Minute No. 476
Report - Standing Policy Committee on Protection and Community Services - July 5, 2004

Item No. 4 Winnipeg Public Library Board By-law No. 6946/96
File L-11

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submits the following to Council:

1. That the Winnipeg Public Library Board By-law No. 6946/96, be amended as set out in Appendix "A" to the report from the Chairperson, Winnipeg Public Library Board dated May 28, 2004.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amending by-law for submission directly to Council for approval.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Protection and Community Services - July 5, 2004

DECISION MAKING HISTORY:

Moved by Councillor Gerbasi,

That the recommendation of the Standing Policy Committee on Protection and Community Services be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 5, 2004, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Library Board and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

RE: **Winnipeg Public Library Board By-Law**

FOR SUBMISSION TO: **Standing Policy Committee on Protection and Community Services**

ORIGINAL REPORT SIGNED BY: **Mike Cook, Chairperson**
Winnipeg Public Library Board

REPORT DATE: **May 28, 2004**

RECOMMENDATION(S):

- That the Winnipeg Public Library Board By-law 6946/96, consolidated on December 11, 2002, be revised as recommended. (See Appendix A.)
- That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing

REPORT SUMMARY:

Key Issues:

- The cited By-law contains outdated position titles and timeframes.
- The cited By-law needs to be revised to provide consistent information and terminology to describe the composition of Library Board and Library Advisory Committees.

Implications of the Recommendation(s):

General implications:
? **None**
? **For the organization overall &/or for other departments**
x **For the community and/or organizations external to the City**
? **Involves a multi-year contract**
Comment(s):

The Winnipeg Public Library Board provides advice to the Standing Policy Committee on Protection and Community Services, and support to the Library Services Division, as it relates to library policy and budgets, and administrative matters to the extent that they have significant policy or service implications.

Policy implications:

? **No**
x **Yes** **Comment(s):**

The Winnipeg Public Library Board recommends a change to the By-law that mandates Winnipeg Public Library Board.

Environmental implications:
x **No**
? **Yes** **Comment(s):**

Human Resources implications:
x **No**
? **Yes** **Comment(s):**

Financial implications:
x **Within approved current and/or capital budget**
? **Current and/or capital budget adjustment required**
Comment(s):

REASON FOR THE REPORT:

The East Kildonan-Transcona Community Committee referred to Winnipeg Public Library Board the matter of potential revision of Winnipeg Public Library Board By-law No. 6946/96, consolidated on October 22, 1997. As part of its mandate, the Library Board established a task force to review the By-law and make recommendations to the Standing Policy Committee on Protection and Community Services.

HISTORY:

In 1996 after the City endorsed the document *Forward Thinking: Winnipeg Public Library Plan – 1996 – 2000*, and approved in principle the report's recommendations, the Library Board By-law was amended to "more clearly define the responsibilities of this Board", and to "strengthen and broaden representation on the Board to include qualified appointments representing a wide variety of groups, from within the Winnipeg community". Further consolidations to the By-law were made in October 1997.

In April 2002 the East Kildonan-Transcona Community Committee passed the following motion:

> "That the proposed changes, by the East Kildonan-Transcona Residents Advisory Group, to the Library Board By-law 6946/96 be referred to the Winnipeg Public Library Board for its comments back to the Standing Policy Committee on Protection and Community Services."

In June 2002, Winnipeg Public Library Board established a joint task force comprising representatives from Library Advisory Committees, the Library Board and Library administration with a mandate to:

- Make recommendations regarding the updating of the City of Winnipeg By-law relating to the Winnipeg Public Library Board and Library Advisory Committees of The City of Winnipeg;
- To clarify roles and reporting procedures for Library Advisory Committees;
- To provide consistency and coordination for LAC activities;
- And to improve cooperation between the two stakeholder groups.

The task force submitted its report to the Winnipeg Public Library Board in February 2003. At its March 2003 meeting the Library Board discussed the report and adopted the recommendations of the task force.

DISCUSSION:

In June 2002, Winnipeg Public Library Board established a joint task force comprising representatives from Library Advisory Committees, the Library Board and Library administration with a mandate to:

- Make recommendations regarding the updating of the City of Winnipeg By-law relating to the Winnipeg Public Library Board and Library Advisory Committees of The City of Winnipeg;
- To clarify roles and reporting procedures for Library Advisory Committees;
- To provide consistency and coordination for LAC activities;
- And to improve cooperation between the two stakeholder groups.

The Library Board Task Force reviewed the By-law and noted that:

- Position titles and timeframes had become outdated;

- The Library no longer has *Area Librarian* positions. The library administrative representatives to Library Advisory Committees are now called *Library Administrative Liaisons*.

- The name of the *Committee* to which the Library Board reports has been changed to the *Standing Policy Committee on Protection and Community Services.*

- The title *Director of Libraries* is no longer applicable. As delegated by the Director of Community Services, the Manager of Library Services administers the Library Services Division.

- Terms of office were initially set from the date of first appointment after the organizational meeting of Council in November 1996. This information is no longer relevant to the By-law.

In addition, the Task Force recommends the following changes to the By-Law:

- That former members be eligible for reappointment after they have been off the Library Board for at least one year.
- That the By-Law incorporate parallel wording for the section on Library Advisory Committees.

The complete proposed revisions are included in Appendix A.

FINANCIAL IMPACT STATEMENT:

There is no financial impact statement required for this report.

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCE BY:

- Library Services Division
- Legal Services Division

THIS REPORT SUBMITTED BY:

Winnipeg Public Library Board

Prepared by: Mike Cook and Heather Graham

APPENDIX A

This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions. For a certified copy of the original enactment and amending by-laws, contact City Hall Information Service at 986-2171.

CONSOLIDATION UPDATE: December 11, 2002

THE CITY OF WINNIPEG

BY-LAW NO. 6946/96

A By-law of The City of Winnipeg in respect to the Winnipeg Public Library Board and Library Advisory Committees of The City of Winnipeg.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. This By-law may be cited as "**The Library Board By-law".**

2. In this By-law:

Amended 8162/2002

~~**Area Librarian**~~ ***Library Administrative Liaison*** means ~~the area Librarian of each Community Committee or his or her designate;~~ *a Library administrator designated by the Manager of Library Services;*

Board means the Library Board of The City of Winnipeg established by this By-law;

Citizen means a person, other than a Councillor, who is an inhabitant of and is entitled to vote in the municipal elections of The City of Winnipeg;

Citizen Member means those members of the Board appointed under section 4(1) hereof;

Community means one of the communities of The City of Winnipeg;

Councillor Member means a Member of the Board appointed under section 4(2) hereof;

~~**Director of Libraries**~~ ***Manager of Library Services*** means the person holding the office of ~~Director of Libraries~~ ***Manager of Library Services*** for The City of Winnipeg or his or her designate;

Library System means the Library System established by Council of The City of Winnipeg to provide library services.

ESTABLISHMENT OF THE LIBRARY BOARD AND ITS DUTIES

3. (1) There is hereby established a Library Board for the City to be known as **The Winnipeg Public Library Board** which shall have such duties as hereinafter provided.

(2) The Board in consultation with the ~~Director of Libraries~~ ***Manager of Library Services*** shall make recommendations and report from time to time and issue an annual report to the Committee on:

(a) Library policy and budgets;

(b) Administrative matters to the extent that they have significant policy or service implications on the Library System.

(c) Development of long range plans for the Library System;

(d) Public involvement in the Library System.

(3) The Board shall establish, organize or participate in co-ordinating donations and fund raising programs for the benefit of the Library System.

(4) The Board shall be represented in the City's process to hire the ~~Director of Libraries~~ ***Manager of Library Services.***

COMPOSITION OF BOARD

4. (1) The Board shall be composed of Sixteen (16) members and consist of two (2) Councillor Members and twelve (12) Citizen Members, the ~~Director of Libraries~~ ***Manager of Library Services*** and one (1) representative of the Province of Manitoba, all to be appointed by Council.

(2) The Councillor Members shall be appointed for one (1) year at the Organizational Meeting of Council as follows:

(i) One (1) Councillor Member from the City at large; and

(ii) One (1) Councillor from the Standing Policy Committee on Protection and Community Services.

Amended 8162/2002

(3) Twelve (12) Citizen Members and one (1) representative of the Province of Manitoba shall be nominated by the Board which Citizen Member nominations shall be representative of a wide variety of groups from within the community.

Delete the following, and change to new 4 (4) that follows.

(4) ~~The initial terms of office of the Citizen Members first appointed shall commence from their appointment at a meeting of Council held not later than the second meeting of Council following the Organizational Meeting of Council in November of 1996 for the following terms:~~

~~(a) six (6) Citizen Members shall hold office from the date of appointment to the first meeting of Council in January of 1998.~~

~~(b) the remaining six (6) Citizen Members shall hold office from the date of appointment to the first meeting of Council in January of 1999.~~

~~*Thereafter the Citizen Members shall be appointed in alternate years for two year terms at the first meeting of Council in January when the preceding term expires.*~~

New text for 4 (4):
The Citizen Members shall be appointed for two-year terms at the first meeting of Council in January.

Move current number (5) to be located after current number (7).

~~(5) A former member is eligible for reappointment.~~

(~~6~~ 5) After the office of a member of the Board becomes vacant by reason of death or resignation, or in case of a member being unable to act for any reason whatsoever~~,~~ ; Council shall, at the next regular meeting, or subsequent meeting~~, appoint~~:

(i) if the member is a Councillor Member***, appoint*** another Councillor to complete the term of office of the Council Member who died or resigned, or is unable to act, or

(ii) if the member is a Citizen Member or a representative of the Province of Manitoba, ***appoint*** another citizen to complete the term of office of such

member who died or resigned, or is unable to act, and such appointment shall be of a citizen nominated by the Board. ~~which was represented by the Citizen Member who died or resigned or is unable to act.~~

~~(7)~~ (6) No Citizen Members of the said Board shall serve more than six (6) consecutive years ~~commencing in 1996~~, ***but shall be eligible for reappointment after one year from expiry of the term last held.***

~~a. A former member is eligible for reappointment ***after one year***.~~

(7) ~~(8)~~ The ~~Director of Libraries~~ ***Manager of Library Services*** shall be a non-voting member of the Board and shall take his or her seat on the Board from the date of appointment and shall continue during his or her tenure as ~~Director of Libraries~~ ***Manager of Library Services***.

~~(9)~~ (8) The representative of the Province of Manitoba shall be a non-voting member of the Board and shall take his or her seat on the Board from the date of appointment of Citizen Members by Council.

CHAIRMAN AND RULES

5. (1) The Board shall select from its own voting members a member who shall act as chairman thereof.

(2) The Chairman shall have a vote on all matters requiring a decision by the Board.

(3) The Board may make rules and regulations to govern its own procedure.

LIBRARY ADVISORY COMMITTEES

6. (1) There is hereby established a Library Advisory Committee for each Community which shall be appointed by the Community Committee for the purpose of advising and reporting to the Board on Library Services within the Community.

(2) Each Library Advisory Committee shall be composed of the following:

(a) two (2) Citizen Members of the Board ~~who are~~ nominated by the ~~Winnipeg Public Library~~ Board and appointed by the Community Committee;
amended 7110/97

(b) the ~~area Librarian~~ ***Library Administrative Liaison;***

(c) up to six (6) other citizens from the Community appointed by the Community Committee.

(3) ~~The initial appointments of the citizen or citizens referred to in subsection (2) shall be made not later than at the first Community Committee meeting following the passing of this By-law or the next meeting immediately thereafter.~~

(4) ~~The term of office of the Citizen Members shall extend from the date of appointment until the first Community Committee meeting following the Organizational Meeting of Council in November 1998.~~
~~amended 6981/97~~

(5) All ~~subsequent~~ appointments of Citizen Members and other citizens referred to in subclause (2), shall occur every two years (biennially) at the first Community Committee meeting following the Organizational Meeting of Council in November.
~~amended 7110/97~~

(6) Insert new clause and re-number clauses:

Upon the office of a member of the Library Advisory Committee becoming vacant by reason of death, resignation, or in case of a member being unable to act for any reason whatsoever, the Community Committee shall, at its next regular meeting, or subsequent meeting, appoint another Citizen Member or another Citizen, as the case may be, to complete the term of office.

~~(6)~~ (7) No Citizen Members of the said Committee shall serve longer than six (6) consecutive years.

A former member is eligible for reappointment after one year.

~~(7)~~ (8) Library Advisory Committees shall meet at least three (3) times a year at the call of the Chair.

7. By-laws No. 4334/86, 4515/87, 5365/90, 5847/92, 5878/92, 6025/92, 6071/92, 6307/94, 6411/94 ***and 6595/96*** are hereby repealed.

DONE AND PASSED, in Council assembled, this ~~12th day of December, 1996~~.