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To: Toronto Public Library Board – September 18, 2006

From: City Librarian

Subject: **City of Toronto Policy and Processes for Public Appointments and Nominations to City Agencies, Boards, Commissions and Corporations and External Special Purpose Bodies**

Purpose:

To outline changes currently being suggested by the City of Toronto to the nominations process for the Toronto Public Library Board.

Funding Implications and Impact Statement:

None.

Recommendation:

It is recommended that Toronto Public Library Board consider the changes recommended by the City of Toronto and provide comments to the City on the proposed changes to the Nominations Process for the Toronto Public Library Board.

Background:

The *Public Libraries Act* determines that public library boards be composed of at least five members appointed by the municipal council. The City of Toronto has developed processes whereby library board members are appointed (either through the Striking committee in the case of Councillors, or by the Library Board Nominating Panel in the case of citizen appointees).

The new City of Toronto Act has empowered the City to make changes to its governance and committee structure. As part of this process, the City is reviewing its policy and processes for the appointment and nomination of citizen members to City Agencies, Boards, Commissions and Corporations and External Special Purpose Bodies. Major proposed changes that affect the Toronto Public Library Board are:

“the Province of Ontario is to be requested to amend the *Public Libraries Act* to eliminate the requirement for:

1. Canadian citizenship to serve on the Toronto Public Library Board; and

2. Board appointments having to be made within 60 days after the first meeting of Council in a new term.”

In addition, because Council’s term will change from three to four years, the terms for citizen appointees to the Toronto Public Library Board will be set for the term coincident with the term of Council with the maximum length of service for any citizen being two consecutive four-year terms on the Board.

An extract of the portions of a report to the Policy & Finance Committee that relate to the Toronto Public Library Board, can be found as Appendix 1. This report, entitled “Policy and Process for Public Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies”, is scheduled to be considered by the Policy and Finance Committee at its meeting on September 18, 2006 and by City Council at its meeting on September 25th. The Library Board is given the opportunity to comment to the City with respect to proposed amendments to the *Public Libraries Act*.

Comments:

The City of Toronto serves a wide diversity of people. This includes many people who are not citizens of Canada. In addition, a person does not have to be a Canadian citizen in order to vote in a municipal election. It follows that if a non-Canadian resident of the City of Toronto can vote in a municipal election, that same person should be entitled to volunteer service on a Local Board. The City is removing this requirement for a number of appointments where they have the authority to do so, but in the Library Board’s case, an amendment to the *Public Libraries Act* will be required.

The *Public Libraries Act* requires that library boards hold ten meetings within each calendar year. Libraries the size and scope of the Toronto Public Library need Board meetings on a regular basis in order to deal with the many complex issues it is required to deal with. Board decisions are critical to the smooth operations of a public library and regular meetings are an essential component of good governance for any board entrusted with public funds. In the past, delays by Council in appointing new Board members has resulted in both, frustration on the part of Board members who often have to extend their tenure on the Board after serving a complete term, and the difficulty of the Library Board in achieving quorum until the new appointments are made.

The 60-day limit that is required by the *Public Libraries Act* provides some control over the length of time that Council may take to appoint members to the Library Board. The City, however, is recommending removing the 60-day limit because additional time is needed to do a full recruitment process.

The recommended change to the term of citizen appointees is consistent with the provisions in the *Public Libraries Act*.

Conclusion:

The review of the Nominations policy and process has produced recommendations that will have both a positive and potentially negative impact on the functioning of the Library Board. It is recommended that the Library Board consider the recommended changes and provide comments to the City of Toronto on the proposed changes to the Nominations Process for the Toronto Public Library Board.

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List of Attachments:

Attachment 1: Extract of Report from City Manager for Consideration by the Policy and Finance Committee