



Staff Report

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Report To: General Government Committee

Date of Meeting: November 25, 2019

Report Number: CAO-012-19

Submitted By: Andrew C. Allison, CAO

Resolution#: GG-548-19

By-law Number:

Report Subject: Library-Museum Merger

Recommendations:

1. That Report CAO-012-19 be received;
2. That the Municipality transfers responsibility for the assets currently under the management of the Clarington Museum and Archives Board to the Clarington Public Library Board effective January 1, 2020;
3. That the Clarington Museum and Archives Board be dissolved, and By-law 2012-093 be repealed (Attachment 2 to Report CAO-012-19), effective January 1, 2020; and
4. That all interested parties listed and any delegations be advised of Council's decision.

Report Overview

On October 7, 2019, Council directed staff to move forward with merging the Clarington Public Library Board and the Clarington Museum and Archives Board. This report outlines the steps taken to implement Council's decision. Included is a proposal to dissolve the Museum Board and transfer assets to the Library Board effective January 1, 2020, subject to certain conditions.

1 Background

Consultation with Stakeholders

- 1.1 After Council's decision to move forward with the merger, the CAO's Office and Finance Department met with Library and Museum officials to discuss next steps. It was agreed that the actions described in this report needed to be addressed in order to effect the merger.

2 Steps Taken

Consolidated 2020 budget

- 2.1 The Municipality's Finance Department worked closely with Museum administration to review the 2020 draft budget requirements. Library Administration worked with Finance and Museum administration to integrate the Museum's figures into a joint Library-Museum request. Council will receive a proposed consolidated budget, that meets the 2% budgetary target, for consideration at the Special GGC meeting on January 10, 2020.

Museum Advisory Committee Terms of Reference

- 2.2 The Library CEO is working to complete a Terms of Reference for the Museum Advisory Committee to be approved by the Library Board. The Terms of Reference will contain governance and operating provisions that are consistent with what was outlined in Report CAO-011-19. They will be structured in a manner that will respect the contribution of Museum Board volunteers and maintain the Community Museum Operating Grant.

Human Resources Integration (CUPE Collective Agreements)

- 2.3 The Corporate Services Department sought legal advice from Hicks Morley LLP regarding the integration of the two CUPE bargaining units and their respective collective agreements. The position of legal counsel was that although the two entities

will be amalgamated operationally, each unit's Collective Agreement will be respected independent of the other until the end of the current term at which time they can be bargained together. Local CUPE leadership has been made aware of this.

Assets

- 2.4 The Library Board will be able to manage the Museum's collection in the same manner as the Museum Board has always managed its collection (in accordance with provincial standards for community museums).
- 2.5 The Library Board will be required to use the buildings municipally known as 37 Silver Street and 62 Temperance Street in compliance with the provisions of an Indenture from Sarah Jane Williams to the Town of Bowmanville dated December 10, 1960. The Library Board will also be required to use any remaining legacy funds (estimated to be \$30,000 on December 31, 2019) for museum purposes.

Signing Authority

- 2.6 Both the Library and Museum use TD Bank and are in the process of ensuring that account signing authority is updated before January 1, 2020.

Contractual Obligations

- 2.7 The Museum has several contracted services (e.g. office cleaning, snow cleaning, IT and bookkeeping). Some agreements have longer terms and others are on an as needed basis. There are no contractual issues that will arise as a result of the merger.

IT Implications

- 2.8 There are several potential IT considerations when merging two systems including firewalls and domain servers (around cloud maintenance). Library IT services are working to review current Museum practices and will determine integration pathways.

3 Concurrence

The Municipal Solicitor, Director of Finance, Library CEO and the Museum's Executive Director have reviewed this report and concur with the recommendations.

4 Conclusion

It is respectfully recommended that Council transfer responsibility for the assets currently under the management of the Clarington Museum and Archives Board to the Clarington Public Library Board and repeal By-law 2012-093 effective January 1, 2020 in order to facilitate the merger of the Library Board and the Museum Board.

Staff Contact: Andy Allison, CAO, (905) 623-3379 EXT 2002 or aallison@clarington.net.

Attachment:

Attachment 1: Library-Museum: Merger Closing List

Attachment 2: Draft By-law to Repeal By-law 2012-093

The following interested parties will be notified of Council's decision:

Clarington Public Library Board

Clarington Museum and Archives Board

Library-Museum: Merger Closing List

| Task | Owner(s) |
|---|--|
| Draft a by-law to repeal the museum board by-law and change the library's by-law effective January 1, 2020 (to be presented at November 25, 2019 GGC meeting) | Rob M. |
| Provide combined draft budget to Council (will report under separate line items) | Linda / Heather |
| Museum Advisory Committee Terms of Reference and member selection (Linda Kent working on TOR) | Linda |
| Clarify HR issues with Hicks Morley (e.g. does library assume museum staff as of January 1, 2020) | Marie |
| Connecting Collective Agreements (both are CUPE locals) | Marie (Linda/Heather) |
| Management of assets (how to ensure that dedicated gifts continue to be allocated exclusively to museum e.g. 2 buildings, funds, etc.) | Rob M. (capture in by-law) |
| Signing authority (both use TD Bank – need to ensure signing authority links up before January 1, 2020) | Linda / Heather |
| Review of contracts (e.g. bookkeeper, cleaning, snow clearing, IT, etc.) | Linda / Heather (Rob to review outstanding arrangements) |
| IT implications (firewall, domain server for security around cloud maintenance) | Rob W. (Library IT) |

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The Corporation of the Municipality of Clarington
By-law 2019-XXX

Being a by-law to repeal By-law 2012-093, as amended, a by-law to establish a Municipal Service Board to operate museums on behalf of the Municipality of Clarington.

Whereas, on October 7, 2019, Council directed staff to move forward with merging the Clarington Public Library Board and the Clarington Museum and Archives Board; and

Whereas Report CAO-012-19 outlines the steps taken to implement Council's decision; and

Whereas one of the steps required is to repeal By-law 2012-093, which establish a Municipal Service Board to operate museums on behalf of the Municipality of Clarington;

Now therefore the Council of the Municipality of Clarington enacts as follows:

1. That By-law 2012-093 and By-law 2016-081 (which amends By-law 2012-093) be repealed.
2. That this by-law shall come into force and effect on January 1, 2020.

Passed in Open Council this XX day of MMMM, 2019.

Adrian Foster, Mayor

C. Anne Greentree, Municipal Clerk