

# TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON

## Meeting of the Trustees as a Corporation and Administrative Agency

Tuesday, March 26, 2019 at 9:00 a.m.  
Central Library, 700 Boylston Street, Boston MA 02116  
Kirstein Business Library- Exchange Room

### AGENDA

#### I. **Call to Order and Report**

*Evelyn Arana-Ortiz, Vice Chair*

- A. Welcome and Roll Call of Board
- B. Review and Approval of Minutes for the Trustees Meeting held on January 15, 2019 and March 21, 2019.
- C. Discussion & approval of Revised Draft By-Laws (change in number of Trustees from 9 to 15 and changing “Chair” and “Vice Chair” in place of “Chairman” and “Vice Chairman”)

**VOTED: “that, the Trustees of the Public Library for the City of Boston adopt the Amended and Restated By-Laws of the Trustees of the Public Library of the City of Boston, as a Corporation.”**

#### II. **President’s Report**

David Leonard, President

- A. Review of the Boston Public Library Strategic Web Accessibility Plan  
*Caroline Driscoll, Legal Advisor*

**VOTED: “that, the Trustees of the Public Library for the City of Boston approve the Boston Public Library Strategic Web Accessibility Plan in conjunction with its Resolution Agreement entered into with the U.S. Department of Education.”**

#### III. **Trustees Finance and Audit Committee**

*Evelyn Arana-Ortiz, Committee Chair*

- A. Review of Boston Public Library Draft Management Letter for Fiscal Year Ending June 30, 2018

**VOTED: “that the Trustees of the Public Library of the City of Boston vote to accept the Draft Management Letter for the Fiscal Year Ending June 30, 2018 from CliftonLarsonAllen, LLP, Certified Public Accountants.”**

- B. Contract for flooring replacement for the Lower Mills Branch

**VOTED: “that, the Trustees of the Public Library of the City of Boston delegate to the Finance and Audit Committee the approval and awarding of the contract for: Lower Mills Flooring replacement which has a budget of: One hundred two thousand dollars (\$102,000.00) as part of the City Capital Project: CLD24594.”**

- C. Emergency Fire Panel replacement contracts

**VOTED: “that the Trustees of the Public Library of the City of Boston delegate authority to the Finance and Audit Committee to approve contracts of up to \$500,000 for the emergency replacement of the Fire Alarm Control Panel and associated equipment in the McKim Building.”**

D. Contract for small improvement project of the South Boston Branch Courtyard

**VOTED: “that, the Trustees of the Public Library of the City of Boston vote to award the contract for: Replacing the Terrace in the Courtyard at the South Boston Branch Library, a Chapter 149 Project to: Bautista Masonry, Inc., 99 Milton Street, Waltham, MA 02453, being the lowest, eligible, responsive and responsible bidder for the amount of: One hundred twenty nine thousand dollars (\$129,000.00): CLD24595.”**

E. Contract for BPL Firewall Upgrade for the FY20 Period, beginning July 1, 2019 through June 30, 2020, E-Rate Funding Eligible

**VOTED: “that, the Trustees of the Public Library of the City of Boston vote to award a contract to Integration Partners Corp., 350 Madison Avenue, 7th Floor, New York, NY 10017 the sole responsive and responsible bidder in a public Request for Proposal process, advertised under G.L. C. 30B, a contract for Firewall Upgrade for the Boston Public Library System, as specified during the period of July 1, 2019 through June 30, 2020, at a total cost not to exceed one hundred forty two thousand, nine hundred nineteen dollars and sixteen cents (\$142,919.16) contingent upon receipt of Universal Services Fund Federal funding.”**

F. Contract for BPL Wireless Access Point and Controller Upgrade for the FY20 Period, beginning July 1, 2019 through June 30, 2020, E-Rate Funding Eligible

**VOTED: “that, the Trustees of the Public Library of the City of Boston vote to award a contract to ePlus Technology, Inc., 13595 Dulles Technology Drive, Herndon, VA 20171 the sole responsive and responsible bidder in a public Request for Proposal process, advertised under G.L. C. 30B, a contract for Wireless Access Point and Controller Upgrade for the Boston Public Library System, as specified during the period of July 1, 2019 through June 30, 2020, at the proposal price, at a total cost not to exceed one hundred ninety five thousand, four hundred eighty five dollars and seventy five cents (\$195,484.75) contingent upon receipt of Universal Services Fund Federal funding.”**

V. **New Business**

VI. **Public Comment**

VII. **Adjournment**

VIII. **Executive Session (subject to roll call vote)**

*Evelyn Arana-Ortiz, Vice Chair*

A. Discuss Collective Bargaining Update

*Jessica Dembro, Human Resources Manager*

IX. **Reconvene Public Meeting of the Trustees**

**VOTED: “that, the Trustees of the Public Library of the City of Boston, accept management’s recommendation to endorse the terms of the successor City of Boston/Boston Public Library and the Boston Public Library Professional Staff Association (“PSA”) Collective Bargaining Agreement ratified by PSA on February 16, 2019.”**

X. **Adjournment**

**2019 Trustee Meeting Schedule**

- Tuesday May 14, 2019, 8:30 a.m., Annual Meeting, Central Library  
*\*All meetings are subject to change*

**Trustees of the Public Library of the City of Boston**

Robert E. Gallery, Chair; Evelyn Arana-Ortiz, Vice Chair,  
Zamawa Arenas, Jabari Asim, Ben Bradlee, Cheryl Cronin, Priscilla Douglas,  
Linda Dorcena Forry, John Hailer, Representative Byron Rushing  
President, David Leonard  
Clerk of the Board, Pamela R. Carver

This is an open meeting. The public is welcome to attend.  
For information check [www.bpl.org](http://www.bpl.org)

# TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON

## Meeting of the Trustees as a Corporation and Administrative Agency

Tuesday, January 15, 2019 at 3:00 p.m.  
Central Library, Commonwealth Salon  
700 Boylston Street, Boston, MA 02116

### DRAFT MINUTES

A Meeting of the Trustees of the Public Library of the City of Boston as a Corporation and Administrative Agency was held at the Central Library, 700 Boylston Street, Boston, MA 02116 on Tuesday, January 15, 2019 at 3:00 p.m. in the Commonwealth Salon.

Present at the meeting were: Chair, Robert Gallery and Vice-Chair Evelyn Arana-Ortiz and Trustees: Zamawa Arenas, Ben Bradlee, Cheryl Cronin, John Hailer, and Representative Byron Rushing. Vice-Chair Evelyn Arana-Ortiz, Jabari Asim, Priscilla Douglas, and Linda Dorcena Forry were not present. Also present were: David Leonard, President, Pamela Carver, Clerk of the Board, along with BPL staff and members of the public.

Chair Robert Gallery called the meeting to order at 3:05 p.m. and addressed the order of business. Mr. Gallery thanked everyone for their presence and wished everyone a happy new year. He noted that pending a trustees vote, they will go into Executive Session to discuss the collective bargaining contract but will reconvene to vote in public meeting immediately following.

Mr. Gallery called for the approval of the minutes of the November 16, 2018 meeting. With no edits or comments, a motion was duly made and seconded. The Trustees voted in favor to approve the meeting minutes of November 16, 2018.

Next, Mr. Gallery introduced Ms. Emme Handy, Chief Financial Officer for the City of Boston to offer guidance on the Fiscal Year 2020 budget submission. Ms. Handy gave a quick overview of what they are looking at for the FY20 Budget submission process. She explained that city departments had submitted their maintenance budgets for FY20 to the Office of Budget Management.

She explained they look at trends when forecasting expectations. Explaining the largest source of revenue for the City comes from property tax. They anticipate FY20 to be another strong year from growth. They predict a declining state aid allocation which essentially leads to flat state aid funding. Strong forecasted income from property taxes offset by trends in state education aid based on a continuation of a trajectory they have seen in the past.

On the expenditures side, there are a few important things that they do have to plan for before they can account for new initiatives and investments. The City has committed to fully funding the pension system by 2025. This will require significant contributions to the pension system every year. There is also increases in annual salary expenses as they have finished with most of their collective bargaining negotiations across the city so many of the salary costs will be built into the budget. She explained once all of these components have been put together, they then can determine what they have for new investments for FY20 and look for opportunities in the areas that are most important to the residents of the city. (Ex. Education, housing, transportation, environment, and of course the arts which include the libraries). She noted departments meet with them in March so they can dive deep into their submitted budgets and what those cost proposals look like. In April the budget is released and in May and June they will have City Council hearings for all areas of city government, including the Library. There is an overview and then the City Council will vote on the operative and capital budgets. She thanked the Board for having her and looks forward to working with the BPL in the coming year.

Next, John Hailer briefed the board on behalf of the Finance and Audit Committee. Mr. Hailer noted that the committee did a review back in 2017 as to how to invest the endowment funds. The committee recently interviewed three new investment fund managers. We are looking to invest in the long term growth of the funds. Mr. Hailer noted that each management firm was asked about diversity and culture of the firms being interviewed in addition to their investment performance track records. The Committee has chosen UBS and are recommending to award the management of the Emerging Market Equity portfolio in the amount of 5% of the BPL's portfolio, which is approximately \$3 million. The Board made a motion, was duly made and seconded and,

**VOTED: “that the Trustees of the Public Library of the City of Boston award management of the emerging Markets Equity portfolio to UBS Asset Management, in the amount of 5% of the portfolio, in accordance with the asset allocation plan.”**

Next, Mr. Leonard gave his President's report. A highlight from the last couple of months included the Central Library's participation in First Night activities. He thanked the Central Library staff and in particular, Anna Fahey-Flynn and Eamon Shelton for their assistance on the day's festivities. Next he discussed a new fundraising mechanism lead by Ellen Donaghey the Chief Financial Officer and Jill Maneikis, the Asst. Events Manager. The BPL will have fifteen individuals running the Boston Marathon on behalf of the Boston Public Library. Mr. Leonard asked the runners who were present to stand and were recognized for their contributions. He explained they filled out applications and were selected to run on behalf of the library. Each runner committed to raise a minimum of \$7,500. All funds raised will go directly to support youth services programming, specifically afterschool programming.

He noted he will be giving a high level summary of both the capital and operations budget and the intent is to have more feedback at a later date since submission to the City was just made the day prior. He began the Capital Budget review with a recap on current and upcoming renovation projects that are underway. He introduced some new projects up for approval in FY20 which may be targeted over the upcoming five year period which included: Research Collections Preservation and Storage Planning Study; major repairs to the Hyde Park Branch basement; installation of a women staff locker room in the Johnson Building; a Public Services Technology Assessment, and the Egleston Branch boiler replacement. Mr. Leonard stated that there are also projects that have no timeline yet, including the permanent location for Chinatown Branch, Egleston Square Branch Programmign Study, North End Branch Renovation, and possible mixed use future configuration for the West End branch. The Board discussed examples of what types of mixed uses may be considered.

Mr. Leonard then moved onto the Operating Budget update. He explained that it is essentially a maintenance budget submission, based on what it will cost to do everything we did this year, next year, need a 2% increase to keep us level. With some unexpected allocations from the non-city funds that will take us to approximately a 3% increase (bringing the BPL budget from \$45.6 million to \$47 million for FY20 as proposed). He reaffirmed they will bring more details at a future Trustees meeting and asking for an endorsement vote contingent on the City Council vote.

In areas of reform, the BPL restructuring of Special Collections and improvements to the Facilities Department would count as reforms within our departments. Looking at potential areas for potential investment included: branch service staffing, system-wide teen services, children's library staffing, as well as outreach services. From an operating and support point of view, we have flagged both security, continuing Wi-Fi hot spot lending program and investing in more data analytics for potential investment areas/areas of need.

Next Mr. Hailer was asked to give an update on the Governance and Development Committee. Mr. Hailer explained that one goal and overall theme is how to sustain library programs and resources not only with city funds, but through private donations as well. He explained they have begun an Executive Director search for the BPL Fund with oversight from the Steering Committee. The Steering Committee, led by Michael Keating, is also assisting with finding new board members for the BPL Fund. He explained that planning for the BPL Fund Gala is underway and will take place on June 7, 2019. Mr. Hailer paused for comments or questions. Mr. Gallery noted how appreciative he was for the leadership and efforts of both Mr. Hailer and Mr. Leonard in their efforts over the past few months and that the pieces of this new entity are coming together. Although no notables to announce just yet, he stated the team working on this feel that we are looking forward to having a very robust “family”, not only with just the Map Center, but hopefully with The Associates and The Friends of the BPL.

Mr. Gallery asked if there was any New Business for which there was none and then asked for Public Comment.

Laura Gang of the Roslindale Friends spoke about how she is looking forward to the branch’s renovation. The Roslindale Friends are putting on more programs and also putting on a program in partnership with the resiliency office. We continue to work with BPL staff to make access to books available during the closure perhaps through the use of mini free libraries throughout the community.

Marlene Neinhous of the South End Friends had two questions. The first, was would the Board be interested in naming the five locations where potential mixed use was suggested? Second, she asked Mr. Hailer in terms of fundraising, is he committed to looking at the branch libraries and their constituencies? She suggested it may be a good opportunity to bring more donors to the library overall. She noted when asking for donations in the South End, they were able to raise \$100,000 very quickly, and not from wealthy people. Mr. Hailer answered that they are leaving no stone unturned, whether there is a donation of five dollars or five hundred dollars. They will be engaged in Capital campaigns as well as community programs and they welcome any way to raise funds for the BPL in a complete manner.

Mr. Leonard recapped the branches under initial consideration for mixed use, which doesn’t exclude others: Uphams Corner, Chinatown, Fields Corner, West End and Egleston Square.

With no further questions. Mr. Gallery noted that this concluded the agenda for the public meeting. Mr. Gallery called for an Executive Session to give an update on the Collective Bargaining negotiations with the AFSCME union. He noted that public discussions could have detrimental effects on the deliberations and therefore the need for the Executive Session. He added that they will be reconvening in a public meeting. The Clerk of the Board polled the Trustees and all unanimously voted to enter into an executive session. With no further comments, the public meeting was adjourned at 4:05 p.m.

The public meeting was re-convened at 4:14p.m. Mr. Gallery asked for a motion to accept management’s recommendation to endorse the terms of the collective bargaining agreement as presented. A motion was duly made, seconded and,

**VOTED: “that, the Trustees of the Public Library of the City of Boston, accept management’s recommendation to endorse the terms of the successor City of Boston/Boston Public Library and AFSCME Local 1526, Collective Bargaining Agreement ratified by AFSCME Local 1526 on January 9, 2019.”**

With no further business, the Board made a motion and the meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Pamela Carver  
Clerk of the Board of Trustees

DRAFT

**REVISED BY-LAWS OF**

**THE TRUSTEES OF THE PUBLIC LIBRARY**

**OF THE CITY OF BOSTON, AS A CORPORATION**

**As amended March 21, 2019**



**The Trustees of the Public Library of the City of Boston, as a Corporation**

By-Laws

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**The Trustees of the Public Library of the City of Boston, as a Corporation**

By-Laws

ARTICLE I – THE CORPORATION

1. Name. The name by which the corporation shall be known is The Trustees of the Public Library of the City of Boston (the “Corporation”). These By-Laws, the powers of the Corporation and of its Trustees and Officers, and all matters concerning the conduct and regulation of the affairs of the Corporation, shall be subject to such provisions in regard thereto, if any, as are set forth in Chapter 114 of the acts of 1878, as amended.
2. Purpose. The Corporation is a corporation incorporated pursuant to Chapter 114 of the acts of 1878, as amended, and organized under Chapter 180 of the Massachusetts General Laws for the purposes enumerated in Chapter 114 of the acts of 1878, as amended from time to time. The principal office of the Corporation in the Commonwealth of Massachusetts shall be located at 700 Boylston Street, Boston, Massachusetts 02116.

ARTICLE II –BOARD OF TRUSTEES

1. Powers. The Board of Trustees shall have general management and control over all of the property, affairs and funds of the Corporation and shall exercise all of the powers of the Corporation, except as otherwise provided by law or these By-Laws.
2. Composition. The Board of Trustees shall consist of 15 Trustees appointed by the Mayor of Boston. All Trustees shall be residents of the Commonwealth of Massachusetts.
3. Tenure. Each Trustee shall hold office for a term of five (5) years and until his successor is appointed, or until he sooner dies, resigns, or is removed.
4. Compensation. The Trustees shall serve without compensation.
5. Employment Status. The Trustees shall be deemed to be special municipal employees for the purposes of Chapter 268A of the Massachusetts General Laws.
6. Resignation and Removal. A Trustee may resign by delivering his resignation to the Mayor or the Mayor’s designee. Such resignation shall be effective upon its receipt or upon such date (if any) as is stated in such resignation.
7. Vacancies. Any vacancy in the Board of Trustees may be filled by the appointment by the Mayor of a successor trustee who shall hold office for the remainder of the unexpired term. The Trustees shall have and may exercise all of their powers notwithstanding the existence of one or more vacancies in their number.
8. Annual Meeting. An annual meeting of the Board of Trustees shall be each May at the time and place to be fixed by the Board of Trustees and stated in the notice of the meeting.

9. Regular Meetings. The Board of Trustees shall hold at least one regular meeting each year. Other regular meetings of the Trustees may be held at such places and at such times as the Trustees determine.
10. Special Meetings. Special meetings of the Board of Trustees may be held at any time and at any place called by the President in writing, the Clerk, or requested by two or more Trustees in writing.
11. Notice of Meetings.
  - a) A notice of the time and place of each meeting of the Board of Trustees shall be given by the Clerk or by any other Officer of the Corporation to each Trustee at his business or home address as it appears in the records of the Corporation in person or by telephone, telegram, telecopy, e-mail or other electronic means at least seventy-two hours before the meeting, or by written notice mailed first class mail, postage prepaid, at least five days before the meeting. Whenever notice of a meeting is required, such notice need not be given to any Trustee if a written waiver of notice, executed by him (or his attorney duly authorized) before or after the meeting, is filed with the records of the meeting, or to any Trustee who attends the meeting without protesting the lack of notice before the meeting or before action is taken at the meeting. Neither such notice nor waiver of notice need specify the purposes of the meeting, unless otherwise required by law or these By-Laws.
  - b) Notice shall also be provided as required under the Open Meeting Law of the Commonwealth of Massachusetts, Massachusetts General Law Chapter 30A, Sections 18-25 (the "Open Meeting Law") and shall be posted publicly at the City Clerk's Office and on the Boston Public Library website.
12. Quorum. At any meeting of the Board of Trustees, a majority of the Trustees then in office shall constitute a quorum. Each Trustee shall have one vote. Any meeting may be adjourned by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice.
13. Executive Committee and Other Board Committees. The Chair of the Board of Trustees may appoint an Executive Committee at any meeting of the Trustees. Unless otherwise determined by vote of the Board of Trustees, the Executive Committee may act on behalf of the full Board of Trustees on any matter between meetings of the Board of Trustees; provided that (a) the Executive Committee shall not be authorized (i) to approve any substantial change in the operations or activities of the Corporation, (ii) to make any change in the principal office of the Corporation, (iii) to amend these By-Laws, (iv) to elect or remove officers or Trustees, or (v) to appoint or eliminate any committee of the Board or any member of any such committee, (b) the Executive Committee shall not have any power or authority which the Board is prohibited from delegating by law, or these By-Laws, and (c) any action taken by the Executive Committee may be amended or repealed prospectively by subsequent vote by the Board of Trustees.

Unless otherwise specified by the Chair of the Board of Trustees, members of the Executive Committee shall serve until the next Annual Meeting of the Trustees or special meeting in lieu thereof and thereafter until their successors are chosen.

The Chair of the Board of Trustees may, from time to time, appoint one or more other committees, having such authority and duties and consisting of such Trustees or other persons, serving for such terms and in such capacities, as the Chair shall determine; provided that voting members of any committee to which powers of the Trustees are delegated shall consist solely of Trustees.

Except as the Chair may otherwise determine, any such committee may make rules for the conduct of its business, but unless otherwise provided by the Trustees or such rules, its business shall be conducted so far as possible in the same manner as is provided by these By-Laws for the conduct of business by the Trustees. All meetings of all committees of the Board of Trustees shall be held in compliance with the Open Meeting Law.

The Board of Trustees may, by vote of a majority of the Trustees then in office, (a) remove any member from the Executive Committee or any other committee appointed by the Trustees, with or without cause, (b) fill vacancies in or change the composition of any such committee, or (c) terminate any such committee. The Executive Committee and every other committee to which the Board of Trustees may delegate any of its powers or duties shall keep minutes or records of its meetings, signed by the Clerk or by an Assistant Clerk or temporary Clerk, reflecting attendance and all votes and other action taken at such meetings; and any action taken by any such committee on behalf of the Trustees of the Corporation shall be reported to the Board of Trustees no later than the date of formal notice given for the meeting of Trustees next following the date of such action.

### ARTICLE III – OFFICERS

1. Enumeration. The Officers of the Corporation shall consist of a President and a Clerk, or such other officers having other titles but having the powers of President and Clerk as the Board of Trustees may determine, and such other Officers and assistant Officers as the Board of Trustees may determine (collectively, the “Corporate Officers”). The Officers of the Board of Trustees may consist of a Chair of the Board, Vice Chair of the Board, Secretary and such other Officers and assistant Officers as the Board of Trustees may determine (collectively, the “Board Officers,” and together with the Corporate Officers, the “Officers”). Any two or more offices may be held by the same person, except that the President and the Clerk shall not be the same person. The Clerk and the Secretary shall be the same person. An Officer may but need not be a Trustee of the Corporation.
2. Election. The Chair of the Board, Vice Chair of the Board and the Clerk shall be elected by the affirmative vote of the majority of the Board of Trustees present and voting at the annual meeting held each May. All other Officers may be elected by the affirmative vote of a majority of the members of the Board or Trustees present and voting at such meeting or at any other meeting at which there is a quorum.
3. Tenure. Except as otherwise provided by law or these By-Laws, the President shall hold office at the pleasure of the Board of Trustees and until his successor is elected and qualified. Except as otherwise provided by law or these By-Laws, all other Officers shall hold office until the next Annual Meeting and thereafter until their successors are elected and qualified.

4. Resignation and Removal. An Officer may resign by delivering his resignation in writing to the Corporation at its principal office or to the President or the Clerk of the Corporation. Such resignation shall be effective upon receipt or upon such date (if any) as is stated in such resignation, unless otherwise determined by the Board of Trustees. The Board of Trustees may remove any Officer with or without cause by a vote of a majority of the Trustees, at a meeting of the Board of Trustees called for that purpose. An Officer may be removed for cause only if notice of such action shall have been given to all of the Trustees prior to the meeting at which such action is to be taken and if the Officer so to be removed shall have been given reasonable notice and opportunity to be heard before the Board of Trustees.
5. Vacancies. A vacancy in any office may be filled by vote of a majority of the Trustees at any meeting of Trustees at which a quorum is present or by appointment of all of the Trustees if less than a quorum of Trustees shall remain in office. Each such successor shall hold office for the unexpired term of his predecessor and until his successor is chosen and qualified, or in each case until he sooner dies, resigns, is removed, or becomes disqualified.
6. President. Unless otherwise voted by the Board of Trustees, the President, who shall be a resident of the City of Boston, shall have, subject to oversight by the Trustees, supervision and control of the business of the Corporation, including, but not limited to, general administration, and acquisition, and shall have such other powers and duties as may be vested in him by the Board of Trustees.
7. Clerk. The Clerk shall be a resident of the City of Boston and shall also serve as the Secretary of the Board of Trustees. The minutes and records of all meetings of the Trustees shall be prepared and maintained by the Clerk. The Clerk shall keep such minutes and records within the Commonwealth of Massachusetts at the principal office of the Corporation or the office of the Clerk; such minutes and records shall be open at all reasonable times to the inspection of any Trustee. In the absence of the Clerk from any meeting, a temporary Clerk shall be appointed by the President and shall exercise the duties of the Clerk at the meeting.
8. Chair of the Board. The Chair of the Board shall preside at all meetings of the Trustees and shall perform such other duties and shall have such other powers as the Trustees may from time to time prescribe.
9. Vice Chair of the Board. The Vice Chair of the Board, shall, in the absence or disability of the Chair of the Board, perform the duties and exercise the powers of the Chair of the Board and shall perform such other duties and shall have such other powers as the Trustees may from time to time prescribe.

#### ARTICLE IV – AMENDMENTS

These By-Laws may be amended by a majority of the votes cast by Trustees then in office at any meeting of Trustees at which a quorum is present; provided that the substance of any proposed amendment shall have been stated or summarized in the notice of such meeting.

## ARTICLE V – MISCELLANEOUS PROVISIONS

1. Fiscal Year. Except as otherwise determined by the Trustees of the Board, the fiscal year of the Corporation shall end on the last day of June of each year.
2. Seal. The Corporation may have a seal in such form as the Trustees may adopt and alter from time to time.
3. Execution of Instruments. All checks, deeds, leases, transfers, contracts, bonds, notes and other obligations authorized to be executed by an Officer on its behalf shall be signed by the President except as the Trustees may generally or in particular cases otherwise determine. A certificate by the Clerk or an Assistant Clerk, or a temporary Clerk, as to any action taken by the Board of Trustees, Executive Committee or any Officer or representative of the Corporation shall as to all persons who rely thereon in good faith be conclusive evidence of such action; and any part of whom an Officer or representative of the Corporation delivers an agreement or document signed on behalf of the Corporation by the President of the Corporation shall be entitled to rely in good faith that such delivery and execution have been duly authorized by the Corporation unless such party knows of facts or circumstances to the contrary.
4. Gender. The personal pronoun “he” or possessive pronoun “his,” when appropriate, shall be construed to mean “she” or “her” and the word “chair” shall be construed to mean either a male or female person.

# BOSTON PUBLIC LIBRARY STRATEGIC WEB ACCESSIBILITY ACTION PLAN

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## INTRODUCTION

The U.S. Department of Education, Office for Civil Rights (OCR), initiated an investigation into allegations that the Boston Public Library (Library) violated Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35. Specifically, the Complainant alleged that the Library's website contained barriers to access for people with disabilities, thereby denying them an equal opportunity to participate in the Library's programs, services, and activities.

Prior to the completion of OCR's investigation, the Library agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual (CPM). This resolution does not constitute an admission that the Library is not in compliance with Title II, and/or its implementing regulations.

## COMMITMENT TO ACCESSIBILITY

The Boston Public Library's mission is to preserve and provide access to historical records of our society, and to serve the cultural, educational, and informational needs of the people of the City and the Commonwealth. As such, the Library strives to provide information and services in a format accessible to all of its users. The Library will work to ensure that persons with disabilities have opportunities equal to those of their non-disabled peers to access and use information and services online, except where doing so would impose an undue burden on the Library or require a fundamental alteration. Where information or services prove inaccessible to some users, the Library will provide equally effective alternative access.



## BENCHMARKS FOR ACCESSIBILITY

In order to ensure the accessibility of our web pages, the Library will comply with a set of nationally recognized accessible technology standards.

### [WCAG 2.0 LEVEL AA](#)

Web Content Accessibility Guidelines (WCAG) 2.0 defines how to make Web content more accessible to people with disabilities. Accessibility involves a wide range of disabilities, including visual, auditory, physical, speech, cognitive, language, learning, and neurological disabilities. Although these guidelines cover a wide range of issues, they are not able to address the needs of people with all types, degrees, and combinations of disability. These guidelines also make Web content more usable by older individuals with changing abilities due to aging and often improve usability for users in general.

### [WAI-ARIA 1.0](#)

WAI-ARIA is a technical specification that provides a framework to improve the accessibility and interoperability of web content and applications. The framework applies to the work of developers creating custom widgets and other web application components.

Adherence to these accessible technology standards is one way the Library will ensure people with disabilities are able to acquire the same information, engage in the same transactions, and enjoy the same benefits and services within the same timeframe as their non-disabled peers, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Library information, services, and collections delivered online, as required by Title II and its implementing regulations; and that they receive effective communication of the Library's information, services, and collections delivered online.

## IMPLEMENTATION

### *OVERVIEW*

The Library needs to ensure full remediation and implementation of accessible online services and take additional steps as outlined in this document. The Library launched a WCAG 2.0 compliant website on July 1, 2018. Oversight and accountability will continue to be maintained by the Web Services Department.

### *REVIEW*

Within 45 days of receiving OCR's approval of the Strategic Action Plan, the Library will submit to the OCR evidence of the distribution of the Strategic Action Plan and the policies and procedures contained therein to relevant parties, and a description of how they are being implemented.

Within 60 days of official adoption of the policies and procedures by the Board of Trustees, the Library will submit to OCR evidence of their adoption.

On June 28, 2019, the Library will provide a report to OCR summarizing the status of the Strategic Action Plan and how it was implemented.

## 1. GENERAL

### 1.1. Website Migration

Prior to receiving OCR Complaint No. 01-17-4029, the Library had identified accessibility issues to address in its existing online presence and had conducted a thorough procurement process through which a website hosting platform was identified that could meet the accessibility and other goals set forth by the Library. The Library acquired a subscription to BiblioWeb, a hosting platform provided by BiblioCommons, Inc., as the product to which the library's website would be migrated. BiblioWeb provides native support, tools, and design consistent with WCAG 2.0 and the vendor's development roadmap includes a significant focus on additional accessibility features that assist content creators and administrators in delivering universally accessible content.

Migration of the Library's website to the BiblioWeb platform was completed before July 1, 2018. In conjunction with the launch on the new platform, Boston Public Library met with several accessibility groups to receive feedback on site usability.

### 1.2. Accessibility Training and Documentation

The Library will deliver annual website accessibility training concerning, among other things, the goals and strategies set forth in Strategic Action Plan to all appropriate personnel, including but not limited to: content developers, webmasters, procurement officials, and others responsible for developing, loading, maintaining, or auditing web content and functionality.

Additional internal training and documentation of procedures will be established for any staff who contribute content for publication on the Library's website.

### 1.3. Accessibility Statement and Grievance Procedures

An accessibility statement that affirms a commitment to delivering content and services in accordance with available standards and guidelines will be published in the footer of every page of the Library's migrated website. In addition, contact information for the Web Services department will be listed so that any individuals who encounter difficulty using or accessing content or services may raise a grievance to be resolved in a timely fashion.

## 2. EDITORIAL PROCESS

### 2.1. Content Creation

Content creation is overseen by members of the Web Services and Communications departments with the assistance of the Library's Editorial Board. The Board, which represents all divisions of the institution, meets monthly to plan what content, including blogs, events, and news, will be elevated to the homepage. Approximately 25 personnel maintain blogs for the institution on a diverse array of topics.

### 2.2. Content Review

All static web content as well as content elevated to the homepage is reviewed by a team of editors for grammar, spelling, and content, and to confirm that content does not read higher than an 8<sup>th</sup> grade reading level. Additionally, Web Services staff ensure that all submissions meet WGAC 2.0 guidelines.

### 3. BENCHMARKS AND REPORTING

#### 3.1. Benchmarks and Metrics

Web Services staff will regularly test new content for accessibility using automated analysis such as WebAIM's WAVE web accessibility evaluation tool, following up on flagged issues with human evaluation. All new content will be manually reviewed as a matter of course using WAVE and human inspection. Unless practical or situational circumstances warrant otherwise, issues flagged during these reviews will be addressed immediately.

Metrics to be considered include, but are not limited to:

- The number of descriptive images without an alt attribute
- The number of audiovisual objects without transcription
- The number of possible failure points where accessibility issues may potentially happen
- The time taken to conduct a task (during in-person usability tests)
- Reading level of content (target of 8<sup>th</sup> grade, unless content requires higher)

Content to be prioritized includes:

- High-traffic pages such as homepage, location pages, and event listings
- Blog posts (authored by staff throughout the organization)
- Content essential for self-instruction, such as Frequently Asked Questions, policies and procedures, and form instructions

#### 3.2. Reporting

The Library will generate quarterly accessibility reports using a tool such as Siteimprove or Sitebeam to provide an overall picture of outstanding issues and to assess the extent to which its website conforms to level AA of WCAG 2.0. Issues flagged during these periodic reviews will again be subject to WAVE and manual review as described above. An annual report will also be published each July summarizing the state of web accessibility the Library provides.

#### 4. TIMELINE

Initiative	Completion Date
Strategic Action Plan	3/1/2018
Website Accessibility Training	Ongoing annually
Evidence of SAP Distribution	45 after OCR approval
BPL Trustee Adoption of SAP	3/21/2019
Evidence of Trustee Adoption	5/21/2019
Website Migration to BiblioWeb	7/1/2018
Summary Report to OCR	6/28/2019

## 5. COMMUNICATION OF ACCESSIBLE SERVICES

The Library will communicate to the community its commitment to accessibility and any future developments in order to build awareness and garner support for the accessible services and collections at the Library. Communication will occur through a variety of media such as email communication, social blast, and the Library's website on a regular basis.

Additionally, the vendor who hosts our primary web platform provides an Accessibility Statement outlining a commitment, method, and plan for accessible features and content. The statement is available at <https://bpl.bibliocommons.com/info/accessibility/> and is reproduced in Appendix A.

If you have questions about the information provided in this document, or about the accessibility of the online services at the Boston Public Library, please contact the Web Services Department at [webmaster@bpl.org](mailto:webmaster@bpl.org).

## APPENDIX A – ACCESSIBILITY STATEMENT

### BiblioCommons Commitment to Accessibility

Public Libraries have long served their communities as welcoming, open, and inclusive built environments. As a digital service provider to Public Libraries, we know that the online experience we create needs to be welcoming and inclusive to people with a wide range of abilities. This includes those who rely on assistive technology to access online services, in addition to individuals with cognitive and digital-literacy challenges.

An important part of our commitment to those using assistive technology includes the implementation of Web Content Accessibility Guidelines (WCAG) 2.0 level AA, which we'll just call the "Guidelines" for the rest of this document. Beyond these Guidelines, we have also set the goal of meeting the more broadly defined usability needs of users of assistive technology.

### How Are We Doing This

The WCAG Guidelines serve as an internationally accepted measure of success for websites and online applications, and so we are using them to evaluate our current services and make changes and adjustments to better serve people with disabilities. We are committed to providing online services that not only meet but exceed the criteria set out by the Guidelines.

As part of our design and development process, we have worked with third-party experts to review our websites, identify accessibility goals based on the Guidelines and have created a plan to meet these goals as we update and improve our websites overall. Our team has been trained in how to implement the Guidelines in the design, development and testing of the websites and has made a number of significant changes to the services over the last year, and is working steadily to align all of the services with the Guidelines, and the regulations that use the Guidelines as their measure.

### Steps We've Taken So Far

- We commissioned a professional audit of our websites and received recommendations that will bring the websites in line with the Guidelines.
- We have worked and will continue to work with our library partners to identify specific issues members of their communities are experiencing and address those issues.
- Some of these improvements have already been completed. In each case, we have aimed for solutions that align both with the Guidelines and with more broadly-defined principles of usability. These improvements include:
  - Text Equivalents — We are working to ensure that images are accessible to people who use screen readers and other assistive technology by using appropriate alternative text.
  - Site Structure — We are working to ensure that appropriate headings are used so that people can use the site with assistive technology.



- Keyboard Access — Improving keyboard access for non-mouse input devices, including ongoing projects:
  - to open modals, overlays or dialogs with the correct focus
  - to make it easier to navigate headings, lists, paragraphs, links and buttons
  - to ensure that forms are fully accessible.
- Magnification — We are working to ensure that the main workflows in our sites can be used by people with screen magnifiers.
- Color Contrast — Ensuring that color use on the websites does not compromise text legibility.
- We have also implemented design and review procedures that will align future features and development with the Guidelines.

#### How We Make It Sustainable

We have taken a few steps to ensure that accessibility is not a one-time project, but becomes an ongoing process of improvement.

- Our product team includes accessibility and usability criteria for any new feature or improvements to existing features.
- The User Experience (UX) team approaches new designs and improvements through the lens of the Guidelines and usability practices.
- As our development teams write new code for those designs, they are refining consistent practices for accessibility according to the Guidelines and usability insights, and applying those systematically to the application.
- Our Quality Assurance team now tests each new feature using a variety of assistive technology such as screen readers and high contrast displays.
- We have put in place automated tests to ensure that new changes do not violate the basic structures recommended in the Guidelines.

In addition, our teams have developed internal standards and processes to ensure that both new and current employees have the knowledge and tools they need to make the right choices for accessibility and usability throughout the product development process.

#### Are We There Yet?

We have covered a lot of ground, but we know we have more work to do. Over the course of 2019, we have queued a number of remaining workflows for improvement, and will continue to scrutinize and improve our services thereafter. We appreciate your patience as we continue to take steps to make our services accessible and usable for all.

## About Third Party Content and Features

Our online products may include content and utilities from third party sites and products. We cannot control or correct any issues with this content or its accessibility, but it's important for us to be able to pass on any accessibility issues to the creators of those sites.

## Feedback or Questions?

If you experience an accessibility issue with BiblioCommons websites or you have any questions or accessibility concerns, please contact your library.

**THE TRUSTEES OF THE PUBLIC LIBRARY  
OF THE CITY OF BOSTON**

**MANAGEMENT LETTER**

**JUNE 30, 2018**

DRAFT



CLA (CliftonLarsonAllen LLP)  
CLAconnect.com

To the Honorable Board of Trustees  
The Public Library of the City of Boston, Massachusetts

In planning and performing our audit of the financial statements of The Trustees of the Public Library of the City of Boston (Library), a component unit of the City of Boston, Massachusetts, as of and for the year ended June 30, 2018, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the Library's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Library's internal control. Accordingly, we do not express an opinion on the effectiveness of the Library's internal control.

However, during our audit we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. The memorandum that accompanies this letter summarizes our comments and recommendations regarding those matters. This letter does not affect our report dated October 16, 2018, on the financial statements of the Library.

We will review the status of these comments during our next audit engagement. We have already discussed many of these comments and suggestions with various Library personnel, and we will be pleased to discuss them in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

The Library's written responses to the matters identified in our audit were prepared by the Library's Chief Financial Officer. The responses have not been subjected to the audit procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

This communication is intended solely for the information and use of management, the Board of Trustees and others within the organization and should not be used by anyone other than these specified parties.

**CliftonLarsonAllen LLP**

Boston, MA  
February 20, 2019

THE TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON

MANAGEMENT LETTER

JUNE 30, 2018

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DRAFT

## Comments and Recommendations

### Information Technology

#### Comment

We performed a high-level evaluation of the Library's computer processing environments and general controls over information technology related to business and financial systems. The evaluation was not intended to be a full scope network security review of the Library's entire information technology infrastructure. The scope was limited to certain internal controls and security features related to transactions and data that could impact financial reporting.

It should be noted that for fiscal year 2018, we did not identify any information technology matters that materially impacted the Library's financial reporting.

We would also like to preface our comments and recommendations below by stating that none of them are required by law, regulation or other external requirement that we are aware of. The comments and recommendations are intended to be informative in nature. We recognize that the Library has unique operational aspects that must be considered when evaluating our recommendations. We also recognize there are cost/benefit considerations to each recommendation.

The following is a summary of our observations:

- During fiscal year 2018, the Library implemented new policies and procedures to strengthen network passwords. As of fiscal year-end, one remaining item under consideration was increasing the minimum character lengths of passwords to enhance risk mitigation with unauthorized workstation access.
- As more of an informative comment for future consideration, as of fiscal year-end, the Library had Windows 2008 servers active on its network. These servers will no longer be supported by the vendor starting in 2020.

#### Recommendation

We recommend the following:

- Consider requiring minimum character password lengths of 14, with 20 for Administrators
- Begin planning for the upgrade of Windows 2008 servers prior to the end-of-support deadline in 2020

## Management's Response

Concerning the following recommendations:

- Consider requiring minimum character password lengths of 14 with 20 for Administrators  
*In 2017 the BPL implemented a secure password policy (8 characters, complexity, lockout after 3 failed attempts, change every 90 days) and we will be evaluating stronger requirements for passwords in FY20.*  
*The BPL is scheduled to increase the minimum character password length to 20 for all Domain Administrators in July 2019.*
- Begin planning for the upgrade of Windows 2008 servers prior to the end-of-support deadline in 2020  
*Since 2016 the BPL Server team has an in place policy that all new servers installed are to be Windows Server 2012R2 or greater.*  
*The BPL Server team is already in the process of upgrading (decommissioning) ALL production 2008 servers and will have them eliminated before the end-of-support deadline.*

DRAFT