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Corporate Services

REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 02 APRIL 2008

SUBJECT SOUTHERN GULF ISLANDS PUBLIC LIBRARY COMMISSION BYLAW

PURPOSE/ISSUE

The purpose of this report is to recommend to the Board adoption of Southern Gulf Islands Public Library Commission Bylaw No. 3523.

HISTORY/BACKGROUND

The Capital Regional District Board at their September 12th meeting approved committee recommendations to convert the library committee to a commission. The original bylaw will be repealed and replaced with a continuing commission bylaw in order to convert the committee, update the names of the organizations involved with this advisory commission and update the format of the bylaw to the new standard format for commissions.

ALTERNATIVES

- 1) That Bylaw No. 3523 "Southern Gulf Islands Public Library Commission Bylaw No. 1, 2008" be introduced and read a first time, read a second time, read a third time and adopted.
- 2) Amend and then adopt Bylaw No. 3523.

FINANCIAL IMPLICATIONS

None.

SUMMARY/CONCLUSIONS

Approval of this commission bylaw will convert the committee to a commission and update the bylaw as recommended by committee and approved by the Board.

RECOMMENDATION

That Bylaw No. 3523 "Southern Gulf Islands Public Library Commission Bylaw No. 1, 2008" be introduced and read a first time, read a second time, read a third time and adopted.

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Attachment: Bylaw 3523

COMMENTS

Capital Regional District

BYLAW NO. 3523

A BYLAW FOR THE CONTINUATION OF A LIBRARY COMMISSION FOR THE SOUTHERN GULF ISLANDS ELECTORAL AREA

WHEREAS:

- A. The Board of the Capital Regional District, under Bylaw No. 2880, established the Southern Gulf Island Public Library Service;
- B. The Capital Regional District under Section 176(1)(g) of the *Local Government Act* is authorized to establish a commission and to delegate to the commission any or all of the administrative powers of the Regional Board relating thereto including:
 - i) Coordinating Community Libraries on Mayne, Galiano, Pender, Piers and Saturna Islands or as may hereafter exist on other islands;
 - ii) Advising the Director who will advise the Regional Board on issues pertaining to the libraries;
 - iii) Putting forward estimates for a budget.

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Definitions

In this bylaw unless the context otherwise requires:

"BUDGET" means the 5-year financial plan (operating and capital);

"COMMISSION" means the Southern Gulf Islands Public Library Commission;

"COMMUNITY LIBRARY" means a library to which the Capital Regional District makes a contribution under Southern Gulf Islands Public Library Service Establishment Bylaw No. 1, 2001.

"DIRECTOR" means the Electoral Area Director for the Southern Gulf Islands;

"REGIONAL BOARD" means the Capital Regional District Board;

"REGIONAL DISTRICT" means the Capital Regional District;

"SERVICE AREA" means the Southern Gulf Islands Electoral Area.

2. Membership

A public library commission established by Capital Regional District Bylaw No. 2907 is hereby continued and known as the "Southern Gulf Islands Public Library Commission" and shall consist of eleven (11) members as follows:

- (a) The Director representing the Southern Gulf Islands Electoral Area;
- (b) Ten (10) individuals appointed by resolution of the Regional Board representing the Service Area with two (2) from each of the following:
 - i) the Pender Island Public Library Association;
 - ii) the Mayne Reading Centre Society;
 - iii) the Galiano Library Society;
 - iv) the Piers Island Association; and
 - v) Saturna Community Club.
- (c) In addition to the members referred to above, the following persons shall have the right to attend and vote at the meetings of the Commission in the following circumstances:
 - i) one person nominated for appointment by the Director but who may participate and vote at Commission meetings only in the absence of the Director or the Director's Alternate appointed under the Local Government Act; and
 - ii) five individuals nominated by and who represent one of the organizations referred to in section 2(b) who may participate and vote at Commission meetings only in the absence of one or more members of the organization he or she represents.

3. Term of Office

The term of office for a member of the Commission, other than the Director representing the Electoral Area of the Southern Gulf Islands shall be as follows:

- (a) Effective for 2008 and 2009, the term of office for the members of the Commission and their alternates is extended from October 1 in each year to December 31 in the same year.
- (b) The term of office for all appointments after the initial appointment will be for a two-year period commencing the first day of January following each such appointment or until their successors are appointed.
- (c) Five (5) of the appointees shall hold office from the date of appointment until the 31st day of December 2010.
- (d) Five (5) of the appointees shall hold office from the date of appointment until the 31st day of December 2011.
- (e) The person nominated for appointment by the Director under section 2(c)(i) shall hold office as an alternate from the date of appointment until December 31, 2011 and thereafter for terms of two (2) years.
- (f) The five (5) persons appointed under section 2(c)(ii) shall hold office as alternates from the date of appointment until December 31, 2011 and thereafter for terms of two (2) years.

4. Appointment

- (a) Nominations for appointments to the Commission will be forwarded to the Director by each of the organizations referred to in section 2(b) and the Director will then make a recommendation to the Regional Board.
- (b) Before the 1st of January every year, the Regional Board shall appoint or re-appoint members to the Commission to fill the terms of office of the members whose term expire as of the 31st of December in each year.
- (c) In the event of the death, resignation or disqualification of a member of the Commission, the Board of the Regional District shall appoint a successor for the remainder of such member's term.
- (d) A member who fails to attend three (3) consecutive regular meetings without permission of the Commission may have their appointment to the Commission terminated.
- (e) No appointee may serve more than three (3) consecutive terms.
- (f) At the request of the Electoral Area Director and under unique circumstances, such as a failure to attract nominations after thirty (30) days of appropriate notice of vacancy, the Regional Board may extend a Commission member's term beyond the six (6) year limit.

5. Commission Procedure

- (a) The Commission must, at its first meeting in January of each year, by secret ballot, elect a Chair and Vice Chair from among its members.
- (b) For the conduct of business each member of the Commission shall have one vote.
- (c) The rules and procedures which govern the Regional Board shall apply to the Commission where applicable.
- (d) Meetings are open to the public.
- (e) A quorum of the Commission is a majority of the members.
- (f) The Commission must hold a minimum of two (2) meetings per year.

6. Duties

The Regional Board hereby delegates to the Commission the duty to advise the Director and the Regional Board with respect to:

- (a) funding levels recommended for the service established under Southern Gulf Islands Public Library Service Establishment Bylaw No. 1, 2001;
- (b) on policy and operational issues relating to Community Libraries.

7. Budget

The Commission shall, on or before the 10th day of September in each year prepare 5-year operating and capital budgets covering all anticipated costs of development, maintenance and operation of community libraries, together with any estimates of expected revenues.

The budget shall:

- (a) be in a form approved by the Financial Officer of the Regional District;
- (b) be submitted for consideration of the Regional Board;
- (c) if requested by the Regional Board, be altered to the satisfaction of the Board, and the same be resubmitted not later than October 15th of that year; and
- (d) At no time provide for the creation of debt.

8. Repeal:

Bylaw No. 2907 cited as "Outer Gulf Islands Public Library Committee Bylaw No. 1, 2001", and any amendments thereto, are repealed upon adoption of this bylaw.

9. Citation:

This bylaw may be cited as "Southern Gulf Islands Public Library Commission Bylaw No.1, 2008."

READ A FIRST TIME THIS DAY OF 2008.

READ A SECOND TIME THIS DAY OF 2008.

READ A THIRD TIME THIS DAY OF 2008.

ADOPTED THIS DAY OF 2008.

CHAIR

SECRETARY