

# City of Toronto Governance Overview for

Toronto Public Library Board  
March 25, 2019

# Agenda

- City's Agencies and Corporations
- TPL Board's Relationship to the City
- Board Responsibilities
- Required Board Policies
- Current City Priorities
- City Liaisons and Board Resources
- Questions and Discussions

# Purpose

- TPL requested the City to provide an overview of the City's Governance principles and priorities.
- Orientation is required for new board members in a new term of Council.
- The City is committed to providing support and resources to its local boards when required.

## Agencies

### Service Agencies

- CreateTO
- Exhibition Place Board of Governors
- Heritage Toronto
- TO Live
- Toronto Atmospheric Fund
- Toronto Board of Health and Toronto Public Health
- Toronto Investment Board
- Toronto Parking Authority
- Toronto Police Services Board and Toronto Police Service
- Toronto Public Library Board
- Toronto Transit Commission
- Toronto Zoo Board of Management
- Yonge-Dundas Square Board of Management

### Partnered Agency

- Toronto and Region Conservation Authority

### Community-Based Boards:

#### ➤ 83 Business Improvement Area (BIA) Boards of Management

#### ➤ Arena Boards of Management:

- George Bell Arena
- Larry Grossman Forest Hill Memorial Arena
- Leaside Memorial Community Gardens Arena
- McCormick Playground Arena
- Moss Park Arena
- North Toronto Memorial Arena
- Ted Reeve Community Arena
- William H. Bolton Arena

#### ➤ Community Centre Boards of Management (AOCCs):

- 519 Church Street Community Centre
- Applegrove Community Complex
- Cecil Community Centre
- Central Eglinton Community Centre
- Community Centre 55
- Eastview Neighbourhood Community Centre
- Ralph Thornton Community Centre
- Scadding Court Community Centre
- Swansea Town Hall Community Centre
- Waterfront Neighbourhood Centre

## Corporations

### City Corporations

- Build Toronto Inc.
- Casa Loma Corporation
- Invest Toronto Inc. (Dissolution in progress)
- Lakeshore Arena Corporation
- Toronto Community Housing Corporation
- Toronto Hydro Corporation
- Toronto Port Lands Company (Toronto Economic Development Corporation)

### Partnered Corporations

- Toronto Pan Am Sports Centre Inc.
- Waterfront Toronto (Toronto Waterfront Revitalization Corporation)

## Adjudicative Bodies

### Quasi-Judicial & Adjudicative Boards

- Administrative Penalty Tribunal
- Committee of Adjustment
- Committee of Revision
- Compliance Audit Committee
- Dangerous Dog Review Tribunal
- Property Standards Committee
- Rooming House Licensing Commissioner<sup>1</sup>
- Sign Variance Committee
- Toronto Licensing Tribunal
- Toronto Local Appeal Body

### Notes:

1. Rooming House Licensing Commissioner and Deputy are Officers, rather than an agency of the City, but in all other respects function as a quasi-judicial and adjudicative board.

# TPL's Relationship to the City

- The Toronto Public Library Board was established under the Public Libraries Act, RSO1990, to manage and control the public library, and was continued as a Local Board of the City under the City of Toronto Act, 2006.
- In the City of Toronto Act, the Library Board is excluded from most of its prescribed policies and has its own legislation and governance framework in the Public Libraries Act.
- Council established the structure of the Board in Chapter 137 of the Toronto Municipal Code.
- All Members of the Board are appointed by City Council.

# Board Responsibilities

The Toronto Public Library Board (TPL Board) is responsible for effectively managing library resources and providing quality library services to the people of Toronto.

The board's responsibilities include the following:

- directing and approving the library's strategic plans, goals, and policies based on community needs, and ensuring that these plans are efficiently and effectively implemented
- approving the annual operating and capital budgets for recommendation to City Council
- acting as an advocate for library services and representing the library before City Council and in the community
- protecting the public's right to read materials of their choice
- hiring and evaluating the City Librarian, who is responsible for the day-to-day administration of the library and its staff
- is legally accountable for the library's activities and for ensuring that it complies with all applicable legislation.

# Board Governance to Meet Board Responsibilities

- Boards are advised to ensure critical policies and processes are in place to manage the affairs of the board effectively, and to be transparent and accountable in decision-making.
- Boards ensure appropriate internal controls are in place to protect Board and City assets; for example, financial policies and processes.
- Boards adhere to their Procedure By-law for conduct of board business (e.g., open meetings, role of Board Members and officers, etc.).
- Board Members adhere to their applicable codes of conduct, ethics policies and legislation.

# Required Board Policies

Key legislation and policies applicable to the TPL Board include:

- Under the City of Toronto Act, 2006, s. 212 (2) a local board shall adopt policies with respect to the following matters:
  - Its sale and other disposition of land
  - Its hiring of employees
  - Its procurement of goods and services
- Requests from City Council issued from time to time for the TPL Board to consider (e.g. policies requested by Council under the Toronto Public Service By-law as set out in this presentation).
- Key Acts that apply to TPL Board members include:
  - [Municipal Conflict of Interest Act, RSO 1990](#)
  - [Municipal Freedom of Information and Protection of Privacy Act, RSO 1990](#)
  - [Municipal Elections Act, SO 1996](#)

# **Current City Priorities**



# Toronto Public Service By-law: Council Request to TPL

- While the TPS By-law provisions do not apply to the Toronto Public Library Board, City Council adopted the following recommendation in June 2014:

*Rec. #9. City Council request the Toronto Police Services Board and the **Toronto Public Library Board** to review their ethical policies pertaining to conflict of interest, political activity and the disclosure of wrongdoing and reprisal protection, and adopt provisions consistent with the City of Toronto.*

# TPS By-law: Key Components



# Toronto Public Service By-law: Overview

- In June 2014, City Council unanimously adopted a Toronto Public Service By-law , which is now Chapter 192, Public Service of the Toronto Municipal Code.
- The TPS By-law came into force December 31, 2015.
- The TPS By-law is important foundation legislation that strengthens the separation between the administration and political components of Toronto's government and advances Toronto's public service as professional, impartial and ethical.
- Toronto is the first Canadian city to enact a by-law consistent with provincial and federal public service legislation.
- The TPS By-law applies to both the Toronto Public Service (City public service employees) and applicable Agency employees.
- The City Manager's Office works closely with Agency Heads to support Agency implementation of the By-law provisions.

# Executive Compensation Disclosure: TPL

City Council requested the Toronto Public Library Board to:

- Report individual executive compensation and salary ranges to the City Manager in a form and at a time satisfactory to the City Manager as permitted by law.
- Take action to ensure that future employment contracts for executives contain a provision providing employee consent to the disclosure of their individual compensation to the City Manager and in a confidential report to City Council in a form and at a time satisfactory to the City Manager.
- Adopt an executive compensation policy using City Council's Guiding Principles approved in August 2014, and apply its policy to new employment contracts, and to existing contracts, if any, that permit compensation adjustments, either during an existing term or under renewal.

# City's Executive Compensation Framework

- The executive compensation reporting and disclosure requirements were initiated by Council in July 2012:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX21.19>
- City Council in August 2014, requested City agency and corporation Boards to adopt a comprehensive senior executive compensation policy, independent of management, applying the guiding principles and practices set out in Attachment 1 to the report (August 6, 2014) from the City Manager and the City Solicitor.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EX44.8>
- City Council also requested in August 2014 that City agency and corporation Boards' approved executive compensation policies be applied to new employment contracts, and to existing contracts, if any, that permit compensation adjustments, either during an existing term or under renewal.
- Agencies (including TPL) are requested to collect and submit executive compensation data to the City Manager.
- Once every 4 years the City Manager reports on trends: a report on the 2014 to 2017 period will be submitted to Council in Fall 2019 that will include TPL executive compensation data.

# City's Priority To Support Boards

Support agency performance, compliance and strategic alignment with the City through:

- Board member orientations and briefings as required
- Consultation with boards on policy development and program implementation that affect Board business
- A web site with resources for agencies and corporations to provide timely City information and tools (a redeveloped site to be launched over the next few days)
- Advocating for appropriate corporate supports
- City Liaisons' contact information provided in this package.

# City Liaisons

## **Governance Liaison**

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## **Finance Liaison**

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## **City Solicitor's Liaison**

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# Questions & Discussion

