service and the current concerns from the public regarding the cancellation of some of the neighbourhood stops. Ms Hovius will investigate if there is a demographic scan for the mountain.

7. **CORRESPONDENCE**

Email from Kathrine Watson dated May 15, 2009

Received for information.

Response letter to Kathrine Watson from Jennifer Gautrey dated May 27, 2009

Received for information.

Letter from Sheri Selway dated May 10, 2009

Received for information.

Response letter to Sheri Selway from Jennifer Gautrey dated May 22, 2009

Received for information.

8. **REPORTS**

- 8.1 Chief Librarian's Report  
Received for information.

9. **NEW BUSINESS**

- 9.1 Report from the Auditors  
Received for information.
- 9.2 2008 Financial Statements

**MOVED** by Mr. Nakamura, seconded by Mr. Geczy,

**THAT THIS ITEM BE REFERRED BACK TO THE AUDIT COMMITTEE FOR REVIEW. WHEN THE FINANCIAL STATEMENTS HAVE BEEN REVIEWED BY THE AUDIT COMMITTEE, AN EXECUTIVE COMMITTEE WILL BE CALLED TO APPROVE THE REPORT.**

**MOTION CARRIED.**

10. **PRIVATE AND CONFIDENTIAL**

No private and confidential items.

11. **DATE OF NEXT MEETING**

Wednesday, September 23, 2009  
**Central Library, Board Room, 5<sup>th</sup> Floor**  
5:30 p.m. Dinner  
6:00 p.m. Meeting

12. **ADJOURNMENT**

**MOVED** by Ms Fawcett, seconded by Councillor Pearson,

**THAT THE HAMILTON PUBLIC LIBRARY BOARD MEETING OF WEDNESDAY, JUNE 17, 2009 BE ADJOURNED.**

**MOTION CARRIED.**

The meeting was adjourned at 7:00 p.m.





# Hamilton Public Library

**DATE:** September 23, 2009

**REPORT TO:** Chair and Members of the Board

**FROM:** Lisa DuPelle, Director of Human Resources

**C.C.:** Ken Roberts, Chief Librarian

**SUBJECT:** **Delay opening for fire drills**

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## **RECOMMENDATION:**

**That the Hamilton Public Library Board allow for the delay of opening operations up to a maximum of three times a year in order to conduct fire drills.**

## **BACKGROUND:**

We are in the process of updating our Fire Safety Policy and fire safety drills should be conducted regularly. Conducting effective fire drills during closed hours will help:

- provide scheduled opportunities for comprehensive fire emergency response training for duty Librarian staff, floor wardens and others (those persons delegated with specific duties to carry out during a fire emergency) and others;
- determine whether designated staff can competently respond in accordance with the emergency fire and evacuation procedures;
- determine whether staff responds in a timely manner to carry out their duties;
- determine whether sufficient staff will respond in a timely manner to carry out their duties
- assess the ongoing effectiveness of the emergency procedures under different fire scenario conditions; and
- comply with the Fire Code's mandatory requirement for conducting fire drills.







# Hamilton Public Library

**DATE:** September 23, 2009

**REPORT TO:** Chair and Members of the Board

**FROM:** Lisa DuPelle, Director of Human Resources

**C.C.:** Ken Roberts, Chief Librarian

**SUBJECT:** **Approval of Casual Wage Rates**

**RECOMMENDATION:**

That the Board approve the following wage rates for all casual non-union employees and that these rates be will implemented effective January 1, 2010.

New Grid effective January 1, 2010

	Step 1	Step 2
Casuals/Shelfreaders	10.25	10.76

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The costs associated with this change have been captured in the 2010 budget figures and no additional funding is required.

**BACKGROUND:**

Please note that the lower steps in the wage grid must move to \$10.25 on March 31, 2010 to remain consistent with the change in the Employment Standards Act.

The Employment Standards Act was amended to reflect new minimum wage levels for 2008, 2009 and 2010. We adjusted the rates in 2008 and in 2009. As you can see by the grid in 2010 the grid would be eradicated with this new increase. As well in 2009, staff received an increase if they moved to the minimum wage level. All other senior shelf readers and pages did not receive an increase since non-unionized staff across the system did not receive a cost of living increase. We are suggesting a two-step grid and are suggesting January start date, which has become the effective date of the pay schedule for non-unionized staff since 2007. This is the final minimum wage adjustment and the schedule is as follows:

Minimum Wage Rate	March 31, 2008	March 31, 2009	March 31, 2010
<b>General Minimum Wage Employment Standards Act</b>	\$8.75 per hour	\$9.50 per hour	\$10.25 per hour





# Hamilton Public Library

**Date:** September 17<sup>th</sup> 2009  
**To:** Chair and Members of the Board  
**c.c.** Kēn Roberts, Chief Librarian  
**From:** William Guise, Director, Finance and Facilities  
**Subject:** Lease for Red Hill Branch Library

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## **RECOMMENDATION:**

That the lease between the Hamilton Public Library Board and Mayfair Properties Inc. be renewed for a period of ten years from November 1<sup>st</sup> 2009 and expiring on October 31<sup>st</sup> 2019 at an annual rental cost of \$158,000 per annum; and

That the Chair of the Hamilton Public Library Board be authorized to sign the lease amending agreement on behalf of the Library Board.

## **FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The annual rental cost for the current location of the Red Hill branch library will increase from \$147,000 to \$158,000. The annual rental cost had not changed since November 1<sup>st</sup> 1999.

## **BACKGROUND:**

The original lease for this location goes back to September 1983 with the lease of 4,760 square feet. The area leased was increased to 11,760 square feet in November 1989.





# Hamilton Public Library

**DATE:** September 23, 2009

**REPORT TO:** Chair and Members of the Board

**FROM:** Lisa DuPelle, Director of Human Resources

**C.C.:** Ken Roberts, Chief Librarian

**SUBJECT:** Christmas and New Year Service Closures

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**RECOMMENDATION:**

**THAT THE HAMILTON PUBLIC LIBRARY BOARD APPROVE THE FOLLOWING CHRISTMAS/NEW YEARS CLOSURE PERIODS FOR 2010:**

**ALL LOCATIONS OF THE HAMILTON PUBLIC LIBRARY WILL CLOSE DECEMBER 24<sup>TH</sup>, 2010 AND WILL REMAIN CLOSED THROUGH TO DECEMBER 27<sup>TH</sup>, 2010, AND**

**THAT THE LIBRARY REOPEN ON DECEMBER 28<sup>TH</sup> AND SERVICE HOURS BE ADJUSTED FROM DECEMBER 28<sup>TH</sup> THROUGH DECEMBER 30<sup>TH</sup> AS NOTED BELOW, AND**

**THAT THE LIBRARY CLOSE ON DECEMBER 31<sup>ST</sup>, 2010.**

**BACKGROUND:**

For the past several years, Library staff have worked a shortened shift on the 24<sup>th</sup> and 31<sup>st</sup> but have been paid for a full day. By recognizing the holiday on these dates this will create some savings as well as simplify some of the other operational concerns such as staffing coverage during the holiday season. The City of Hamilton will also be closing the same length of times over the holidays but on different dates:

**2010 Christmas / New Year Holiday Period**

The Library closure on December 24<sup>th</sup> is to recognize the Christmas Day holiday which falls on a Saturday and December 27<sup>th</sup> is to recognize the Boxing Day holiday which falls on Sunday, December 26<sup>th</sup>.



- December 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>:
  - Locations will open at the regularly scheduled hour except for locations scheduled to open at 4 p.m.
  - Locations scheduled to open at 4 p.m. will not open.
  - All locations will close at 5 p.m.
- December 31<sup>st</sup> January 1<sup>st</sup>, 2<sup>nd</sup>
  - All locations will remain closed.
  - The Library shall close December 31<sup>st</sup> to recognize January 1, 2011.

Regular operations will resume on Monday, January 3, 2011.

#### City of Hamilton Schedule

Christmas Day (in recognition of)\* - Monday, December 27

Boxing Day (in recognition of)\* - Tuesday, December 28

#### Christmas Shutdown 2010

- Wednesday, December 29
- Thursday, December 30
- Friday, December 31

New Year's Day (2011)- (in recognition of)\* - Monday, January 3, 2011

We have had few public complaints in the past related to closures over the holidays and the timing of the holiday this year make a closure easier for the public. Please note that the Sunday before Christmas will be a regular public service day and the Sunday following New Years Day will be closed instead in 2011. Again, this was done to simplify operational concerns and reduce the number of service days closed to the public.



# Hamilton Public Library

**Date:** September 16, 2009  
**To:** Chair and Members of the Board  
**From:** Ken Roberts, Chief Librarian  
**Subject:** Facilities Update

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## **Flooding**

We did experience flooding in a number of locations. The parking lot at the Turner Park branch was flooded and pictures appeared in *The Spectator*. An investigation is taking place since neither the Y nor the library feel that the storm drainage system worked as it was designed. Sherwood experienced some basement flooding and has been cleaned, and stored items were damaged. Westdale and Barton basements also had minor flooding, as did Red Hill.

## **Central**

Renovations to the Central Library are on time and on budget. The schedule calls for the building to be encased in glass before Christmas and for substantial completion to be done by late next summer. We still expect to re-open the first floor in late October, 2010.

## **Turner Park**

Turner Park has continued to receive very positive comments from our customers. The branch is well used (2<sup>nd</sup> busiest branch with 46,000 circulation in August). We have now had a number of visits from other library systems. It is proving to be a very attractive, flexible and efficient building.

## **Lynden**

We will show the draft site plans for Lynden at the Board meeting. We met with the local committee in early September. Neighbours of the new library were invited as well, and they reviewed the plans and made minor suggestions, mostly to improve traffic flow and to ensure that there is no added threat of flooding.

We have applied for a federal stimulus funding grant to assist with Capital costs and should hear fairly quickly if successful. I have met with the Ward councillor. He is appreciative of the efforts we are making and is hopeful that we can start construction soon. Construction costs for Lynden form part of our recommended Capital budget.

## **Sherwood**

The Sherwood Branch will close October 1st for its renovations. Renovations are expected to last approximately six weeks. The project has been tendered and the bids have been opened. The winning bid is within the established budget and work will proceed.



**Waterdown**

We commissioned a consultant to determine if the planned Waterdown Branch could fit on the former Flamborough Town Hall site on Highway #5. We can manage to fit an acceptable building so that it partly wraps around the existing building. This is not, however, the most desirable solution, particularly if the current building should prove incapable of being upgraded to meet new AODA regulations. The situation is further complicated by the fact that the Chamber would like more space to provide government services, such as the driver's license renewals. We are trying to help host a meeting of all parties interested in the site and with a stake in the site so that we can make sure that our potential plans are part of a coordinated effort.

**Valley Park**

As a reminder, Valley Park is closed beginning August 31<sup>st</sup> so that HVAC changes can be made in the Valley Park recreation centre. It reopens at the end of September. The work is expected to be finished by the end of September.

**Terryberry**

Terryberry will need renovations to accommodate both RFID and a new sorter as well as to refresh the branch, now that Turner Park is open. The Terryberry Branch is in need of significant renovations. This will be the first phase. A report and recommendation is included in this Board package.





**Hamilton**  
Public Library

**DATE:** September 17, 2009

**REPORT TO:** Chair and Members of the Board

**C.C.:** Ken Roberts, Chief Librarian

**FROM:** Paul Takala, Director of Digital Technology

**SUBJECT:** myhamilton Community Website and New Library Website

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**RECOMMENDATIONS:**

THAT THE HAMILTON PUBLIC LIBRARY BOARD APPROVE THE TERMS OF REFERENCE FOR THE COMMUNITY LEADERSHIP TEAM (APPENDIX I) FOR MYHAMILTON. THAT THE HAMILTON PUBLIC LIBRARY BOARD APPROVE THE FOLLOWING POLICIES FOR THE NEW MYHAMILTON: ACCEPTABLE USE POLICY (APPENDIX II); COPYRIGHT AND INTELLECTUAL PROPERTY POLICY (APPENDIX III) AND PRIVACY POLICY (APPENDIX IV).

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial**

Hamilton Public Library staff have built the new myhamilton on a robust open source software called Drupal. This has significantly reduced the software costs associated with the website. To ensure the site is properly supported HPL staff have contracted support on the site. Support costs are \$5,145 annually to be paid from operating funds.

Staff built the new myhamilton on the new virtualized server environment approved by the Library Board in September 2008. Because the new server environment enables additional virtual servers to be created without buying new hardware, the hardware costs for this project were very low. The only hardware that was required for the new site was additional drive space for our SAN (Storage Area Network) costing \$6,995. It should be noted that our new virtual server environment is saving approximately \$10,000 in energy costs every year.

**Staffing**

The new site uses a database driven content management system which enables content to be presented in different contexts without being recreated; this significantly improves the efficiency of the content authoring process. Content creation, operation and maintenance of the technical environment has been absorbed within the current staff resources of the Hamilton Public Library.

## Legal

Policies dealing with privacy and copyright were developed utilizing the original policy work done by the myhamilton Steering Committee. These have been updated and consolidated.

## ALIGNMENT WITH HAMILTON PUBLIC LIBRARY BOARD MISSION, VISION, VALUES AND STRATEGIC PRIORITIES:

### Strengthening Communities

*The Hamilton Public Library's physical and electronic locations will be a source of civic pride. They will be welcoming public spaces where ideas are freely explored, events can take place and people of diverse backgrounds feel equally at home. The library will make a positive social and economic impact. The library will both preserve Hamilton's historic past and help community members to shape its future.*

## BACKGROUND:

Prior to the launch of myhamilton in September 2005 the original Steering Committee articulated a vision and developed a strong policy foundation for a community portal. Four years after the launch, the Hamilton Public Library finds much of that work still relevant. The original concept of a community portal for Hamilton that creates no-wrong-door for information and a place for the community to engage is still highly relevant. While the core concepts behind the portal are still valid, the last four years have provided a lot of opportunity for learning. In working to relaunch myhamilton, staff have worked to ensure that we remain true to the original vision while at the same time effectively using lessons learned.

On September 17, 2008 the Hamilton Public Library Board approved the following recommendation: "That the Hamilton Public Library assume a leadership role in the development and ongoing support of the renewed myhamilton.ca community portal." Since that time work has continued on developing the second generation myhamilton. The site will be launched on Monday, October 26, 2009.

When myhamilton was launched the portal infrastructure was owned by the City of Hamilton. In 2007 the City began the process of separating its site from other content on myhamilton. This was done to address issues of site confusion where residents were not able to distinguish between information from authorized City departments and other community information. Other concerns included potential liability to the City for information posted on the site from non-City sources. The report prepared by R. Allen and Associates strongly supported the conclusion that the community supports the Library taking a leadership role in the new myhamilton.

## Governance

The staff and technical infrastructure of the Hamilton Public Library have been leveraged to develop the new myhamilton. Given the Library's leadership role in myhamilton and its ownership of the infrastructure the Hamilton Public Library Board is the official policy making body for the site. Connecting people to a diverse range of information and services in our community is not a new role for library staff. It is a role the Library has long focused on, but myhamilton creates a platform that enables that work to have a much broader audience and a bigger impact on our community.

The Hamilton Public Library has a long history of collaboration and partnerships with other institutions serving our community. The Library recognizes that we share in common the goal of developing our community with many other organizations and initiatives. To help ensure the priorities of myhamilton continue to reflect a broader vision of community needs, the Hamilton Public is committed to establishing a Community Leadership Team. This Team will provide a mechanism for ensuring myhamilton aligns with other initiatives and works collaboratively to improve our community. (See Appendix I: Terms of Reference Community Leadership Team)

### **New Model for Community Engagement**

The original model for myhamilton was to identify partner organizations that would assume responsibility for content for different sections of the site. With a few notable exceptions (the Hamilton Conservation Authority, Industry Education Council and the Community Information Centres) it was difficult to get other organizations to assume a general role in managing content. The report from R. Allen and Associates identifies *Local Groups and Organizations* as a key customer group for myhamilton. The value myhamilton can bring to these groups is in providing: low cost promotion; community engagement and group networking; and collaboration.

To meet the needs of other groups in our community the new myhamilton will pay special focus on profiling local groups and initiatives that are *Making Hamilton Better*. Library staff are working with the *Jobs Prosperity Collaborative (JPC)* to develop a site for the JPC that utilizes the myhamilton infrastructure but uses their branding. The library will be using this process to identify the resources involved in hosting external sites like the JPC. This information will go into our business planning process. Our goal moving forward is to expand our partnerships with other initiatives in Hamilton.

### **Research Findings**

In developing the new site, staff have been able to utilize research that has been conducted on myhamilton and other community portals in Ontario. In addition to an operational review, usability testing and studying usage patterns two important studies have provided valuable input on ways to improve the site. These are:

- **Comparative Study of Community Websites in Ontario** ~ May 2008: The DeGroot School of Business at McMaster University released findings from a 2007 research study that investigated the adoption and use of community websites in six centres across Ontario, including Hamilton. This study which was authored by Dr. Brian Detlor, Dr. Maureen Hupfer and Mr. Umar Ruhi provided several recommendations and identifies critical success factors that support effective portal development and adoption: "strong partnership, effective systems development, sustainable funding, and sound marketing".
- **Consultation on the Future of Hamilton's Community Website** ~ September 2008. Prepared by Richard Allen and Sara Glen. R. Allen and Associates conducted an extensive consultation process to help provide the library with an informed perspective on how to move myhamilton forward.



## MYHAMILTON CUSTOMER GROUPS\*

Customers	Definition	Key Needs in Priority Order
<p><b>A. Local Residents and Visiting Students</b></p> <ul style="list-style-type: none"> <li>• Individuals</li> <li>• Age Cohorts</li> <li>• Communities of Interest</li> <li>• Special Populations</li> </ul>	<p>In the context of myhamilton, members of this customer group are primarily users of data, information and knowledge about Hamilton, and secondarily creators/co-creators of context and content (e.g., user-developed local resources, etc.). This group is also the key source for mass collaboration — <b>the bigger, and more diverse the crowd, the better.</b></p>	<ol style="list-style-type: none"> <li>1. Practical information</li> <li>2. Useful connections</li> <li>3. Opportunities to collaborate</li> </ol>
<p><b>B. Local Groups and Organizations</b></p> <ul style="list-style-type: none"> <li>• Public   Private   Community</li> <li>• Individual Entities Associations</li> <li>• Networks (formal and informal)</li> </ul>	<p>In the context of myhamilton, members of this customer group are primarily <b>developers</b> of context and content (data, information, knowledge) albeit often in collaboration with users. This group is also the key source for funding, donations and in-kind resources — significant from the standpoint of operating funds and long-term sustainability. <b>Quality counts.</b></p>	<ol style="list-style-type: none"> <li>1. Low cost promotion</li> <li>2. Community engagement</li> <li>3. Group networking and collaboration</li> </ol>
<p><b>C. Non-residents</b></p> <ul style="list-style-type: none"> <li>• Prospective Visitors/Tourists</li> <li>• Prospective Investors</li> <li>• Prospective Students</li> <li>• Prospective international and domestic newcomers</li> </ul>	<p>In the context of My Hamilton, members of this customer group are primarily <b>users</b> of data, information and opinions needed to support decisions pertaining to visiting, investing, studying or moving to Hamilton. This group is significant in that it provides a source for the growth Hamilton needs to sustain its standard of living and quality of life. <b>First impressions matter — be a quality first point of contact.</b></p>	<ol style="list-style-type: none"> <li>1. Accurate information on Hamilton that is authentic and highly practical</li> </ol>

\*R Allen and Associates Report.

**APPENDIX I: TERMS OF REFERENCE COMMUNITY LEADERSHIP TEAM**

Policy Level: Hamilton Public Library Board

Approval Date:

**Mandate:**

Works to advance greater collaboration and participation in the myhamilton community website. Helps set strategic direction and ensures the site advances community development. To achieve these goals, it will:

- Promote the site and its goals
- Recommend strategic priorities for myhamilton
- Recommend policies and business objectives for myhamilton
- Monitors overall performance of the site

**Membership:**

Membership will be comprised of leaders in our community who share in the vision of myhamilton and want to promote its effectiveness and impact on our community. The Team will be chaired by Ken Roberts, Chief Librarian and will include a minimum of 8 members. Leaders from organizations that are working at making Hamilton better will be invited to participate.

**Members:**

- (Chair) Ken Roberts, Chief Librarian
- (Vice-Chair) – to be selected annually by members of the Community Leadership Team
- HPL: Chief Library, Director Digital Technology, Director Public Service and Community Development
- Representative from organizations such as: Chamber of Commerce, Community Foundation, HCCI, SISO, School Boards, Jobs Prosperity Collaborative, Early Years, ...

**Reporting:** Report annually to the Library Board through the Chair

**Meetings:** Meet at least 3 times a year: February, May, October. 1<sup>st</sup> meeting in early 2010.

**Review:** these terms of reference are to be reviewed by the Community Leadership Team, with recommended changes reported back to the Library Board for approval.

## APPENDIX II: ACCEPTABLE USE POLICY

Policy Level: Hamilton Public Library Board

Approval Date:

Definition of Visitor: The term 'visitor' applies to anyone uses the myhamilton.ca web portal

### **A. Statement of Commitment**

Our intent with this acceptable use policy is to create a space for the community to learn, share, communicate and celebrate the diversity of the Hamilton community while protecting personal information and rights. This will be a safe, trusted public place for the free exchange of ideas and will be the go to' location for information in the Hamilton community. This policy covers the general content areas of myhamilton.ca with regards to content focus, consent, content, use, unacceptable use and retention.

### **B. Guiding Principles**

As guiding principles, "myhamilton.ca" supports the community's commitment to: promote the well being of individuals and communities, diversity, inclusiveness, collaboration, communication, privacy and ethical standards, excellence.

These include:

- an emphasis on promoting initiatives working towards *Making Hamilton Better*
- recognition of all members of the community respecting their the needs and capacities irrespective of ability, gender, income, language, education level, race and ethnicity, age, sexual orientation and geographical location
- promotion of inclusiveness and participation within our community
- protection of individual privacy and rights within the bounds of acceptable ethical standards and legal restraints including copyright and libel
- commitment to excellence through reliable, accurate, informed communication and prompt and courteous responsive delivery of services

### **C. Policy Components**

- **Responsibility:** As visitor, you are responsible for reviewing these terms and conditions and additional terms posted on particular websites. Your continued use of the myhamilton.ca constitutes your agreement to all such terms, conditions, and notices.
- **Use:** The material posted will be for the benefit of the community as a whole. Information on the site is made available free of charge. Copyright on information posted is held by the information providers: Unless otherwise posted all information posted on myhamilton is made available under the [Creative Commons -Attribution-Noncommercial-No Derivative Works](#).
- **Retention:** The content providers are the sole source of information and also are responsible for the retention and removal of content.
- **Unacceptable use:** Any activity that is contrary to the statement of commitment or guiding principles is considered unacceptable use and may result in action taken to exclude the visitor from the portal. While myhamilton is a place for different views to be expressed and heard, content that is disrespectful or otherwise violates our guiding principles is unacceptable.



#### D. Content Priorities

Attention will be made to ensure the priorities outlined here are effectively addressed, however, myhamilton assumes no guarantees for content provided with regards to accuracy or retention.

- **Meeting User's Needs (Relevance):** Information will be gathered from users through a variety of mechanisms to identify areas of high interest and demand. This information will be used on an ongoing basis to help ensure myhamilton delivers content that is relevant to the community. Content that is not of high demand may be included on myhamilton, however, priority will be given to ensure relevant information and services are effectively highlighted.
- **Currency/Accuracy:** content will be current, except where historical in nature. High priority will be given to ensuring information on myhamilton is accurate and the source is identified. The date items were last updated will be indicated where appropriate.
- **Promoting and Celebrating Hamilton:** priority will be given to highlighting positive developments in our community. Information that helps encourage engagement and participation will be a major focus of the site. Some information regarding challenges our community is facing will also be found on the site, however, the emphasis will be on helping advance solutions and positive developments.
- **Reducing Content Duplication:** In order to reduce the unnecessary duplication of information myhamilton will identify and link to other sources of information where appropriate. Where a source of information already exists myhamilton will ensure excessive duplication is avoided and myhamilton helps direct traffic to those sources. Examples include: City of Hamilton, Inform Hamilton, Tourism Hamilton, official sites of educational and other institutions in our community. Where appropriate myhamilton will provide descriptive information and context and link directly to specific content within other sites.

#### E. Presentation & Access

- **Appropriateness of Language:** Efforts will be made to ensure labels used on the site are validated by usability testing to ensure they are relevant and meaningful to users.
- **Clear Language:** myhamilton will create content that is understandable and accessible to as wide a range of people as possible. Efforts will be made to apply best practices of clear language to reduce barriers to understanding.
- **Consistency of Presentation:** each section of the portal will contain information unique and relevant to that section, in general the site will follow a standard layout and interface throughout. The site will be branded "Powered by the Hamilton Public" and follow a consistent look. Exceptions to this include: partner sites hosted by myhamilton and sites for specific audiences.
- **Partner Sites:** hosted on myhamilton will be able to emphasize their unique branding while still enabling customers to easily return to myhamilton. Within the limits of available resources, the Hamilton Public Library will work towards providing hosting to external organizations that are working towards *Making Hamilton Better*. Priority will be given to initiatives that are collaborative in nature and are working towards making a broad impact on our community

**F. Reporting Concerns**

If you have any concerns regarding the portal, please contact: "service@.myhamilton.ca" and you will receive a response in two working days. To report a concern, you must provide full contact information. When content is being considered for review as a result of a posted concern, myhamilton reserves the right to temporarily remove the content until the review is complete. Reporting a concern does not specifically mean that the content will be removed. Individuals reporting concerns will be kept up-to-date as to the status of the process by the myhamilton Team.

**E. Other applicable policies**

Other policies in effect with the use of this web site are:  
Human Rights, Privacy Act,

**F. Review of Acceptable Use Policy**

This policy will be reviewed annually by the myhamilton Community Leadership Team and reposted.



## APPENDIX III COPYRIGHT AND INTELLECTUAL PROPERTY POLICY

Policy Level: Hamilton Public Library Board

Approval Date:

Organizations and individuals providing content on the website will retain the Intellectual Property (IP) of their contributions. Contributors agree to allow users of the site to access the content freely. In addition, other sections of the portal may link to and include information contained on other parts of the portal.

### Copyright Standard on myhamilton

Unless otherwise stated the standard copyright license that will apply to all content on myhamilton will be the **Creative Commons License - Attribution-Noncommercial-No Derivative Works 3.0 Unported** (Source: <http://creativecommons.org/licenses/by-nc-nd/3.0/>)

This license states that users are:

- **Free to Share** — to copy, distribute and transmit the work

Under the following conditions:

- **Attribution** - You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).
- **Noncommercial** - You may not use this work for commercial purposes.
- **No Derivative Works** - You may not alter, transform, or build upon this work.

Any of the above conditions can be waived if you get permission from the copyright holder. Nothing in this license impairs or restricts the author's moral rights.

### License Flexibility Where Appropriate

Myhamilton will use the standards developed by the Creative Commons License initiative. Organizations or individuals providing content to myhamilton may opt for a more or less restrictive license for some or part of their content. Other licenses are available at: [www.creativecommons.org](http://www.creativecommons.org).

## APPENDIX IV: PRIVACY POLICY FOR MYHAMILTON

Policy Level: Hamilton Public Library Board

### **Purpose**

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

- **Accountability:** The website will clearly state who is to be contacted whenever a user questions the use of personal information. The website will ensure that its privacy policy is enforced by all staff members as well as any third party organizations or agencies that may have legitimate access to such information in support of the myhamilton website's business.
- **Identifying Purpose:** The website 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 website 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 myhamilton.
- **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 myhamilton will not be given or sold to other organizations and will only be used for website-only mailings. Information may be shared with agencies or companies working within the scope of their duties on behalf of the myhamilton website. Myhamilton shall ensure that such agencies or companies abide by the myhamilton portal'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:** myhamilton shall answer any individual's questions about the uses of specific information and about specific practices, ensuring that practices abide by this policy.
- **Access:** myhamilton shall allow users to see personal information about themselves. Staff must provide information about a child less than 16 years of age to that child's parent or guardian. Staff must also honour court orders issued by a judge that require the release of personal information. With approval of Management, 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 myhamilton users who feel their privacy has not been protected may challenge myhamilton practices. A myhamilton portal 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.

#### **Sharing of Information to Third Parties**

Generally, your personal identifying information will not be disclosed to any third party except when your consent has been obtained or when it is required to disclose it pursuant to a court order, or by other law. Administrators of myhamilton.ca reserve all rights to transmit your credit card number and other credit card verification information through a third party service provider to the appropriate credit card company during order processing. Third party service providers will have their agreed upon confidential restrictions and security measures to safeguard your information. We work to protect the security of your information during transmission by using Secure Sockets Layer (SSL) software, which encrypts personal information, such as your credit card number that you provided.

#### **Protecting Your Privacy – Your Responsibilities**

The website employs secure systems to protect the information received from users. In addition, the information in your user profile is password-protected so that only you as a user, and authorized myhamilton administrators may access or change the information. **You should not share your password with anyone.** myhamilton community administrators will never ask you to divulge your password in written or electronic communications. You may be asked for your password when you contact us and only in cases where you request assistance to correct a service problem which requires your password. Please be aware that Internet data transmission is not always 100% secure and no-one can warrant that information you transmit over the Internet is 100% secure. Because security is important to all of us, reasonable efforts are made to ensure the security of our systems, and your access to use the community portal.

The administrators in myhamilton do not monitor in advance user communication, e-mails or content distributed through the use of the community website. By using any aspect of the Portal, you as a user acknowledge that owners of hardware, software, administrators of the Portal and others, are unlikely to be aware of violations of law or other misconduct by other users. As users of the Portal, you maintain full and sole responsibility for information sent via e-mail, and downloaded using your web browser. As the recipients of e-mail or participant in collaboration

spaces, you are responsible for using reasonable efforts to screen unwanted material and reporting any illegal, immoral or unethical conduct and or use to the general contact person for the myhamilton portal.

**Privacy Policy Changes**

If there are any changes to this Privacy Policy, the changes will be posted in this document so that you will always know what information is gathered, how it is used, and to whom it could be disclosed to. The Privacy Policy may change at any time. Please be sure to check this page periodically for changes.



**HAMILTON PUBLIC LIBRARY BOARD  
Audit Committee Meeting**

**Wednesday, July 29, 2009  
Central Library, Board Committee Room  
5:30 p.m. Meeting**

**MINUTES**

**PRESENT:** George Geczy, Jennifer Gautrey, George Nakamura

**REGRETS:** Mary Ann Leach

**STAFF:** William Guise

**GUESTS:** Melanie Dugard, Grant Thornton

Mr. Nakamura called the meeting to order at 5:45 p.m.

**1. Communication of Audit Results**

Received and accepted for information by the Audit Committee.

**2. 2008 Financial Statements Report**

Page 9 – discrepancy in the amount for “Reserves and reserve funds” to amount shown in memo. Mr. Guise will investigate further. There was an adjustment made to pay equity reflecting the amount to be \$7,812,781. A note will be added to clarify the difference.

Committee members noted another discrepancy in the amounts listed in the memo regarding “Decrease in Reserve Funds for 2008”. In the body of the memo the figure noted is \$234,762.55 and the figure noted on the next page is \$253,762.55. Mr. Guise will investigate and add any additional notes.

Page 14 - #2 Fund Balances – should read “K. McLaren”.

**MOVED** by Mr. Geczy, seconded by Ms Gautrey,

**THAT THE 2008 FINANCIAL STATEMENTS FOR THE HAMILTON PUBLIC LIBRARY BOARD AND STATEMENTS FOR THE HAMILTON PUBLIC LIBRARY BOARD – TRUST FUNDS ATTACHED TO THIS REPORT BE APPROVED AS AMENDED.**

**MOTION CARRIED.**

**3. Budget Variance Report – April 30, 2009**

Received for information

**4. Adjournment**

The meeting was adjourned at 6:40 p.m.

Minutes recorded by Karen Hartog.



Grant Thornton

# Report to the Audit Committee - Communication of Audit Results

Hamilton Public Library  
For the year ended December 31, 2008



April 3, 2009

Grant Thornton LLP  
100 King Street West  
Suite 1000  
Hamilton, ON  
L8P 3V1  
T 905.877.1113  
F 905.877.0417  
[www.GrantThornton.ca](http://www.GrantThornton.ca)

To the members of the audit committee of Hamilton Public Library Board

We are pleased to report that we have now substantially completed our audit of the financial statements of the Hamilton Public Library Board for the year ended December 31, 2008. We have attached our draft auditors' report. We will finalize this auditors' report once we have the opportunity to discuss the results of our audit with you.

The report to the audit committee has been prepared in accordance with the assurance recommendations issued by the Canadian Institute of Chartered Accountants (CICA) entitled "Communications with Those Having Oversight Responsibility for the Financial Reporting Process". That standard recommends we communicate with the audit committee various matters including: the overall audit strategy, our responsibility as auditors, any matters arising from the audit, misstatements, significant accounting policies, and any other matters that may be of interest to the audit committee.

We express our appreciation for the cooperation and assistance received from the management and staff of the Hamilton Public Library Board during the course of our audit.

If you have any particular comments or concerns, please do not hesitate to raise them at our scheduled meeting.

Yours sincerely  
Grant Thornton LLP

A handwritten signature in cursive script that reads "Grant Thornton LLP".

Allister Byrne, FCA  
Partner

cc: William Guise



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## Status of the audit

We have substantially completed our audit of the financial statements of the Hamilton Public Library Board for the year ended December 31, 2008 and the results of that audit are included in this report.

As noted in the covering letter, we have attached our draft auditors' report as Appendix A. The following items need to be addressed/completed before that report is signed:

- Receipt of legal confirmation;
- Finalization of actuarial valuations for post-employment benefit liabilities;
- Receipt of signed management representation letter (draft has been attached as Appendix B); and
- Approval of the financial statements by the Audit Committee.

## Reportable matters

### Summary of disclosure matters

Our audit did not identify any misstatements.

### Internal control

Management is responsible for the design and operation of an effective system of internal control that provides reasonable assurance that the accounting system provides timely, accurate and reliable financial information, and safeguards the assets of the entity.

Through our role as auditors of your financial statements we possess an understanding of the entity and its environment, including internal control. However, a financial statement audit is not designed to provide assurance on internal control. Professional standards do require us to communicate to the audit committee significant deficiencies and material weaknesses in internal control that have come to our attention in the course of performing the audit.

During the course of performing our audit, we did not identify any such reportable weaknesses in internal control.



## Technical updates

### **Accounting and auditing standards**

Recent changes in accounting and auditing standards were included in our planning memorandum for the 2008 audit of the Hamilton Public Library Board. There have been no significant changes subsequent to the issuance of this memo. We would be pleased to discuss these changes if the audit committee has any questions.



## Appendix B – Draft Management representation letter

April 3, 2009

Grant Thornton LLP  
Standard Life Centre  
120 King Street West  
Suite 1040  
Hamilton, Ontario  
L8P 4V2

Dear Sir/Madam:

We are providing this letter in connection with your audit of the financial statements of the Hamilton Public Library Board as of December 31, 2008 and for the year then ended, to which we are providing an opinion as to whether the financial statements present fairly, in all material aspects, the financial position, financial activities, and changes in financial position of the Hamilton Public Library Board in accordance with Canadian generally accepted accounting principles.

We acknowledge that we are responsible for the fair presentation of the financial statements in accordance with Canadian generally accepted accounting principles and for the design, implementation and operation of internal controls to prevent and detect fraud and error. We have not, however, concluded that the financial statements may be materially misstated as a result of fraud, and have not assessed the risk to be low. Further, we acknowledge that your examination was planned and performed in accordance with Canadian generally accepted auditing standards so as to enable you to express an opinion on the financial statements. We understand that while your work includes an assessment of the accounting system, internal controls and related data to the extent you considered it necessary in the circumstances, it is not designed to identify, nor can it necessarily be expected to identify, shortages, errors and other irregularities, should any exist.

Certain representations in this letter are described as being limited to matters that are not, in your view, considered material, regardless of its monetary value, if it is probable that its omission or misstatement in the financial statements would influence the decision of a reasonable person relying on the financial statements.

We confirm, to the best of our knowledge and belief, as of April 3, 2009, the information provided to you during your audit.

#### Financial statements

1. The financial statements referred to above present fairly, in all material respects, the financial position of the entity as at December 31, 2008 and the financial activities and changes in financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

#### Completeness of information

2. We have made available to you all financial records and related data and all information that is the property of the audit committee and board of directors.
3. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
4. We are unaware of any known or probable instances of non-compliance with the provisions of any regulatory or governmental authorities, including their financial reporting requirements.
5. We are unaware of any violations or possible violations of laws or regulations that should be considered for disclosure in the financial statements or as the basis of a liability or contingent loss.
6. We have identified to you all known related parties and related party transactions, including revenues, expenditures, debt, transfers of reserve amounts, non-monetary transactions and transactions for no consideration.

#### Fraud and error

7. We have no knowledge of fraud or suspected fraud affecting the entity and/or its directors, officers, employees who have significant roles in internal control; or others, where the fraud could have a non-trivial effect on the financial statements.
8. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity and/or its financial statements communicated by employees, former employees or others.

#### Recognition, measurement and disclosure

9. We have no plans or intentions that may materially affect the carrying value of assets or liabilities reflected in the financial statements.
10. All related party transactions have been appropriately measured and disclosed in the financial statements.
11. We have informed you of all outstanding and possible claims, whether or not they have been discussed with legal counsel.
12. All liabilities and contingencies, including those associated with guarantees, which have not been disclosed to you and are appropriately reflected in the financial statements.
13. The Library Board has satisfactory title to (or lease interest in) all assets, and no assets of the Library Board have any been pledged as collateral.



## Appendix B – Draft Management representation letter

April 3, 2009

Grant Thornton LLP  
Standard Life Centre  
120 King Street West  
Suite 1040  
Hamilton, Ontario  
L8P 4V2

Dear Sir/Madam:

We are providing this letter in connection with your audit of the financial statements of the Hamilton Public Library Board as of December 31, 2008 and for the year then ended to the Board, including expressing an opinion as to whether the financial statements present fairly, in all material aspects, the financial position, financial activities, and changes in financial position of the Hamilton Public Library Board in accordance with Canadian generally accepted accounting principles.

We acknowledge that we are responsible for the fair presentation of the financial statements in accordance with Canadian generally accepted accounting principles and for the design, implementation and operation of internal controls to prevent and detect fraud and error. We have also acknowledged that the financial statements may be materially misstated as a result of fraud, and have assessed the risk to be low. Further, we acknowledge that your examination was planned and performed in accordance with Canadian generally accepted auditing standards so as to enable you to express an opinion on the financial statements. We understand that while your work includes an evaluation of the accounting system, internal controls and related data to the extent you considered it necessary in the circumstances, it is not designed to identify, nor can it necessarily be expected to identify, shortages, errors and other irregularities, should any exist.

Certain representations in this letter are described as being limited to matters that are not material, if it is considered material, regardless of its monetary value, if it is probable that its omission or misstatement in the financial statements would influence the decision of a reasonable person relying on the financial statements.

We confirm, to the best of our knowledge and belief, as of April 3, 2009, the following information made to you during your audit:

**Financial statements**

1. The financial statements referred to above present fairly, in all material respects, the financial position of the entity as at December 31, 2008 and the financial activities and financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

**Completeness of information**

2. We have made available to you all financial records and related data and all financial information of the audit committee and board of directors.
3. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
4. We are unaware of any known or probable instances of non-compliance with the accounting, financial regulatory or governmental authorities, including their financial reporting requirements.
5. We are unaware of any violations or possible violations of laws or regulations that should be considered for disclosure in the financial statements or as the basis for a possible contingent loss.
6. We have identified to you all known related parties and related party transactions, including revenues, expenditures, debt, transfers of reserve amounts, non-monetary transactions and transactions for no consideration.

**Fraud and error**

7. We have no knowledge of fraud or suspected fraud affecting the entity involving management, employees who have significant roles in internal control, or others, where the fraud or suspected fraud would have a non-trivial effect on the financial statements.
8. We have no knowledge of any allegations of fraud or suspected fraud affecting the financial statements communicated by employees, former employees or others.

**Recognition, measurement and disclosure**

9. We have no plans or intentions that may materially affect the carrying value of assets or liabilities reflected in the financial statements.
10. All related party transactions have been appropriately measured and disclosed in the financial statements.
11. We have informed you of all outstanding and possible claims, whether or not they have been discussed with legal counsel.
12. All liabilities and contingencies, including those associated with guarantees, where they have been disclosed to you and are appropriately reflected in the financial statements.
13. The Library Board has satisfactory title to (or lease interest in) all assets, and no assets of the entity are encumbered on the entity's assets nor has any been pledged as collateral.

14. Employee future benefit costs, assets, and obligations have been determined, accounted for and disclosed in accordance with the requirements of Sections 3250 *Retirement Benefits* and 3251 *Other employment Benefits, Compensated Absences and Termination Benefits* of the CICA Handbook for Accountants Accounting Handbook.
15. There have been no events subsequent to the balance sheet date up to the date of this report that require recognition or disclosure in the financial statements. Further, there have been no events subsequent to the date of the comparative financial statements that would require recognition or disclosure in those financial statements and related notes.

Other

16. We have considered whether or not events have occurred or conditions exist which raise a significant doubt on the Board's ability to continue as a going concern and have reported thereon if such events or conditions are evident.

Yours very truly,

.....  
[Chief Librarian]

.....  
[Director, Finance and Facilities]





# Hamilton Public Library

**Date:** July 9<sup>th</sup> 2009

**To:** Chair and Members of the Audit Committee

**From:** William Guise, Director, Finance and Facilities  
Hamilton Public Library

c.c. Ken Roberts, Chief Librarian

**Subject:** 2008 Financial Statement Report

---

## **RECOMMENDATION:**

That the 2008 Financial Statements for the Hamilton Public Library Board and Statements for the Hamilton Public Library Board – Trust Funds attached to this report be approved.

## **BACKGROUND:**

Every year, the Library must prepare and present the audited financial statements to the Council of the City of Hamilton as required by the Public Libraries Act. The financial statements present the 2008 financial position of the Library as at December 31, 2008 and the financial activities for the year ended December 31, 2008.

Grant Thornton, LLP, Chartered Accountants, who are external auditors for both the City of Hamilton and the Hamilton Public Library have performed the statutory audit function and will be presenting their Audit Concluding Memorandum to the Board.

The Library derives revenue from donations and cash sales, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, the auditors' verification of these revenues was limited to the amounts recorded in the Library's records.

Subject to any required adjustments, if any, which they may have determined to be necessary had they been able to satisfy ourselves concerning the completeness of the revenue referred to in the preceding paragraph, Grant Thornton, LLP, Chartered Accountants have expressed an opinion on the financial statements that they present fairly, in all material respects, the financial position of the Hamilton Public Library Board as at December 31, 2008 and the results of its operations for the year then ended in accordance with Canadian generally accepted accounting principles free of any qualifications.

The financial statements have been prepared by staff in accordance with generally accounting principles for local governments (including local boards) as recommended by

the Public Sector Accounting Board ("PSAB") of the Canadian Institute of Chartered Accountants (CICA). PSAB requirements for local boards include fund accounting, accrual accounting and post employment and retirement benefit obligations.

Effective January 1, 2007, the Library adopted Accounting Guideline 7 (PSG-7) of the Public Sector Accounting Handbook of the Canadian Institute of Chartered Accountants ("CICA") with respect to the disclosure of tangible capital assets for local governments. PSG-7 provides transitional guidance on presenting information related to tangible capital assets until Section 3150 - Tangible Capital Assets of the Public Sector Accounting Handbook comes into effect on January 1, 2009.

Also attached to this report is the 2008 Financial Report for Hamilton Public Library Board Trust Funds.

Grant Thornton, LLP, Chartered Accountants, performed the statutory audit function and expressed an opinion, subject the limitation concerning the completeness of the donation revenue referred to previously these financial statements present fairly, in all material respects, the financial position of the trust funds of the Hamilton Public Library Board as at December 31, 2008 and the continuity of trust funds for the year then ended in accordance with Canadian generally accepted accounting principles.

Some highlights from financial results for 2008.

### **Operations**

Although the Consolidated Statement of Financial Activities shows the change for the year in the Current Fund as \$0, the Library actually had an operational deficit of \$111,630. Included in the "Net contributions from reserve fund" was a transfer from reserves of \$111,630 to cover the deficit. This compares to an operational surplus of \$174,208 in 2007. Included in the operations for 2008 was \$388,980 in unanticipated pay equity costs.

### **Reserve Funds**

The Reserve Fund balances have decreased \$234,762.55 from the December 31<sup>st</sup> 2007 balance of \$8,047,544.32 to \$7,812,781.77.

Interest on Received on Reserve Funds	\$ 286,390.51
Contributions from Operating Fund	
Funding for Mobile Equipment	30,000.00
Funding for Repairs to Grounds	9,000.00
Funding for Accessibility & Renewal Reserve	100,000.00
Donations	13,287.89
Lost Book Charges	36,269.05
Sale of Vehicles	3,000.00
Summer Reading	147,450.08
Printer Revenue	22,945.22

Subject: 2008 Financial Report  
Page 3 of 3  
July 9<sup>th</sup> 2009

Allowance from Landlord for Sherwood	<u>186,000.00</u>	547,952.24
<b>Expenditures</b>		
Vehicle Purchases	(\$ 418,546.20)	
Renovations to 5 <sup>th</sup> Floor Central	( 27,163.95)	
RFID	( 233,882.00)	
Library Materials	( 102,659.10)	
Summer Reading Programs	( 175,224.47)	
Operational Loss for 2008	<u>( 111,629.58)</u>	(\$1,069,105.30)
Decrease in Reserve Funds for 2008		<u>(\$ 234,762.55)</u>

### Trust Funds

The Trust Account balances have decreased by \$236,300.43 from the December 31<sup>st</sup> 2007 balance of \$2725,919.27 to \$2,489,618.84.

Donations received		\$ 2,500.00
Interest on funds held by City		23,874.57
Hamilton Community Foundation		
Realized investment income	\$ 87,577.00	
Unrealized investment losses	(305,729.00)	
Management Fees	<u>(29,523.00)</u>	( 247,675.00)
Funding of Programs approved by Board		<u>( 15,000.00)</u>
Decrease in Trust Accounts Balances		<u>(\$ 236,300.43)</u>





Hamilton Public Library Board

Financial Statements

December 31, 2008

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## Auditor's Report

<<NOTE: The Auditor's Report will be inserted here>>

# The Hamilton Public Library Board

## Consolidated Statement of Financial Position

December 31	2008	2007
<b>Assets</b>		
Financial Assets		
Cash	\$56,170	\$54,347
Accounts receivable	199,124	124,996
Due from the City of Hamilton (Note 2)	<u>8,796,248</u>	<u>8,766,123</u>
Non-financial assets		
Prepaid expenses	<u>31,133</u>	<u>6,411</u>
	<u>\$9,082,675</u>	<u>\$8,951,882</u>
<b>Liabilities</b>		
Accounts payable and accrued liabilities	\$850,498	\$481,597
Deferred revenue	-	5,577
Due to trust funds	<u>419,395</u>	<u>417,164</u>
	1,269,893	904,336
Liability for future benefits (Note 3)	<u>2,090,199</u>	<u>2,125,304</u>
	<u>3,360,092</u>	<u>3,029,642</u>
<b>Library position</b>		
Reserves and reserve funds (Note 5)	7,812,782	8,047,544
Amounts to be recovered in future (Note 6)	<u>(2,090,199)</u>	<u>(2,125,304)</u>
	<u>5,722,583</u>	<u>5,922,240</u>
	<u>\$9,082,675</u>	<u>\$6,951,882</u>

Commitments (Note 8)

On behalf of the Board

\_\_\_\_\_ Director \_\_\_\_\_ Director

See accompanying notes to the financial statements

The Hamilton Public Library Board  
**Consolidated Statement of Financial Activities**  
Year Ended December 31

	Budgeted (Unaudited)	Current Fund	Reserve Fund	2008 Total	2007 Total
<b>Revenue</b>					
Municipal contribution	\$ 25,248,372	\$ 25,248,372	\$ -	\$ 25,248,372	\$ 24,156,800
Province of Ontario grants	949,450	949,451	-	949,451	949,451
Other grant revenue	458,350	856,841	-	856,841	749,523
Fines	528,110	443,241	-	443,241	482,602
Photocopier revenue	28,570	30,999	-	30,999	34,840
Other – rentals, sales and Recoveries	85,770	324,891	-	324,891	140,951
Interest	-	-	286,391	286,391	310,290
Donations and other	-	62,443	-	62,443	38,474
<b>Total revenue</b>	<u>27,298,622</u>	<u>27,916,238</u>	<u>286,391</u>	<u>28,202,629</u>	<u>26,862,921</u>
<b>Expenditures</b>					
Employee costs	19,049,992	19,376,031	-	19,376,031	18,301,176
Library materials	3,140,720	3,328,166	-	3,328,166	2,941,956
Facility costs	3,176,040	3,134,901	-	3,134,901	3,089,368
Supplies and services	1,702,070	2,288,516	-	2,288,516	1,731,159
<b>Total expenditures</b>	<u>27,068,822</u>	<u>28,127,614</u>	<u>-</u>	<u>28,127,614</u>	<u>26,066,659</u>
<b>Net revenues</b>	<u>229,800</u>	<u>(211,376)</u>	<u>286,391</u>	<u>75,015</u>	<u>796,262</u>
<b>Financing transfers</b>					
Long term debt charges (Note 4)	(69,800)	(220,643)	-	(220,643)	(69,399)
Transfer from (to) reserve - City of Hamilton	-	164,853	-	164,853	(411)
Transfer to capital - City of Hamilton	-	-	(233,882)	(233,882)	(1,313,009)
Net contributions from reserve fund	-	835,223	-	835,223	117,037
Net contributions to reserve funds	(160,000)	(547,952)	-	(547,952)	(575,911)
Net contributions to current fund	-	-	(835,223)	(835,223)	(117,037)
Net contributions from current fund	-	-	547,952	547,952	575,911
Net contributions from trust funds	-	15,000	-	15,000	30,087
(Decrease) Increase in amounts to be recovered in future	-	(35,105)	-	(35,105)	76,895
<b>Net financing and transfers</b>	<u>(229,800)</u>	<u>211,376</u>	<u>(521,153)</u>	<u>(309,777)</u>	<u>(1,276,032)</u>
<b>Change in funds</b>	-	-	(234,762)	(234,762)	(479,775)
Fund balances, beginning of year	-	-	8,047,544	8,047,544	8,527,319
<b>Fund balances, end of year</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,812,782</u>	<u>\$ 7,812,782</u>	<u>\$ 8,047,544</u>

See accompanying notes to the financial statements.

**The Hamilton Public Library Board**  
**Consolidated Statement of Changes in Financial Position**

Year Ended December 31	2008	2007
Increase (decrease) in cash		
<b>Operation activities</b>		
Changes in funds	\$(234,762)	\$(479,775)
(Increase) decrease in accounts receivable	(74,128)	1,914
(Increase) decrease in due from City of Hamilton	(30,120)	(994,555)
(Increase) decrease in prepaid expenses	(24,722)	2,673
Increase (decrease) in accounts payable and accrued liabilities	368,901	(524,330)
Decrease in deferred revenue	(5,577)	(4,423)
Increase in due to trust funds	<u>2,231</u>	<u>31,205</u>
	<u>1,823</u>	<u>21,763</u>
<b>Financing activities</b>		
(Decrease) increase in liability for future benefits	(35,105)	76,695
Decrease (increase) in amounts to be recovered in future	<u>35,105</u>	<u>(76,695)</u>
Net increase in cash	1,823	21,763
Cash and cash equivalents		
Cash, beginning of year	<u>54,347</u>	<u>32,584</u>
Cash, end of year	<u>\$56,170</u>	<u>\$54,347</u>

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See accompanying notes to the financial statements

# The Hamilton Public Library Board

## Notes to the Consolidated Financial Statements

December 31, 2008

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### 1. Summary of significant accounting policies

The consolidated financial statements of the Hamilton Public Library Board (the Board) are prepared by management in accordance with generally accepted accounting principles for local governments, as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants.

Certain comparative figures in these consolidated statements have been reclassified from statements previously presented to conform to the presentation adopted for the current year.

Significant aspects of the accounting policies adopted by the Board are as follows:

#### **Basis of Accounting**

Revenues are reported on the accrual basis of accounting which recognizes revenues as they become available and measurable, with the exception of fines and other desk receipts which are reported on the cash basis of accounting. Expenditures are reported on the accrual basis of accounting which recognizes expenditures as they are incurred and measurable as a result of a receipt of goods or services and the creation of a legal obligation to pay.

#### **Capital Assets**

Effective January 1, 2007, the Board adopted Accounting Guideline 7 (PSG-7) of the Public Sector Accounting Handbook of the Canadian Institute of Chartered Accountants ("CICA") with respect to the disclosure of tangible capital assets for local governments. PSG-7 provides transitional guidance on presenting information related to tangible capital assets until Section 3150 - Tangible Capital Assets of the Public Sector Accounting Handbook comes into effect on January 1, 2009.

During 2008, the Board continued to work towards compliance with the new recommendations for accounting for tangible capital assets. The Board is working towards having a complete listing of assets and values and is expected to be completed by December 31, 2009.

The historical cost and accumulated amortization for capital assets are not recorded. Purchases of capital assets are charged directly to operations in the year in which the expenditures occur.

#### **Fund Accounting**

Funds with the consolidated financial statements consist of the operating and reserve funds. Transfers between the funds are recorded as adjustments to the appropriate fund balance.

#### **Reserves for Future Expenditures**

Certain amounts, as approved by the Board, are set aside in reserves for future operating and capital expenditures. Transfers to and from reserves are reflected as an adjustment to the respective fund.



# The Hamilton Public Library Board

## Notes to the Consolidated Financial Statements

December 31, 2008

### 1. Summary of significant accounting policies (continued)

#### Use of Estimates

The preparation of financial statements in accordance with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

#### Budget Figures

Budgets are only established for the Current Fund.

### 2. Due from City of Hamilton

The balance due from the City of Hamilton is non-interest bearing and has no set terms of repayment.

### 3. Liability for Future Benefits

In accordance with PSAB guidelines the Board is required to report obligations for retirement benefits earned over the employment period of its employees.

Employees who have retired either under the OMERS early retirement provisions or otherwise are eligible to receive drug, extended health services and dental benefits for the lifetime of the retiree. Effective January 1, 2002 new retirees only receive benefits until age sixty-five.

The Board recognizes the post employment benefit costs as they are earned during the year. The Board's obligation under the post employment provisions of employment agreements will be funded out of current revenue.

	<u>2008</u>	<u>2007</u>
<b>Accrued Benefit Obligation</b>		
Vested sick leave liability	\$ 207,301	\$ 209,119
Retirement Benefits	<u>2,284,408</u>	<u>2,234,272</u>
	2,491,709	2,443,391
Net unamortized actuarial loss	<u>(401,510)</u>	<u>(318,067)</u>
<b>Accrued Liability</b>	<u>\$ 2,090,199</u>	<u>\$ 2,125,324</u>

# The Hamilton Public Library Board

## Notes to the Consolidated Financial Statements

December 31, 2008

### 3. Liability for Future Benefits (continued)

The continuity of employee benefits and other obligations are summarized as follows:

	<u>2008</u>	<u>2007</u>
Liability for Employee Benefits and Other Obligations balance at beginning of the year	\$ 2,125,304	\$ 2,048,600
Benefit expenditure	58,004	42,798
Interest expenditure	122,947	141,041
Amortization of actuarial loss	42,848	32,326
Benefit payments	<u>(258,904)</u>	<u>(139,470)</u>
Liability for Employee Benefits and Other Obligations balance at end of the year	<u>\$ 2,090,199</u>	<u>\$ 2,125,304</u>

Actuarial valuations are performed on post employment and retirement benefits to provide estimates of the accrued benefit obligations. These estimates are based on a number of assumptions about future events including interest rates, inflation rates, salary and wage increases, medical and dental cost increases and mortality. The assumptions are determined at the time of the actuarial valuations and are reviewed annually. Consequently, different assumptions may be used as follows:

	Discount Rate	Return on Assets	Inflation Rate	Salary Increases	Dental Increases	Life Expectancy (Years)
Vested sick leave	5%	NA	2%	3%	NA	12
Retirement Benefits – Health and Dental	5%	NA	2%	3%	3.5% (1)	12

Note (1): Medical costs are assumed to increase at a rate of 5% in 2009, 4.5% in 2010, 4% in 2011 and 3.5% in 2012 and thereafter.

#### (a) Liability for vested sick leave

Effective May 1, 1982 the Income Protection Plan was adopted and sick leave credits earned under the Sick Leave Benefit Plan were frozen. Under the Sick Leave Benefit Plan unused sick leave would accumulate and employees were entitled to cash payment upon termination of services after ten continuous years. Entitlement to cash payment continues to apply to those employees who accumulated days, to the extent that they have vested and could be taken in cash by an employee on termination. An actuarial valuation as at December 31, 2008 estimated the accrued benefit obligation at \$207,301. Changes in valuation assumptions have resulted in a decrease in the liability to \$207,301 from the expected liability of \$208,592. The actuarial gain as at December 31, 2008 of \$1,291 is being amortized over the expected average remaining life expectancy of the members of the employee group. The estimated accrued benefit obligation at December 31, 2008 is \$207,301 (2007 - \$209,119)

# The Hamilton Public Library Board

## Notes to the Consolidated Financial Statements

December 31, 2008

### (b) Liability for retirement benefits

The Board provides certain health, dental and life insurance benefits between the time an employee retires under the Ontario Municipal Employees Retirement System (OMERS) or the normal retirement age and up to the age of 65 years. An actuarial valuation at December 31, 2008 estimated the accrued benefit obligation at \$2,284,408. The cost of a plan amendment and changes in valuation assumptions have resulted in an increase in the liability to \$2,284,408 from the expected liability of \$1,881,607. The actuarial loss of \$402,801 is being amortized over the expected average remaining life expectancy of the plan members in various groups. The estimated accrued benefit obligation at December 31, 2008 is \$2,284,408 (2007 - \$2,234,272).

### 4. Long term debt

The City charges the Library principal and interest for long term debt, as well as sinking fund charges, related to Library facilities and other capital. These charges are funded by the City through its annual contributions. The debt is not disclosed on the statement of financial position as the City of Hamilton is legally responsible for repayment of the debt.

(a) The net long term debt to which these charges are related is as follows:

Debenture Number	Purpose	Interest Rates	Maturity Date	2008	2007
01-244	Westdale Branch	3.125% to 6%	2011	125,966	138,069
01-244	Barton Branch	3.125% to 6%	2011	287,832	315,488
01-162	Central Library	4.65% to 6.75%	2016	19,346	21,149
08-120	South Mtn Complex	4.728%	2023	2,930,174	-
				<u>\$ 3,363,318</u>	<u>\$ 474,705</u>

(b) Principal charges in each of the next five years are as follows:

2009	\$ 188,515
2010	197,974
2011	488,473
2012	168,731
2013	176,842

(c) The Board was charged \$220,643 (2007 \$69,399) for long term debt charges during the year as follows:

	2008	2007
Principal	\$ 111,387	\$ 39,475
Interest	<u>109,256</u>	<u>29,924</u>

<u>\$220,643</u>	<u>\$69,399</u>
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**The Hamilton Public Library Board**  
**Consolidated Statement of Changes in Financial Position**

December 31, 2008

<b>5. Reserves and reserve funds</b>	<u>2008</u>	<u>2007</u>
Mobile equipment	\$280,882	\$643,366
Library collections	1,048,554	1,289,986
Library general development	941,787	878,334
Library major capital projects	4,655,531	4,450,616
Summer reading	327,115	332,160
Redevelopment, training, and restructuring	342,284	330,609
Youth Programming	12,215	22,423
Accessibility, Health & Safety	<u>204,414</u>	<u>100,000</u>
	<u>\$7,812,782</u>	<u>\$8,527,319</u>

<b>6. Amounts to be recovered in future</b>	<u>2008</u>	<u>2007</u>
Employee benefit obligations (see note 3)	<u>\$2,090,199</u>	<u>\$2,125,304</u>

**7. Pension agreements**

The Hamilton Public Library makes contributions to the Ontario Municipal Employees Retirement System (OMERS), which is a multi-employer plan, on behalf of 280 members of its staff. The plan is a defined benefit plan, which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The latest actuarial valuation as at December 31, 2003 indicated that current member and employer contributions were sufficient to fund future benefits. Contributions were made in the 2008 calendar year at rates ranging from 6.5% to 9.6% depending on the level of earnings. As a result, \$915,104 was contributed to OMERS (2007 - \$919,527) for current service.

**8. Commitments**

Minimum future lease payments for various premises and equipment are as follows:

2009	\$ 910, 560
2010	695,946
2011	490,643
2012	330,480
2013	<u>326,400</u>
	<u>\$ 2,754,029</u>

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**The Hamilton Public Library Board**  
**Notes to the Consolidated Financial Statements**  
December 31, 2008

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**9. Trust funds**

Trust funds administered by the Board amounting to \$2,489,619 (2007 - \$2,725,919) have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Financial Activities.

## Auditor's Report

<<NOTE: The Auditor's Report will be inserted here.>>



**The Hamilton Public Library Board  
Trust Funds  
Balance Sheet**

December 31	2008	2007
<b>Assets</b>		
Cash	\$ 292,767	\$ 283,624
Deposits with the Hamilton Community Foundation	1,253,958	1,253,958
Due from current fund	419,395	417,184
Accrued interest receivable	<u>523,499</u>	<u>771,173</u>
	<u>\$ 2,489,619</u>	<u>\$ 2,725,919</u>
<b>Fund Balances</b>		
Trust Funds – fund balances	<u>\$ 2,489,619</u>	<u>\$ 2,725,919</u>

On behalf of the Board

\_\_\_\_\_ Director \_\_\_\_\_ Director

See accompanying notes to the financial statements.

**The Hamilton Public Library Board  
Trust Funds  
Statement of Continuity**

December 31	2008	2007
<b>Revenue</b>		
Donations and other	\$ 2,500	\$ 16,154
<b>Expenditures</b>		
Other	223,800	31,904
Financing and transfers		
Net transfers to Library current fund	(15,000)	(30,087)
Change in fund balances	(236,300)	(45,837)
Fund balances, beginning of year	2,725,919	2,771,756
Fund balances, end of year	<u>\$ 2,489,619</u>	<u>\$ 2,725,919</u>

See accompanying notes to the financial statements.

**The Hamilton Public Library Board  
Trust Funds  
Notes to the Financial Statements**

December 31, 2008

**1. Accounting policies**

**Basis of accounting**

Income and capital receipts are reported on the cash basis.

Expenditures are reported on the cash basis of accounting with the exception of administrative expenses, which are reported on the accrual basis of accounting, which recognizes expenditures, as they are incurred and measurable as a result of the receipt of goods or services and the creation of a legal obligation to pay.

<b>2. Fund balances</b>	<u>2008</u>	<u>2007</u>
Trust funds consist of:		
M. Walden Thompson	\$ 19,229	\$ 33,155
Special Gifts Fund	1,748,943	1,910,318
Permanent Endowment	529,819	592,610
K. McLaren Memorial	24,232	27,978
F. Walden	60,571	58,677
Dundas Library Fundraising	68,844	66,496
Waterdown Library	<u>37,981</u>	<u>36,685</u>
	<u>\$ 2,489,619</u>	<u>\$ 2,725,919</u>

The above funds can be used at the discretion of the Board with the exception of the Permanent Endowment fund from which only the interest earned can be used.

Subject: 2008 Financial Report  
Page 3 of 3  
July 9<sup>th</sup> 2009

Allowance from Landlord for Sherwood	<u>186,000.00</u>	547,952.24
Expenditures		
Vehicle Purchases	(\$ 418,546.20)	
Renovations to 5 <sup>th</sup> Floor Central	( 27,163.95)	
RFID	( 233,882.00)	
Library Materials	( 102,659.10)	
Summer Reading Programs	( 175,224.47)	
Operational Loss for 2008	<u>( 111,629.58)</u>	<u>(\$1,069,105.30)</u>
Decrease in Reserve Funds for 2008		<u>(\$ 234,762.55)</u>

### Trust Funds

The Trust Account balances have decreased by \$236,300.43 from the December 31<sup>st</sup> 2007 balance of \$2725,919.27 to \$2,489,618.84.

Donations received		\$ 2,500.00
Interest on funds held by City		23,874.57
Hamilton Community Foundation		
Realized investment income	\$ 87,577.00	
Unrealized investment losses	(305,729.00)	
Management Fees	<u>(29,523.00)</u>	<u>( 247,675.00)</u>
Funding of Programs approved by Board		<u>( 15,000.00)</u>
Decrease in Trust Accounts Balances		<u>(\$ 236,300.43)</u>





# Hamilton Public Library

**Date:** July 9<sup>th</sup> 2009  
**To:** Chair and Members of the Audit Committee  
**c.c.** Ken Roberts, Chief Librarian  
**From:** William Guise, Director, Finance and Facilities  
**Subject:** Budget Variance Report – April 30<sup>th</sup> 2009

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## **RECOMMENDATION:**

**That Budget Variance Report as at April 30, 2009 and Estimate to December 31, 2009 be received.**

## **Summary**

*Estimated variance at December 31, 2009 - \$18,413 - 0.1%*

The total 2009 annual operating budget for the Hamilton Public Library has a net expenditure of \$26,606,375 (gross expenditures of \$28,953,245 less gross revenues of \$2,346,870). The current estimated variance as at December 31, 2009 is unfavourable by \$18,413 which is less than one-tenth of a percent of the budgeted net expenditure. An explanation of the type of revenues and expenditures contained with each line of the Budget Variance Report is provided below along with an explanation of the significant variances.

## **Grants and Subsidies**

*Estimated variance at December 31, 2009 - \$0.00 - 0.0%*

This line includes the annual operating grant from the Province of Ontario which is budgeted at \$949,450 and funding by Provincial and Federal governments for specific grant programs such as Literacy Instruction for New Canadians (LINC) and Job Discovery Centres (JDC). The annual operating grant is paid in one lump sum and is normally received in the last quarter of the year. The claims for the funding for the grant programs are submitted monthly to the funding governments.

## **Fees and General**

*Estimated variance at December 31, 2009 - \$21,706 Favourable - 4.1%*

The major items contained in this line are revenues from library fines, book sales, photocopiers, printers and donations. The estimate revenue for this line for the end of December 2009 shows a positive variance of \$21,706 of which the major cause is



represented by donations received since we do not include a figure for donations in our budget.

### **Reserves/Capital Recoveries**

*Estimated variance at December 31, 2009 - \$50,615 Favourable*

This line currently contains two types of transfers from City of Hamilton reserve funds to cover specific costs charged to the Hamilton Public Library. Only one of the transfers has been budgeted – namely transfers from the City's Development Charge reserve fund to cover the repayment of debentures that were issued by the City for a Library capital project instead of being funded directly from the Development Charge reserve. The other transfer from City reserves represents the funding by the City of Hamilton of the Vested Sick Leave benefits paid to Library employees on their retirement. The favourable variance consists entirely of this funding of Vested Sick Leave Benefits. The payout of the Vested Sick Leave is reported under Employee Related Costs in the Expenditure section of the Budget Variance Report.

### **Employee Related Costs**

*Estimated variance at December 31, 2009 - \$93,462 Favourable - 0.5%*

This line includes all the employee related costs such as salaries, wages and government and employer benefits including medical, dental, OMERS, WSIB and Vested Sick Leave payouts. Provisions have been included in the estimate for rate increases resulting from current negotiations with CUPE 932.

### **Capital Financing**

*Estimated variance at December 31, 2009 - \$0 - 0.0%*

This line reflects the repayment of debentures issued by the City of Hamilton to fund Library capital projects.

### **Financial**

*Estimated variance at December 31, 2009 - \$6,208 Favourable - 5.5%*

The main costs included in this line are legal, audit and collection fees.

### **Materials and Supplies**

*Estimated variance at December 31, 2009 - \$70,485 Unfavourable - 1.9%*

The major items in this line are Library Materials, operating supplies and furnishings. Library Materials represents \$3,297,760 or 85.5% of the amount budgeted under this line. The estimated unfavourable variance results from unexpected increased costs related to the processing of library material and computer equipment.





## **Vehicle Expenses**

*Estimated variance at December 31, 2009 - \$157 Favourable - 12.1%*

This line includes those vehicle expenses that are paid directly by the Library and not through a cost allocation from the City.

## **Buildings and Grounds**

*Estimated variance at December 31, 2009 - \$49,033 Unfavourable - 10.1%*

This line includes building associated costs that are paid directly by the Library and not through a cost allocation from the City. Examples are relocation costs, data and external telephone lines and security guards. Security guard costs are estimated to be approximately \$30,000 unfavourable as a result of a higher than anticipated rate increase. The balance of the unfavourable variance relates to relocation costs that were not budgeted.

## **Contractual**

*Estimated variance at December 31, 2009 - \$18,819 Unfavourable - 2.6%*

This line includes the expenditures for such items as rental of photocopiers, rental of storefront space in Jackson Square, advertising, service contracts and inter branch courier service.

## **Transfer to Reserves**

*Estimated variance at December 31, 2009 - \$43,662 Unfavourable - 35.82%*

This line includes both budgeted and unbudgeted transfers from operating to Library reserve funds and recoveries related to security service provided to the Hamilton Farmer's Market. Approximately \$27,900 of the variance represents unbudgeted revenue items such as donations and sale of old bookmobile which have been reported as favourable variances under revenues and have been transferred to Library reserves. Although this is shown as an unfavourable expenditure it is not a true expense since the funds are still held by the Library in the reserve funds. Approximately \$12,100 of the unfavourable variance relates to a lower than the budgeted estimated recovery from the Hamilton Farmers' Market for the provision of security services. Since the Farmers' Market has moved out of the building we are no longer providing the same level of security service.



## **Cost Allocations**

*Estimated variance at December 31, 2009 - \$8,559 Unfavourable - 0.3%*

This line includes the various cost allocations for services provided to Library by various departments of the City of Hamilton. The major services include

- Insurance (liability, vehicle, building)
- IP Telephony
- Vehicle expense (licence, fuel repairs)
- Facilities (utilities, cleaning, maintenance, repairs etc)
- Computer leasing



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**HAMILTON PUBLIC LIBRARY**  
**Budget Variance Report**  
**As at April 30, 2009 and Estimate to December 31, 2009**

YEAR TO DATE

<b>REVENUE</b>	<b>YTD BUDGET</b>	<b>YTD ACTUAL</b>	<b>YTD VARIANCE</b>	<b>% SPENT</b>	<b>ANNUAL BUDGET</b>	<b>ESTIMATED ACTUAL</b>	<b>ANNUAL VARIANCE</b>	<b>% SPENT</b>
Grants and Subsidies	\$ 191,622	\$ 126,274	\$ (65,348)	65.9%	\$ 1,530,730	\$ 1,530,730	\$ -	100.0%
Fees and General	185,592	186,528	\$ 3,936	102.2%	534,650	556,356	\$ 21,706	104.1%
Reserves/Capital Recoveries	93,982	144,447	\$ 50,465	153.7%	281,490	332,105	\$ 50,615	118.0%
	\$ 486,196	\$ 457,249	\$ (10,947)	97.7%	\$ 2,346,870	\$ 2,419,191	\$ 72,321	103.1%
<b>EXPENDITURES</b>	<b>YTD BUDGET</b>	<b>YTD ACTUAL</b>	<b>YTD VARIANCE</b>	<b>% SPENT</b>	<b>ANNUAL BUDGET</b>	<b>ESTIMATED ACTUAL</b>	<b>ANNUAL VARIANCE</b>	<b>% SPENT</b>
Employee Related Cost	\$ 6,765,229	\$ 6,358,267	\$ 406,962	94.0%	\$ 19,997,917	\$ 19,904,455	\$ 93,462	99.5%
Capital Financing	117,104	117,104	-	100.0%	351,310	351,310	-	100.0%
Financial	30,470	11,353	19,117	37.3%	113,840	107,635	6,205	94.5%
Material and Supplies	1,262,804	1,207,417	55,386	95.6%	3,784,078	3,854,663	(70,485)	101.9%
Vehicle Expenses	557	400	157	71.8%	1,300	1,143	157	87.9%
Building and Grounds	148,480	177,514	(29,034)	119.6%	483,640	532,673	(49,033)	110.1%
Contractual	341,157	295,764	45,393	86.7%	713,100	731,919	(18,819)	102.6%
Trf to Reserves	1,012	32,534	(31,522)	3214.8%	121,900	165,562	(43,662)	135.8%
Cost Allocations	1,128,768	1,137,327	(8,559)	100.8%	3,386,160	3,394,719	(3,559)	100.3%
	\$ 9,795,581	\$ 9,337,680	\$ 457,901	95.3%	\$ 28,953,245	\$ 29,043,979	\$ (50,734)	100.3%

<b>EXPENDITURES</b>	\$ 9,327,385	\$ 8,880,431	\$ 446,954	95.2%	\$ 26,606,375	\$ 26,624,788	\$ (18,413)	100.1%
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## **Chief Librarian's Report September, 2009**

### **Urban Libraries Council Study on Libraries and Regional Sustainability**

ULC is an American-based organization that serves large library systems in the United States and in Canada. It provides research, reports and discussion forums. When the current economic recession began, ULC decided to work with several graduate professional schools in order to identify library systems that seemed to be producing well-used services at a reasonable cost. They were also looking for libraries with valuable community partnerships. After a lengthy process of reviewing state and provincial statistics and conducting surveys (Beth responded for HPL) five library systems in North America were identified as providing exceptional services for the costs. Here is a quote from an ULC email we received: *"Thank you for your thoughtful and informative responses to the ULC survey on our members' regional initiatives. The five libraries you lead seem to be, in turn, the leaders in your regional-level involvements and impacts. Johnson County, Kansas; Hamilton, Ontario; Youngstown and Mahoning County, Ohio; Pierce County, Washington; and Chattahoochee Valley, Georgia are out ahead of the pack."*

ULC will now conduct a more in-depth interview with staff and will also conduct an interview with the Board Chair and selected community partners. The results of the project will be released and discussed at the *Partners for Success* conference in Nashville this December.

### **Sunday Service**

The Board changed the branches where Sunday service is offered starting this September. We now offer Sunday service at Central, Turner Park, Red Hill, and Dundas. These changes moves mountain service from Terryberry to Turner Park and moves east end service from Saltfleet to Red Hill. The addition of Dundas provides us with west-end coverage.

### **2020 Symposium**

A symposium on the future of libraries is to be held on September 24<sup>th</sup> at the Royal York in Toronto. A representative from each library system in the province has been invited and their expenses are to be subsidized by a provincial fund. Some additional spaces were made available and we are sending Beth Hovius, Maureen Sawa, and Paul Takala. I am on the program as a panelist, speaking to trends.

### **Summer Reading Program**

Youth Services and CCD staff worked hard to streamline this year's Summer Reading Program as we are committed to ensuring the program's viability for years to come. These efforts were successful and close to 10,000 children and teens participated in our Storybook Club, Summer Readers, Teen Readers, Reading Buddies and Enjoy Summer Learning programs. Participants read over 50,000 books this summer.



### **Bill Guise - retirement**

Bill Guise, Director, Finance and Facilities has announced his intention to retire from the Hamilton Public Library effective December 31, 2009. Bill first came to the Hamilton Public Library in 1988, having formerly worked in a similar capacity for the Burlington Public Library. Bill is widely respected, both within the library system and within the City of Hamilton. Bill has helped to ensure that our funding does exactly what it is intended to do. Several times, auditors have told me privately that our books are amongst the cleanest that they see, year after year. Bill is a colleague and a friend. We all respect and admire his work here and consider ourselves so lucky that our finance manager understands and respects our business. He works hard to see that we can accomplish our goals because he shares them. Still, I apologize to Bill for the fact that he has had to spend so many years with librarians who do not always understand his passion for numbers.

### **Appointments**

Mary Sakaluk has been hired as the Manager of Electronic Services. Mary comes to us from the City of Hamilton where she had been a manager in the IT department. Rob Foster has been hired on contract as the manager of the virtual branch services, replacing Dijia Qin during her parental leave.

### **Staff Departures**

Two of our professional staff members have accepted positions in other organizations. Helen Kelly, who has worked at the Hamilton Public Library since she was a Page, has left her position as Diversity Librarian to take a senior position at the Cambridge Public Library. Sonia Pacheco, one of our two archivists, has taken a position at an American university.

We thank both Helen and Sonia for their service here.

### **Pandemic Planning**

We have been working to ensure that the library system has an adequate plan to anticipate issues and problems that might arise from a pandemic or some other form of sudden service interruption. Quite naturally, the emphasis is on prevention. We recognize that no plan can correctly anticipate every possibility. Our goal is to ensure that staff and customers are as safe as possible. We do understand that if Hamilton were to endure a pandemic, public interactions will be severely curtailed. This will make the provision of any face-to-face library services difficult to sustain.

### **Increase in Activity**

The library system continues to experience significant increases in circulation. Most of the increase is attributable to better methods for circulating media such as DVDs. The introduction of shared collections in late 2008 which allow for customers to browse through refreshed collections instead of looking over books they have already read is viewed as another key factor in this increase. Rural branches are witnessing significant increases in use, as their collections have been refreshed. The branch with the largest increase is Barton. The only branch that has not really experienced an increase in use is Saltfleet, largely because the second floor has been closed.

### RFID Update

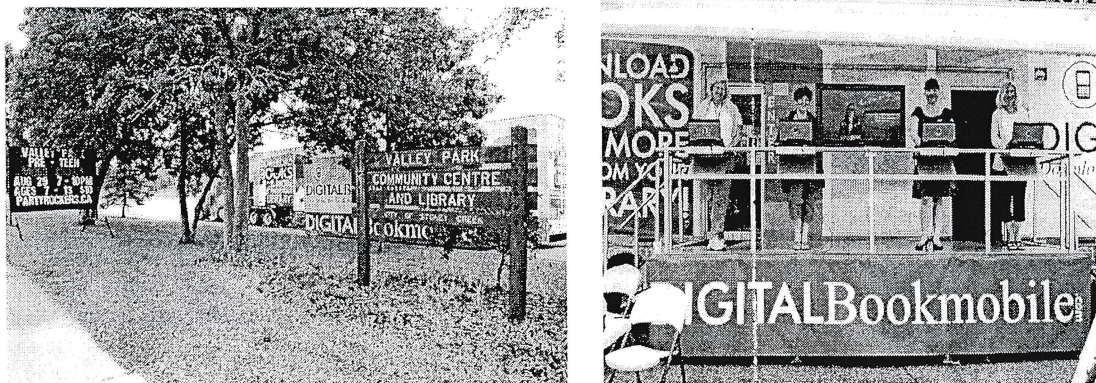
Five branches are now operating with self check technology. The new ITG system is working well. The former pilot locations, which had been using different software, have been converted to ITG. RFID technology will be installed next at Sherwood and Terryberry as they are renovated. This November the sorters will arrive for installation at Turner Park, and Terryberry. The Ancaster sorter will be upgraded at the same time to ensure that it has all of the functionality of the other sorters. All sorters will have an interior camera so that customers can watch as their materials are signed in. Westdale Library will be testing a mini-sorter – a small sorter which ensures that materials are checked-in in real time and which will minimize staff handling.

### Improvements to Holds Process

Library staff continue to find new ways to provide more efficient and effective service to customers. Recently two innovations were implemented that have made the filling of holds less labour intensive. Changes to the holds queue were made to ensure materials are handled less often. Automatic printing of hold wrappers is being implemented system wide. Both these changes improve service to customers while reducing staff workloads.

### Overdrive Bookmobile

On Saturday August 29<sup>th</sup>, Overdrive brought their Digital Bookmobile to Hamilton. This transport truck showcases all the downloadable products that Overdrive offers with interactive displays and demonstrations. With a 100' x 40' footprint, the Overdrive Digital Bookmobile made quite an impression on the visitors to our Valley Park Branch, with close to 100 seeing firsthand how to utilize digital products. The Overdrive offerings are proving to be wildly popular with our patrons and this visit will go a long way to bringing these exciting new products to a new audience.



### Lifelong Learning Week

This week (September 21-27) is Lifelong Learning Week and many special events have been planned to mark the occasion throughout the library system. Several staff are also participating in "Telling Tales", the new family festival of stories scheduled for Sunday, September 20<sup>th</sup> in Westfield Village, Rockton.

**'What's Happening'**

The new supplement appeared in the Spectator on September 16<sup>th</sup>. An extensive range of programs for children, teens and adults are being offered this fall. Timely topics include 'The Art of Applying for Jobs Online', 'Home Reno Tax Credit Program' and "Public Speaking for Teenagers'.

**McMaster University Outreach**

For the fourth year, HPL participated in a Frosh Week outreach event at McMaster University. HPL staff interacted with over 1,000 students in a three-hour time period, passing out HPL branded book bags and business cards promoting public library services.





# Hamilton Public Library

**Date:** September 16, 2009

**To:** Chair and Members of the Board

**c.c.:** Ken Roberts, Chief Librarian

**From:** Beth Hovius, Director of Public service

**Subject:** Terryberry and Sherwood Renovations

## RECOMMENDATION:

THAT \$300,000 FROM THE RESERVE FOR ACCESSIBILITY, HEALTH AND SAFETY (#106013) AND UP TO \$300,000 FROM THE RESERVE FOR LIBRARY MAJOR CAPITAL PROJECTS (#106008) BE USED TO REFURBISH SHERWOOD AND TERRYBERRY LIBRARIES.

## FINANCIAL IMPLICATIONS

### Estimated Costs

Sherwood	\$350,000
Less: Leasehold improvements	<u>(185,000)</u>
	\$265,000
Terryberry	<u>\$435,000</u>
	<u><u>\$600,000</u></u>

### Funding Sources

- Reserve for Accessibility, Health & Safety	\$300,000
- Reserve for Library Major Projects	<u>\$300,000</u>
	<u><u>\$600,000</u></u>

The Reserve of Accessibility, Health and Safety was established to fund this type of renovation. There are sufficient funds in the Reserve for Library Major Capital Projects to cover the additional costs.

In addition, the Province has allocated the Hamilton Public Library \$112,000 from the Investment in Ontario Public Libraries fund to be used to address accessibility and the introduction of new technology. Some of it may be available to cover some costs.



## **BACKGROUND**

### **Sherwood**

We have developed plans in cooperation with City staff and McCallum Sather, Architects for the refurbishing of Sherwood Library which includes the following:

- Installation of the self check units.
- New flooring, painting throughout the public areas
- Creation of a marketplace in the area previously occupied by the circulation desk.
- Construction of a new circulation work room at the rear of the building to facilitate materials handling. This increases the usable public space substantially.
- Consolidation of the collections on the first floor
- Creation of a new computer area which can also be used for programming
- Relocation of the children's area in a larger space on the second floor which will address noise and safety concerns.
- More seating areas and more computers in a secondary space on the second floor, separated from the children's area.
- Installation of key card access, security cameras and intercom system.
- Possible replacement of some shelving and furnishings.

Sherwood will close October 1<sup>st</sup> until mid-November.

### **Terryberry**

Over the summer, we have been working with City staff and McCallum Sather to determine how best to address the physical condition of the first floor of Terryberry, and install the self check and sorter in a cost-effective manner. We considered a limited renovation which installed self check technology and did a number of short-term fixes to address outstanding maintenance issues, until a major capital project could be developed. However, it was determined that it is more feasible to make improvements to the entire floor which will enable this branch to operate for several years.

The plan which has been developed includes the following:

- Installation of self-check (with supporting millwork) and a sorter in a workroom to be created at the rear of the first floor.
- Creation of a "market place" where the circulation desk is currently located (similar in concept to Westdale)
- Construction of a new service desk which will address accessibility issues, and combine information with the remaining circulation functions
- Replacement of the flooring on the first floor
- Painting of the first floor
- Relocate the collections into a more logical flow, to minimize materials handling.
- Installation of key card access, security cameras and intercom system.
- Possible replacement of some shelving and furnishings.

This plan will enable the library to operate efficiently and address the outstanding building issues. The plan does not include refurbishing of the second floor, which will be developed as a later project as library services evolve.

Terryberry is tentatively scheduled to close mid-December until the end of January to complete these renovations.



# Hamilton Public Library

**Date:** September 17<sup>th</sup> 2009  
**To:** Chair and Members of the Board  
**c.c.** Ken Roberts, Chief Librarian  
**From:** William Guise, Director, Finance and Facilities  
**Subject:** 2010 Draft Operating Budget

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## **RECOMMENDATION:**

**That the attached 2010 Draft Operating Budget – 1<sup>st</sup> Draft be accepted for information**

## **BACKGROUND:**

The following resolutions were presented to and approved by the Committee of the Whole for the City of Hamilton at its meeting on July 7<sup>th</sup> 2009.

### **14. 2010 Tax Levy Guidelines and Schedule (FCS09071) (City Wide) (Item 8.1)**

- (a) That the departmental operating budget guideline be 2.0% or less, excluding pre-approved items and provincial impacts;
- (b) That Boards and Agencies be requested to submit a budget to Committee of the Whole based on a 2.0% or less guideline;

The attached draft budget was prepared by staff with a view to follow this guideline without a reduction in the level of service.

The 1<sup>st</sup> draft of the 2010 Draft Operating Budget is currently at a requested municipal contribution of \$27,339,802 which is an increase of \$549,587 or 2.1% over the 2009 Operating Budget of \$26,619,325.

In order to limit the increase in the operating budget for 2010 the staff complement has been reduced by 6.72 FTE. This will be accomplished mainly by staff attrition.

This draft budget was built using the following:

- Allowance for cost of living increase for salary and wages
- Increase in Library Materials by 3% over 2009 budget
- Increase in fine revenue as a result of increased circulation and the addition of Turner Park branch
- Guidelines issued by the City of Hamilton

**2010 Draft Operating Budget – 1<sup>st</sup> Draft****Year: 2010****Version: Draft****Dept: Library****Details at: Department****Date: 17-Sep-09**

	2008 Actual	2009 Budget Council Approved	2009 Budget Restated	2010 Budget Draft	\$	%
NET LEVY	25,178,572.00	26,536,555.00	26,619,325.00	27,339,802.00	549,587.00	2.1%
EXPENSE	28,599,042.00	28,601,935.00	28,684,705.00	29,439,882.00	584,287.00	2.0%
Employee Related Cost	19,332,185.00	19,997,917.00	19,997,917.00	20,393,394.00	395,477.00	2.0%
Material and Supplies	3,957,219.00	3,784,078.00	3,784,078.00	3,882,618.00	98,540.00	2.6%
Vehicle Expense	420,121.00	1,300.00	1,300.00	1,300.00	0.00	0.0%
Building and Grounds	458,007.00	483,640.00	483,640.00	483,640.00	0.00	0.0%
Consulting	0.00	0.00	0.00	0.00	0.00	0.0%
Contractual	690,788.00	713,100.00	713,100.00	758,100.00	45,000.00	6.3%
Agencies and Support Payments	0.00	0.00	0.00	0.00	0.00	0.0%
Reserves/Recoveries	517,916.00	121,900.00	121,900.00	121,900.00	0.00	0.0%
Cost Allocations	3,135,483.00	3,386,160.00	3,468,930.00	3,685,090.00	45,270.00	1.3%
Financial	87,323.00	113,840.00	113,840.00	113,840.00	0.00	0.0%
REVENUE	(3,420,470.00)	(2,065,380.00)	(2,065,380.00)	(2,100,080.00)	(34,700.00)	(1.7)%
Fees and General	(1,030,190.00)	(534,650.00)	(534,650.00)	(569,350.00)	(34,700.00)	(6.5)%
Grants and Subsidies	(1,637,767.00)	(1,530,730.00)	(1,530,730.00)	(1,530,730.00)	0.00	0.0%
Reserves	(752,604.00)	0.00	0.00	0.00	0.00	0.0%





# Hamilton Public Library

**Date:** September 17<sup>th</sup> 2009  
**To:** Chair and Members of the Board  
**c.c.** Ken Roberts, Chief Librarian  
**From:** William Guise, Director, Finance and Facilities  
**Subject:** 2010 Capital Budget Submission

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## **RECOMMENDATION:**

**That the capital budget submission for a new Lynden branch library be updated and submitted to the City of Hamilton for inclusion in the 2010-2023 Capital Budget**

## **BACKGROUND:**

Property was acquired in Lynden by the Library in 2008 with a view to possible construction of on new library branch. A capital budget submission was made to the City for inclusion in the 2009-2033 Capital Budget. The total cost of the project including cost of land was submitted at \$1,705,000 to be funded over 2009 and 2010 with the Library providing \$650,000 of the funding from reserves. Council approved the 2009 portion of the project which was for design costs. We are required to resubmit the project for the balance.

An architect was hired in 2009 for the design of the new branch and a project manager from City Facilities was appointed to assist in planning. The updated capital budget submission is for a total project cost of \$1,820,000 with \$650,000 being funded from Library reserves. The increased costs can be attributed to increased design requirements due to the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), City of Hamilton Accessibility standards and introduction of RFID.

**CITY OF HAMILTON  
2010-2034 CAPITAL BUDGET PROJECT DETAIL SHEET**

**Project ID:** To be completed by Budgets  
**Project Name:** Lynden Branch Library  
**Department:** Hamilton Public Library Board  
**Asset Type:** Library  
**Year Identified:** 2009  
**Description/Objectives:** The current Lynden and Rockton library branch locations in west Flamborough cannot continue to provide library services without expensive renovation and expansion. This project is designed to combine west Flamborough rural library services at a single, sustainable location that will replace the two current facilities. There is no operating budget impact. The new building will accommodate more computers for rural student use. Extensive community consultations have taken place and property has been purchased for the project.  
**Start Date:** 2009  
**Completion Date:** 2011  
**Comments:**  
**Project Type:** Library  
**Ward(s):** 14

Acct #	Expense	Description	Total	Pre 2010	2010	2011	2012	2013	2014	2015
	Construction		1395		1395					
	Consultant		130	130						
	Equipment		120		120					
	Land/Property		175		175					
			0							
	Total Expense		1,820	130	1,790	0	0	0	0	0

Acct #	Revenues	Description	Total	Pre 2010	2010	2011	2012	2013	2014	2015
	Library Reserves	Library Reserve for Major Capital Projects	650	130	520					
			0							
			0							
	Total Revenues		650	130	520	0	0	0	0	0
	Net Cost		1,170	0	1,170	0	0	0	0	0



# Hamilton Public Library

**Date:** September 16, 2009

**To:** Chair and Members of the Board

**From:** Ken Roberts, Chief Librarian

**Subject:** **United Brotherhood of Carpenters and Joiners of America, Local 18**

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## **Recommendation**

**That the Board Chair be authorized to sign the United Brotherhood of Carpenters and Joiners of America, Local 18 Letter of Understanding, attaching a letter of clarification signed by both the City of Hamilton and the United Brotherhood of Carpenters and Joiners of America, Local 18 indicating that this Letter of Understanding applies only to library Capital projects.**

## **Background**

The City has been in dispute with United Brotherhood of Carpenters and Joiners of America, Local 18 for several years. The City handles the tendering of virtually all of the Capital projects for the Library Board. Since the beginning of this dispute library Capital projects have recognized the disputed rights of the Carpenters Union. The City of Hamilton and the United Brotherhood of Carpenters and Joiners of America, Local 18 have now reached an agreement that settles their outstanding issues. This settlement includes the attached Letter of Understanding signed by the City of Hamilton, Hamilton Entertainment and convention Facilities Inc. and the United Brotherhood of Carpenters and Joiners of America, Local 18. . The Letter lists the Hamilton Public as a party to this agreement and there is space, at the end, for a signature from the Hamilton Public Library. Paragraph #2 of the Letter of Understanding states that "The City and the Union agree that the Hamilton Public Library (HPL) is a related employer to the City and as such is bound by the Carpenters Provincial I.C.I. Collective Agreement."

I was shown this agreement, for the first time, in early September and asked to sign. The Hamilton Public Library Board was never informed that it might be a party to the dispute nor was the library represented when City representatives and the United Brotherhood of Carpenters and Joiners of America, Local 18 discussed our "related employer" status.

I expressed concern since the Letter of Understanding does not differentiate between Capital projects and the daily work performed by CUPE 932 staff.

I discussed the Letter of Understanding with the CUPE 932 President. Neither CUPE 932 nor the library's administration have concerns about agreeing to use the United Brotherhood of Carpenters and Joiners of America for Capital projects. We both have concerns about any operational impact.

The City of Hamilton and the United Brotherhood of Carpenters and Joiners of America, Local 18 have now offered written assurances that this Letter of Understanding applies only to Capital projects.



**LETTER OF UNDERSTANDING**

BETWEEN

THE CITY OF HAMILTON

(the "City")

AND

THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

("HECFI")

AND

THE HAMILTON PUBLIC LIBRARY

("HPL")

AND

THE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,  
LOCAL 18

(the "Union")

**RELATED EMPLOYER APPLICATION**

WHEREAS Ontario Labour Relations Board File No. 1409-07-R was heard and a decision from the Board was rendered on February 17, 2009.

WHEREAS the Board found that they were without jurisdiction to grant subsection 1(4) relief in this case due to the combined operation of sections 3(d) and 162 of the *Act*, and section 117 of the *Police Services Act*.

AND WHEREAS the Union grievance against the City respecting work performed at Police Services Board facilities, OLRB File No. 2676-06-G, is on-going.


THEREFORE, the Parties agree to the following:


1. The City of Hamilton (the City) and the United Brotherhood of Carpenters and Joiners of America, Local 18 (the Union) agree that the Hamilton Entertainment and Convention Facilities Inc. (HECFI) is a related employer to the City and as such is bound by the Carpenters Provincial I.C.I. collective agreement.



2. The City and the Union agree the Hamilton Public Library (HPL) is a related employer to the City and as such is bound by the Carpenters Provincial I.C.I. Collective Agreement.
3. The Union agrees that, for the purposes of the *Ontario Labour Relations Act* ("LRA"), the Hamilton Police Services Board is neither a related employer, nor a successor employer to the City. However, if Police services Board undertakes construction involving carpentry work, by engaging the assistance of the City, the City will apply the collective carpenter collective agreement in accordance with its obligations under Article 4 – Subcontracting.
4. The City and the Union agree that the terms of this letter are without prejudice and precedent in respect to the position that either party may take in regard to any other board, agency or entity (whether in existence or later) that may be related or a successor to the City within the meaning of the *LRA* and that the parties reserve their rights accordingly. There shall be no issues of timeliness raised against the Union if it does not take action until and unless necessary.
5. The Union hereby withdraws its grievance dated November 26, 2006, OLRB File No. 2676-06-G, on a without prejudice and/or precedent basis.
6. Whereas the Hamilton-Halton General Contractors Association and the United Brotherhood of Carpenters and Joiners of America, Local 18, have entered into a memorandum of amendment, which will expire with the current collective agreement in 2010, the union hereby agrees to use its best efforts, or take reasonable steps, to have the memorandum of local amendment extended or applied to subsequent provincial agreements.

Dated at the City of Hamilton the 23<sup>rd</sup> day of July, 2009.

  
United Brotherhood of Carpenters and  
Joiners of America, Local 18

  
City of Hamilton

  
Hamilton Entertainment and  
Convention Facilities Inc.

Hamilton Public Library