



REPORT TO THE LIBRARY BOARD

MEETING DATE: APRIL 28, 2011

Session:	Public Session
Subject:	London Public Library Board : Composition By-law
Prepared By:	Susanna Hubbard Krimmer
Presented By:	Susanna Hubbard Krimmer
Purpose of Report:	Receive <input checked="" type="checkbox"/>

Recommendation

It is recommended that this report be received.

Issue/Opportunity

In January 2011, the Library Board requested that the following amendments be made to the terms of the By-law A-8039-645 Respecting the Composition of the London Public Library Board:

The London Public Library Board shall be composed of nine (9) members to be appointed by the Municipal Council:

- (a) two (2) members of the Municipal Council; and
- (b) seven (7) citizens-at-large.

The Board requested that these changes be made as expeditiously as possible in order to ensure that, if vacancies occur during the current term of the Board, they can be managed under the terms of the amended by-law.

In order not to displace any of its current members, the Library also requested that changes related to the increase in the number of citizens-at-large (which requires the elimination of the school board representatives) not be enacted until such time as a vacancy in these positions occurs but no later than Dec 1, 2014.

The attached report (see Appendix 1) of the City of London Finance and Administration Committee was approved by City Council on April 18, 2011.

Next Steps

The current vacancy on the LPL Board, resulting from the resignation of Councillor Joe Swan, will be filled according to the terms of the new by-law.

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TO:	CHAIR AND MEMBERS FINANCE AND ADMINISTRATION COMMITTEE MEETING ON APRIL 13, 2011
FROM:	CATHARINE SAUNDERS CITY CLERK
SUBJECT:	COMPOSITION – LONDON PUBLIC LIBRARY BOARD

RECOMMENDATION

That, on the recommendation of the City Clerk, at the request of the London Public Library Board, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting being held on April 18, 2011 for the purpose of amending the composition of the London Public Library Board.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

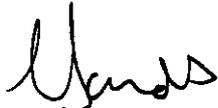
BACKGROUND

On January 14, 2011, J. Morgan, Chair, London Public Library Board, provided the attached letter requesting that steps be taken to change the composition of the London Public Library Board by reducing the number of Council Members that sit on the Board from three (3) to two (2), and by eliminating the requirement that two of the positions be held by one representative from each of the Thames Valley District School Board and the London District Catholic School Board. The *Public Libraries Act* requires that "the appointing council shall not appoint more of its own members to a board than the number that is...one less than a majority of the board". The *Act* does not require representation by local school boards. Therefore, the Board's requested changes remain in keeping with the governing legislation.

Rather than reducing the total composition of the Board by a proportionate number of positions to those noted above, the Board would, instead, like to have those three positions held by citizens-at-large. The net effect of these changes would ultimately see a Board composition as follows:

- (a) two (2) members of the Municipal Council;
- (b) seven (7) citizens-at-large.

The Board does not wish to displace any of its current members to effect the changes noted above and has therefore asked that the changes in composition be implemented only as vacancies arise, but no later than the commencement of the next term on December 1, 2014. As Councillor Joe Swan has just tendered his resignation to the Board and his resignation letter will be before the Municipal Council, for consideration, at its meeting on April 18, 2011, introduction of the attached by-law is being recommended at this time to reduce the number of Council Members from 3 to 2 and to increase the citizens-at-large from four (4) to five (5). At such time as the two positions held by representatives of the Thames Valley District School Board and the London District Catholic School Board become vacant, or no later than December 1, 2014, the by-law shall be further amended to replace those two positions with citizens-at-large, while still maintaining a total Board complement of nine (9).

PREPARED BY:	RECOMMENDED BY:
	
LINDA ROWE DEPUTY CITY CLERK	CATHARINE SAUNDERS CITY CLERK

- c. J. Smout
S. Hubbard-Krimmer

Bill No.

By-law No. A.-

A by-law respecting the composition of The London Public Library Board.

WHEREAS section 9(1) of the *Public Libraries Act, R.S.O. 1990, Chapter P.44*, as amended, provides that a public library board shall be comprised of at least five members appointed by the municipal council;

AND WHEREAS section 10(1) of the *Public Libraries Act, R.S.O. 1990, Chapter P.44*, as amended, provides that a person is qualified to be appointed as a member of a board who is a member of the appointing council;

AND WHEREAS section 10(2) of the *Public Libraries Act, R.S.O. 1990, Chapter P.44*, as amended, provides that the appointing council shall not appoint more of its own members to a board than the number that is, in the case of a public library board or union board, one less than a majority of the board;

AND WHEREAS the Municipal Council wishes to amend the composition of The London Public Library Board;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The London Public Library Board shall be composed of the following nine (9) members to be appointed by the Municipal Council:

- (a) two (2) members of the Municipal Council;
- (b) one (1) member recommended by the Thames Valley District School Board;
- (c) one (1) member recommended by the London District Catholic School Board; and
- (d) five (5) citizens-at-large.

2. By-law No. A.-6039-645 passed on October 23, 2006 is hereby repealed.

3. This by-law comes into force on the date it is passed.

PASSED in Open Council on April 18, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk



January 14, 2011

Mayor J. Fontana
 Councillor W.J. Armstrong
 Councillor J. L. Baechler
 Councillor J.P. Bryant
 Councillor N. Branscombe
 Councillor D. Brown
 Councillor M. Brown
 Councillor D.G. Henderson

Councillor P. Hubert
 Councillor S. Orser
 Councillor W.J. Polhill
 Councillor J.L. Swan
 Councillor H.L. Usher
 Councillor P. Van Meerbergen
 Councillor S. White

Re: By-law No. A.-6039-645 Respecting the Composition of the London Public Library Board

As a next step, following Council's adoption of recommendations in the *Final Report of the Governance Task Force Report* (May 2009), the London Public Library Board requests that:

Municipal Council of the Corporation of the City of London enact the following amendments to the by-law (By-law No. A.-6039-645) respecting the composition of the London Public Library Board, in that

The London Public Library Board shall be composed of nine (9) members to be appointed by the Municipal Council:

- (a) two (2) members of the Municipal Council; and
- (b) seven (7) citizens-at-large.

Furthermore, the London Public Library Board requests that these amendments be made, not only in anticipation of 2014 appointments, but as expeditiously as possible in order to ensure that if vacancies occur during the current term of the Board, they can be managed under the terms of the amended by-law.

Background

The current by-law provides for a nine member Board consisting of three members of Municipal Council, one member from The Thames Valley District School Board, one member from the London District Catholic School Board and four citizens-at-large.

The *Ontario Municipal Act 2001*, Section 216 "Dissolution and Change of Boards" defines the power of municipal council to change local boards. According to information provided by the Ministry of Culture, the language in s.216 ensures that changes are in concordance with the *Public Libraries Act*, R.S.O. 1990, c. P. 44. Sections 9 and 10, which prescribe the composition of a public library board.

Value of Councilor Representation

City Councilors bring invaluable experience and community links to the Library Board. They ensure that the board is aware of the fiscal and political environment, including opportunities, challenges and fiscal restraints, and that Council understands the value of library service to the citizens of London. It is recognized that Councilors have a heavy workload and demands on their time. Thus, reasonable efforts shall be made to balance Councilor representation while taking into consideration the scheduling of library board meetings and scheduled activities in order to ensure effectiveness of Board operations and efficiency of scheduling.

Therefore, it is specifically recommended that two (2) members of the Municipal Council be appointed as Library Board members.

Value of Broader Citizen Engagement

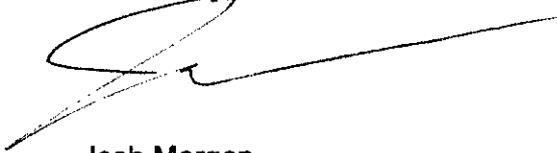
It is of value to all, that Londoners should be invited and encouraged to participate and be engaged in Library governance in order to ensure that LPL's Vision, Mission and Value Promise reflect and align with the needs and expectations of Londoners, the city of London and communities within London. The City must ensure that participation is accessible to all citizens, including the so-called "person on the street". Furthermore, reasonable efforts should be made to ensure that the Library Board has representation from a broad range of sectors including, for example: education, (e.g. school boards, university, colleges), business, community services, the voluntary sector, arts, heritage and culture, and the community-at-large (that is, people who value and use the library, but have no specific community or organization affiliation).

The composition and membership of a public library board is defined in **Public Libraries Act**, R.S.O. 1990, c. P. 44. As a result of amendments to the act in 2002, school board representation was no longer required on the public library board. The Thames Valley District School Board and the London District Catholic School Board have been advised of this change.

Therefore, it is recommended that the school board representation be eliminated and the citizens-at-large representation on the Library Board be increased to seven in order to provide broader sector representation.

The London Public Library Board has approved the issuance of this request at its meeting of January 13, 2011. Please contact Susanna Hubbard Krimmer, CEO & Chief Librarian, if further information is required in order to continue the process of by-law development.

Yours truly,



Josh Morgan
Chair, London Public Library Board

CC: C. Saunders, City Clerk