



A Regular Meeting of  
the Richmond Hill Public Library Board  
will be held in the boardroom at Central Branch  
on Thursday, April 18, 2024 at 4:30pm

## **AGENDA**

### **1.0 Call to Order**

### **2.0 Land Acknowledgement read by Board Chair**

*We are gathering on lands that have been home to First Nations Peoples from time immemorial. We acknowledge that what we now call Richmond Hill is on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation and the Mississauga and Chippewa Nations of the Williams Treaty. We also recognize that we are on part of the traditional territories of the Haudenosaunee and the Huron Wendat.*

*We would also like to acknowledge all First Nation, Inuit and Métis peoples from across North America, also known as Turtle Island, who now reside in the City of Richmond Hill. We are committed to rebuilding constructive and cooperative relationships.*

### **3.0 Regrets**

### **4.0 Adoption of Agenda**

#### **4.1 Opening Remarks Board Chair**

#### **4.2 Adoption of Agenda**

### **5.0 Disclosure of Pecuniary Interest and the General Nature Thereof**

### **6.0 Delegations**

None

### **Approval of Consent Agenda Items**

All Consent Agenda Items (\*) are considered to be routine, which require no discussion or debate, and are recommended for approval by the Chair. They may be enacted in one motion or any item may be held for discussion.

### **7.0 Minutes**

#### **7.1 \*Library Board Draft Minutes – February 15, 2024**

#### **7.2 \*Library Board Governance Steering Committee Draft Minutes – March 18, 2024**

#### **7.3 \*Library Board Intellectual Freedom Steering Committee Draft Minutes – March 22, 2024**

### **8.0 Presentations**

#### **8.1 Budget Orientation/Workshop**

Gigi Li, City of RH, Director, Financial Services and Treasurer

## **8.2 Annual Customer Satisfaction Survey Findings**

Robin Fribance, Director, Strategy & Service Innovation

## **9.0 Reports**

**9.1 \*Board Code of Conduct Policy Update Report SRLIB24.06**

**9.2 \*Board By-Laws Policy Update Report SRLIB24.07**

## **10.0 New Business**

**10.1 New Motions**

**10.2 \*Correspondence**

10.2.1 \*Cybersecurity Attack at Toronto Public Library October 2023.

Vickery Bowles, TPL City Librarian - slide deck presented to TPL

Board [public report on the cyber attack](#).

**10.3 Member Announcements**

## **11.0 Date of Next Meetings**

The next Regular Meeting of the Library Board will be held on:

**Thursday, May 16, 2024 @ 4:00 p.m.** at Central Branch

## **12.0 Adjournment**

Please advise Robin Fribance and Susan Quinn of regrets for attendance, by noon of the day of the meeting at e-mail: [rfribance@rhpl.ca](mailto:rfribance@rhpl.ca) and [squinn@rhpl.ca](mailto:squinn@rhpl.ca)



The Richmond Hill Public Library Board

Thursday, February 15, 2024

## MINUTES

The Richmond Hill Public Library Board held a regular meeting on Thursday, February 15, 2024 at 4:00 p.m. in the boardroom at Central Branch, 1 Atkinson Street, Richmond Hill, Ontario.

**Present:** Stephen Chait, Chair  
Jason Cherniak  
Councillor Carol Davidson - remote  
Councillor Castro Liu - remote  
Sadra Nasser  
Sugantha Raj, Vice Chair - remote  
Mona Shahnazari - remote  
Councillor Scott Thompson - remote

**Staff:** Yunmi Hwang, Interim CEO and Director, Branch & Customer Experiences  
Robin Fribance, Director, Strategy & Service Innovation  
Shawn Dillon, Finance Administrative Assistant  
Susan Quinn, Executive Assistant & Governance Coordinator

Shaun McDonough, Business Intelligence & Data Analyst

Sherry Adams, City of RH, Commissioner, Corporate & Financial Services

Ana Hunt, City of RH, HR Business Partner

Stephen M.A. Huycke, City of RH, Director, Legislative Services/City Clerk

Gigi Li, City of RH, Director, Financial Services & Treasurer

Tracey Steele, City of RH, Commissioner, Community Services

## **1.0 Call to Order**

The Chair called the meeting to order at 4:00 p.m.

## **2.0 Land Acknowledgement read by Board Chair**

## **3.0 Regrets**

Sofia Ma

## **4.0 Adoption of Agenda**

### **Motion:**

24:20

### **Moved by:**

S. Chait

### **Seconded by:**

Councillor C. Liu

**THAT** the Agenda of February 15, 2024 as amended by Y. Hwang to adjust item 10.1 to read Personal matters about an identifiable individual, and labour relations or employee negotiations, and S. Chait to add a motion declaring that

Board members in attendance by Zoom will be permitted to participate in the In Camera meeting, be adopted.

**CARRIED UNANIMOUSLY**

**5.0 Disclosure of Pecuniary Interest and the General Nature Thereof**

There were no disclosures of pecuniary interest.

**6.0 Approval of Consent Agenda Items**

**Motion:**

24:21

**Moved by:**

S. Chait

**Seconded by:**

S. Nasser

**THAT** the Richmond Hill Public Library Board approves the consent agenda, as amended by S. Chait to pull items 9.2 and 9.3 for discussion.

**CARRIED UNANIMOUSLY**

**7.0 Minutes**

**7.1 Library Board Draft Minutes – January 18, 2024 (Adopted by Consent)**

**Motion:**

24:22

**Moved by:**

S. Chait

**Seconded by:**

Councillor C. Liu

**THAT** the Draft Minutes of January 18, 2024 be adopted.

**CARRIED UNANIMOUSLY**

**7.2 Library Board Special Meeting Draft Minutes – February 1, 2024**

**(Adopted by Consent)**

**Motion:**

24:23

**Moved by:**

S. Chait

**Seconded by:**

Councillor C. Liu

**THAT** the Library Board Special Meeting Draft Minutes of February 1, 2024 be adopted.

**7.3 Library Board Master Plan Steering Committee Draft Minutes –**

**February 6, 2024 (Received by Consent)**

**Motion:**

24:24

**Moved by:**

S. Chait

**Seconded by:**

Councillor C. Liu

**THAT** the Library Board Master Plan Steering Committee Draft Minutes of February 6, 2024 be received.

**CARRIED UNANIMOUSLY**

**8.0 Presentation**

**8.1 RHPL 2024-2039 Master Plan Update**

Yunmi Hwang, Director, Branch & Customer Experiences

Caitlin Schultz, Associate Urban Designer and Planner, BrookMcIlroy

**9.0 Reports**

**9.1 2024 Final RHPL Operating Budget with Adjustments SRLIB24.03**

**Motion:**

24:25

**Moved by:**

S. Nasser

**Seconded by:**

M. Shahnazari

**THAT** the Richmond Hill Public Library Board receive the 2024 Final RHPL Operating Budget with Adjustments Report for information.

**CARRIED UNANIMOUSLY**



## **9.2 RHPL Master Plan SRLIB24.04**

**Motion:**

24:26

**Moved by:**

S. Chait

**Seconded by:**

J. Cherniak

**THAT** the Richmond Hill Public Library Board accept the Library Facilities Master Plan presentation for information.

**CARRIED UNANIMOUSLY**

## **9.3 2023 Q4 Strategic Plan Progress Report SRLIB24.05**

**Motion:**

24:27

**Moved by:**

S. Chait

**Seconded by:**

J. Cherniak

**THAT** the Richmond Hill Public Library Board receive the 2023 Q4 Strategic Plan Progress Report for information.

**CARRIED UNANIMOUSLY**

**Motion:**

24:28

**Moved by:**

S. Chait

**Seconded by:**

S. Nasser

**THAT** the Richmond Hill Public Library Board approve that Board members in attendance by Zoom will be permitted to participate in the In Camera meeting.

**CARRIED UNANIMOUSLY**

**10.0 Resolution to Move Into Closed Session to consider matters relating to:**

**10.1 Personal matters about an identifiable individual, and labour relations or employee negotiations**

**Motion:**

24:29

**Moved By:**

S. Chait

**Seconded by:**

S. Nasser

**THAT** the Board appoint Stephen M.A. Huycke, City of Richmond Hill City Clerk, Acting Secretary to the Board for the remainder of the February 15, 2024 meeting.

**CARRIED UNANIMOUSLY**

**Motion:**

24:30

**Moved By:**

S. Chait

**Seconded by:**

J. Cherniak

**THAT** the Board move into Closed Session for a Personal matters about an identifiable individual, and labour relations or employee negotiation.

**CARRIED UNANIMOUSLY**

At 5:00 p.m. the Board moved into Closed Session.

**11.0 Resolution to Reconvene in Open Session**

**Motion:**

24:31

**Moved By:**

S. Chait

**Seconded by:**

S. Nasser

**THAT** the Board reconvene into Open Session.

**CARRIED UNANIMOUSLY**

At 5:50 p.m. the Board returned to Open Session

**12.0 Adoption of Recommendations Arising from Closed Session (if any)**

**Motion:**

24:32

**Moved By:**

S. Chait

**Seconded by:**

J. Cherniak

**THAT** the Board, through the City of Richmond Hill’s Human Resources Department, retain the services of an executive search firm for the purpose of leading the recruitment of a permanent Chief Executive Officer (“CEO”).

**THAT** the executive search firm be required to obtain the Board’s consent on any job description or posting, and the process to select a permanent CEO.

**CARRIED UNANIMOUSLY**

**13.0 New Business**

**13.1 New Motions**

None

**13.2 Correspondence**

None

**13.3 Member Announcements**

13.3.1 OLA Super Conference Overview/Discussion – ELT

13.3.2 BiblioCommons Launch – R. Fribance

**14.0 Date of Next Meeting**

The next Regular Meeting of the Library Board will be held on:

**Thursday, April 18, 2024 @ 4:00 p.m.** at Central Branch.

**15.0 Adjournment**

**Motion:**

24:33

**Moved by:**

S. Chait

**Seconded by:**

Councillor C. Liu

**THAT** the meeting be adjourned at 5:56 p.m.

**CARRIED UNANIMOUSLY**

Approved by:

Stephen Chait  
Chair

Yunmi Hwang  
Interim CEO

Stephen M. A. Huycke  
Acting Secretary



**RHPL Board Governance Steering Committee **Draft** Minutes**

**Date: Monday, March 18, 2024, 2pm at Central Library**

**Chair:** Mona Shahnazari

**Members in Attendance:**

- Stephen Chait
- Jason Cherniak
- Councillor Carol Davidson
- Joshua Dyer, Director, Content & Community Engagement
- Robin Fribance, Director, Strategy & Service Innovation
- Yunmi Hwang, Director, Branch & Customer Experiences and Interim CEO
- Susan Quinn, Executive Assistant & Governance Coordinator
- Mona Shahnazari, Chair

**Guests/Presenters:**

- Sugantha Raj
- Councillor Scott Thompson

**Member Regrets:**

- Sadra Nasseri, Vice Chair
- CEO (vacant)

## **Agenda**

1. Agenda adoption
2. Minutes of last meeting approval
3. Motion to add Joshua Dyer and Robin Fribance to BGSC – Y. Hwang
4. Board Code of Conduct Policy Review – Y. Hwang
5. Board By-Laws Policy Update – Y. Hwang
6. Board Performance Self-Evaluation Pilot Program – Y. Hwang
7. Governance Calendar Review – Y. Hwang
8. CEO Updates – Y. Hwang
9. New Business
10. Adjournment

### **1. Agenda Review and Adoption**

#### *Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- S. Chait requested that Item 6. Board Performance Self-Evaluation Pilot Program be deferred to a future meeting to accommodate more time for discussion and review.

#### **Motion: GC24.01**

That the Board Governance Steering Committee adopt the Agenda as amended by S. Chait to defer Item 6. Board Performance Self-Evaluation Pilot Program to a future meeting.

Moved by: Councillor C. Davidson

Carried

### **2. Minutes Approval**

#### **Motion: GC24.02**

That the Board Governance Steering Committee approve the draft minutes of December 14, 2023.

Moved by: S. Chait

Carried

**Next Steps**

Action Item: Submit approved minutes for posting on website

Accountable: S. Quinn

Due date: March 2024

**3. Motion to add Joshua Dyer and Robin Fribance as members of the BGSC**

**Motion: GC24.03**

That Joshua Dyer and Robin Fribance be added as members of the Board Governance Steering Committee.

Moved by: Y. Hwang

Carried

**4. Board Code of Conduct Policy Review GCSRLIB24.01 / Y. Hwang**

*Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- J. Cherniak – why board not governed by City Code – Y. Hwang advised this was as per City Clerk that the board being it's own corporation should have it's own code.
- S. Chait – requested further review of sections 8 and 9
- Councillor C. Davidson – requested further review of section 12

**Motion: GC24.04**

That the Board Governance Steering Committee:



1. Receive the current *Library Board Member Code of Conduct Policy* and an alternative *Draft Library Board Member Code of Conduct Policy* for discussion; and
2. Request that staff circulate an amended *Draft Library Board Member Code of Conduct Policy* to confirm all updates from the meeting that would then be recommended to the Library Board for adoption.

Moved by: Councillor C. Davidson

Carried

### **Next Steps**

Action Item 1: input updates/changes as recommended by the committee members at the meeting and circulate to committee for review

Accountable: S. Quinn (recording secretary)

Due date: March 19, 2024

Action Item 2: all committee members to confirm review of updates/changes by advising committee chair and interim CEO

Accountable: M. Shahnazari & Y. Hwang

Due Date: to be completed prior to April regular Board Meeting

### **5. Board By-Laws Policy Update GCSRLIB24.02 / Y. Hwang**

*Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- S. Chait and J. Cherniak – update to section 2.5
- Councillor C. Davidson – requested further review of sections 2.13 and 2.14
- R. Fribance – inquired as to adding electronic storage to section 5.8 – J. Cherniak advised this referred to In-Camera materials, and electronic storage cannot ensure confidentially in this case
- R. Fribance – requested addition of new section to by-laws policy to cover board member information requests

**Motion: GC24.05**

That the Richmond Hill Public Library Board Governance Steering Committee:

1. Recommend that the Board approve the termination of the Board Remote Attendance Policy from April 2022 (copy attached for reference), as it has now been merged with the attached updated Board By-Laws Policy; and
2. Request that staff circulate an amended Draft *RHPL Board By-Laws Policy* to confirm all updates from the meeting that would then be recommended to the Library Board for adoption.

Moved by: Councillor C. Davidson

Carried

**Next Steps**

Action Item 1: input updates/changes as recommended by the committee members at the meeting and circulate to committee for review

Accountable: S. Quinn (recording secretary)

Due date: March 19, 2024

Action Item 2: all committee members to confirm review of updates/changes by advising committee chair and interim CEO

Accountable: M. Shahnazari & Y. Hwang

Due Date: to be completed prior to April regular Board Meeting

**6. Board Performance Self-Evaluation Process GCSRLIB24.03 / Y. Hwang**

**Motion: GC24.06**

That the Board Governance Steering Committee defer this item to future meeting.

Moved by: S. Chait

Carried

## **7. Governance Calendar Review**

### **Motion: GC24.07**

That the Board Governance Steering Committee receive the Governance Calendar for information.

Moved by: S. Chait

Carried

## **8. CEO Updates**

*Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- Y. Hwang advised committee that RHPL received notice of upcoming CUPE negotiations for the renewal of the Collective Agreement, which typically take place after the City completes the update of their Collective Agreement

### **Motion: GC24.08**

That the Board Governance Steering Committee receive the CEO Update for information.

Moved by: S. Chait

Carried

## **9. New Business**

None

## **10. Adjournment**

The meeting adjourned at 3:18 pm

**Secretary:** S. Quinn

**Approved by Chair:** M. Shahnazari



**RHPL Board Intellectual Freedom Steering Committee **Draft** Minutes**

**Friday, March 22, 2024 at 2:30pm**

**Location:** Virtual

**Chair:** Jason Cherniak

**Members In Attendance:**

- Jason Cherniak, RHPL Board Member
- Mona Shahnazari, RHPL Board Member
- Scott Thompson, Councillor & RHPL Board Member
- Josh Dyer, Director, Content & Engagement
- Yunmi Hwang, Director, Branch & Customer Experience
- Robin Fribance, Director, Strategy & Service Innovation
- Jordan Graham, Manager, Content & Community Engagement

**Guests/Presenters:**

- None

**Member Regrets:**

- Stephen Chait, RHPL Board Chair

## **Agenda**

1. Agenda adoption
2. Intellectual Freedom Working Group Update / J. Graham
3. Incidents Reported to CFE database / J. Graham
4. City of Richmond Hill Demonstration and Rally Policy Review / J. Dyer
5. Steering Committee Meeting Schedule / J. Dyer
6. Adjournment

### **1. Agenda Review and Adoption**

#### **Motion: IFC24.01**

That the agenda be adopted.

Moved by: M. Shahnazari

Carried

### **2. Intellectual Freedom Working Group Update / J. Graham**

#### *Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- J. Graham provided a summary of recent IFWG discussions including a debrief of RHPL's October 2023 Drag Queen Storytime at Oak Ridges, impacts from the City's new Rally and Demonstration Policy, complaints regarding posters relating to the Israel-Palestine conflict, and a recommendation of edits to RHPL's Request for Reconsideration form.
- S. Thompson noted the minutes reference an incident where a customer was caught watching inappropriate content on a computer and inquired whether Library computers are set-up to make that type of content inaccessible
  - J. Dyer confirmed RHPL ELT reviewed a list of categories provided by IT in 2022 and selected categories to be blocked from library computers

- J. Cherniak asked how the Library defines what is deemed inappropriate and suggested the Library develop a clearer definition of inappropriate content that can better guide how the staff responds
- Y. Hwang confirmed that computers in the children's area have additional firewalls as they are set to a different profile from adult computers
- J. Cherniak asked for clarity regarding a note in the minutes about staff feeling uncomfortable printing certain materials
  - J. Graham noted the IFWG's discussion confirmed customers have the right to print materials as a matter of intellectual freedom as long as they do not breach library policies or laws

**Motion: IFC24.02**

That the committee receive the IFWG update for information

Moved by: J. Dyer

Carried

**Next Steps**

Action Item: IFWG to establish a definition of "inappropriate content"

Accountable: J. Graham

Due date: May 2024

**3. Incidents reported to Centre for Freedom of Expression database / J. Graham**

*Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- J. Graham provided a summary of an incident that had been reported the CFE in October and confirmed no related incidents have been reported since

**Motion: IFC24.03**

That the committee receive the CFE Incident Report for information

Moved by: R. Fribance

Carried

#### **4. Demonstration and Rally Policy Review**

##### *Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- J. Dyer provided a summary of the City's policy and noted that the clear roles and responsibilities would benefit the Library and would not interfere with the Library's ability to keep its customers safe
- M. Shahnazari asked whether the Emergency Management Program Coordinator position noted in the policy would be a Library or City position
  - J. Dyer confirmed that the EMPC is a City role
- J. Cherniak asked whether the Library's policy regarding protests and rallies needs to change in any way to better align with the City policy
  - J. Dyer noted that RHPL's Code of Conduct doesn't stipulate that protests are not allowed but rather that protests should not interfere with Library operations or customers ability to access library services
  - Y. Hwang clarified that the City's policy pertains to the grounds around the library, not inside the library building
- S. Thompson noted the Library appears to be doing a great job in planning and preparing for these types of disruptions
- J. Cherniak suggested amending the motion to ensure staff are made aware of the new policy

#### **Motion: IFC24.04**

That the committee receive the Demonstration and Rally Policy for discussion, and that RHPL staff be made aware of the new policy.

Moved by: Y. Hwang

Carried

#### **Next Steps**

Action Item: Inform RHPL staff about the policy

Accountable: J. Dyer



Due date: May 2024

## **5. Steering Committee Meeting Schedule / J. Dyer**

*Key Discussion Points / Options Considered / Criteria Used in Decision-Making*

- J. Dyer noted that the Board Intellectual Freedom Steering Committee was established as an ad hoc committee and explained this as the reasoning behind the two annual meetings with the opportunity to engage the steering committee when the Library requires guidance or support

### **Motion: IFC24.05**

1. That the Intellectual Freedom Steering Committee adopt the proposed schedule of meetings

Moved by: J. Dyer

Carried

### **Motion: IFC24.06**

2. That the Intellectual Freedom Working Group minutes be provided to the members of the Steering Committee after each meeting

Moved by: M. Shahnazari

Carried

## **6. Adjournment**

### **Motion: IFC24.07**

That the meeting be adjourned at 3:06pm.

Moved by: J Dyer

Carried

**Secretary:** J. Dyer

**Approved by Chair:** J. Cherniak



**Subject:** Richmond Hill Public Library Board Member Code of Conduct Policy Update

**For:** Adoption

**Date:** April 18, 2024

**Report #:** SRLIB24.06

**To:** Richmond Hill Public Library Board

**From:** Robin Fribance, Interim CEO

### **SUMMARY**

A next step coming out of the Board Governance Steering Committee (BGSC) on December 14, 2023 was a review of the current *Library Board Member Code of Conduct Policy*.

Library staff reviewed several other policies that govern member conduct, and presented an updated policy to the BGSC at their meeting on Monday, March 18, 2024.

### **RECOMMENDATION**

That the Richmond Hill Public Library Board:

1. Receive the *Library Board Member Code of Conduct Policy Update* report; and
2. Adopt the attached *Draft Library Board Member Code of Conduct Policy*, as approved for recommendation by the Board Governance Steering Committee.

**RATIONALE**

RHPL currently has a *Library Board Member Code of Conduct Policy* that was established in May of 2016 and became effective June 2016.

As part of the policy review, Library staff reviewed similar policies from other libraries, including:

- Burlington Public Library
- Oakville Public Library
- Kingston Public Library
- Calgary Public Library
- Edmonton Public Library
- Halifax Public Library
- Ottawa Public Library
- Toronto Public Library
- Georgina Public Library
- Norfolk Public Library
- Ontario Library Service's sample policy on this issue

In addition, staff also reviewed:

- City of Richmond Hill's *Council Code of Conduct*
- City of Richmond Hill's *Code of Conduct for Local Boards*

While Council has an approved *Code of Conduct for Local Boards* that may have been sent to members of the Library Board upon its adoption in April 2023, per the Richmond Hill City Clerk, it does not apply to the Library Board. The Clerk's advice is for the Library to look for guidance in similar policies from other libraries, and not the City's

Codes which are based exclusively on the Municipal Act and associated regulations, as well as the enforcement mechanisms specific to that legislation.

Most of the library policies include similar concepts and principles as RHPL's current policy. Some key differences are:

- Several of the other policies have more detailed descriptions, definitions and accountabilities compared to RHPL's policy;
- Some of the library policies and the City's Code for local boards have language on member compliance, which RHPL's current policy does not have; and
- Some policies require a signature from members at the beginning of their term.

To present an updated version for consideration, staff used the template that was created for libraries by the Ontario Library Service. The following additions were made to that template:

- Language on confidentiality of closed sessions from the current RHPL policy; and
- Section on compliance, leveraging language from Georgina Public Library.

An alternative draft version of the policy was provided to the BGSC to discuss and consider as part of this policy review.

The 2016 version of the policy is attached for reference.

The attached *Draft Library Board Member Code of Conduct Policy* is the version that the BGSC approved for adoption by the Board. The yellow highlighted sections and strikethroughs identify the changes made by the committee. And the policy will now also have an acknowledgement and compliance signature line that is to be signed by all Board Members at the start of their terms.

**ATTACHMENTS**

1. *Library Board Member Code of Conduct Policy – May 2016*
2. *Draft Library Board Member Code of Conduct Policy – March 2024*



## **LIBRARY BOARD MEMBER CODE OF CONDUCT POLICY**

### **1.0 PURPOSE AND SCOPE**

This policy defines the code by which Richmond Hill Public Library Board Members will conduct the business of the Board with each other, with library staff and with library partners.

### **2.0 STATEMENT OF CODE OF CONDUCT**

Board Members are expected to act in an ethical and businesslike manner. This commitment includes the proper use of authority, appropriate decorum in group and individual behavior, and respect for others and their contribution to the Richmond Hill Public Library Board.

Richmond Hill Public Library Board Members, in their role as library trustees, shall support the interest of Richmond Hill Public Library when making or influencing decisions.

Richmond Hill Public Library Board Members shall understand and follow the provincial Conflict of Interest legislation. A Richmond Hill Public Library Board Member must disclose any direct, indirect or deemed pecuniary interest prior to consideration of any matter. Once the interest is disclosed, the member is prohibited from participating in the decision-making process.

Richmond Hill Public Library Board Members have a duty to hold in strict confidence all information concerning matters dealt with in meetings closed in accordance with the *Public Libraries Act*. All information, documentation or deliberations received, reviewed or taken in closed session of the Board and its committees is confidential until the matter ceases to be confidential.

All decisions will be respected by all members of the Richmond Hill Public Library Board.

The Chair is the primary spokesperson of the Board. Any member speaking on behalf of the Board must present Board positions fairly, accurately and without bias. Board members expressing individual comments of personal opinions should clearly identify such remarks as personal and not those of the Board as a whole.

### **3.0 RELATED POLICIES**

1.0 Richmond Hill Public Library Board By-Laws (September 2020)

<b>Effective Date:</b> June 16, 2016	<b>Motion # 16:75</b>
<b>Approval Date:</b> May 19, 2016	<b>Motion # 16:62</b>
<b>Date of Creation:</b> May 19, 2016	



## **DRAFT - BOARD MEMBER CODE OF CONDUCT POLICY**

### **1.0 DUTIES OF THE ENTIRE BOARD**

The Library Board governs effectively by:

- a) setting an annual library board agenda that reflects current goals and strategic issues;
- b) working proactively and making decisions that focus on the library's future and place in the community representing the interests of the community;
- c) providing opportunities for board development and training;
- d) working effectively as a team;
- e) working collaboratively with the Library CEO and the Council;
- f) evaluating the board's performance;
- g) engaging the community in determining responsive and dynamic library service;
- h) behaving with integrity;
- i) holding all meetings in public unless closed for a special purpose within the framework of the *Public Libraries Act*.

### **2.0 DUTIES OF INDIVIDUAL BOARD MEMBERS**

The Library Board expects its members to understand the extent of their authority and to use it appropriately. This policy sets out the obligations of individual board



members. While an individual board member has several responsibilities, outside of a meeting of the library board he or she has no authority to make decisions.

- 2.1** Each board member is expected to become a productive participant in exercising the duties of the board as a whole.
- 2.2** Individual members of the Library Board are responsible for exercising a Duty of Diligence as follows:
- a) be informed of legislation under which the library exists, board bylaws, mission, vision and values;
  - b) be informed about the activities of the library and the community and issues that affect the library;
  - c) be prepared for all board meetings; and
  - d) attend board meetings regularly, contribute from personal and professional experience, and use meeting time productively
- 2.3** Individual members of the Library Board are responsible for exercising a Duty of Loyalty, as follows:
- a) adhere to the regulations of the Municipal Conflict of Interest Act. R.S.O. 1990, c. M50;
  - b) act in the interest of the library members and community over and above other interest group involvement, membership on other boards (other than council), or personal interest;
  - c) ~~speak with “one voice” once a decision is reached and a resolution is passed by the library board;~~ and
  - d) represent the library positively fairly to the community.

**2.4** Individual members of the library board are responsible for exercising a Duty of Care, as follows:

- a) promote a high level of library service;
- b) consider information gathered in preparation for decision making;
- c) offer personal perspective and opinions on issues that are subject to library board discussion and decisions;
- d) show respect for the opinions of others;
- e) assume no authority to make decisions outside of board meetings;
- f) know and respect the distinction in the roles of the library board regarding governance and the employees, management and operations;
- g) refrain from individually directing the Chief Executive Officer (CEO) and the employees;
- h) respect the confidential nature of library service to users while being aware of, and in compliance with, applicable laws governing freedom of information;
- i) resist censorship of library materials by groups or individuals; and
- j) not use Library resources and spaces to promote individual board members or their personal interests

### **3.0 PRINCIPLES OF BOARD MEMBER CODE OF CONDUCT**

It is the duty of Library Board members to maintain high ethical standards. This commitment includes the proper use of authority, appropriate decorum in group and individual behavior and respect for others and their contributions to the Library.

### **4.0 RESPECT**

Within the framework of the legislative and policy requirements of the *Ontario Human Rights Code* and the Library's *Respect in the Workplace – Harassment & Violence Policy*, members will fulfill their responsibilities in ensuring that the Library is free from discrimination and harassment. No member shall:

- a) speak disrespectfully of any member of the Board, staff or volunteers;
- b) use offensive words in meetings of the Board or against any member; or
- c) speak in a manner that is discriminatory in nature based on **grounds of discrimination under the Ontario Human Rights Code**, ~~an individual's age, colour, ancestry, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity/expression, sex, or sexual orientation.~~

## **5.0 BOARD MEETINGS**

With the understanding that Library Board meetings are public and that their behaviour affects the image of the Library, Board members shall:

- a) not speak on any subject other than the subject in debate;
- b) not disobey the decision of the Chair of the Board on questions of order or procedure or upon the interpretation of the rules of the Board.

## **6.0 USE OF PROPERTY AND RESOURCES**

Members will only use Library facilities, equipment, supplies, services, or other resources for the business of the library.

## **7.0 PRIVACY AND CONFIDENTIAL INFORMATION**

Members will respect the privacy of others and will not disclose or release by any means to any member of the public, any confidential information acquired by virtue of their position within the library.

Members have a duty to hold in strict confidence all information concerning matters dealt with in meetings closed to the public in accordance with the *Public Libraries Act*. All information, documentation or deliberations received, reviewed or taken in closed session of the Board and its committees is confidential until the matter ceases to be confidential.

Members will maintain this obligation even after leaving the Board.

## **8.0 CONFLICT OF INTEREST**

Within the legislative framework of the *Municipal Conflict of Interest Act*, Board members will act in the public interest and not engage in conflicts of interest, either apparent or real. The duties and responsibilities to the Library should not compete with private interests, financial or otherwise and the interests of family, friends or associated organizations.

Members will not accept payments to make referrals or to act as a paid agent before the Board or Board Committee.

## **9.0 LOYALTY**

~~Further to Section 2.3, divided loyalty can occur when a board member has a personal conflict between their positions on two different boards, on council, with advocacy or interest groups, or between personal beliefs and the Board's policies on a particular issue. The guiding principle in these situations is for board members to represent unconflicted commitment and govern in the best interests of the Library when making of influencing decisions.~~

All decisions will be respected by all members of the Richmond Hill Public Library Board.

#### **10.0 POLITICAL NEUTRALITY**

Members will not use Library facilities, equipment, supplies, services (including staff services) or any other resources for election campaign or campaign-related activities.

Members will not use a position of authority at the Library to compel staff or volunteers to engage in partisan political activities.

#### **11.0 GIFTS**

Members will not accept or provide any gift or benefit where it may be, or perceived to be, in exchange for favour or influence. Exceptions:

- Small gifts (cards or edibles, such as chocolates or cookies);
- Advertising material (calendars, scratch pads, pens, t-shirts);
- Any hospitality or gift that has a monetary value under \$100.

#### **12.0 COMPLIANCE**

All board members shall be aware of and comply with this policy.

Any individual, including members of the public, staff or another board member, who has reasonable grounds to believe that a board member has contravened the Code or any other Library Board policy, as well as in the event of disputes between board members that interfere with the ability of the Board to carry out its business, may proceed with a complaint and seek remedy by submitting a written complaint to the Board Chair, Vice-Chair and/or the Chair of the Board Governance Steering Committee. Upon receiving the written complaint, the board will convene a committee to hear the complaint and recommend to the Board a plan of action to resolve the

complaint. In the event that the complaint is not resolved, the matter may be referred to City of Richmond Hill Council through the City Clerk. ~~the process outlined in Appendix “A”.~~

By signing below all board members affirm their acknowledgment and compliance with this policy.

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Printed Name	Signature	Date
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Update Date: April 18, 2024 – Motion #24:XX

Original Adoption Date: June 16, 2016 – Motion #16:75



**Subject:** Richmond Hill Public Library Board By-Laws Policy Update

**For:** Adoption

**Date:** April 18, 2024

**Report #:** SRLIB24.07

**To:** Richmond Hill Public Library Board

**From:** Robin Fribance, Interim CEO

**SUMMARY**

A next step coming out of the Board Governance Steering Committee (BGSC) on December 14, 2023 was a review the current *Library Board By-Laws Policy*.

Library staff reviewed several other by-law policies, and presented an updated policy to the BGSC at their meeting on Monday, March 18, 2024.

As part of the Library's new Board Governance Steering Committee (BGSC) initiatives, we are reviewing and updating policies as required. Staff presented an updated *Board By-Laws Policy* to the BGSC at their meeting on Monday, March 18, 2024

**RECOMMENDATION**

That the Richmond Hill Public Library Board:

1. Receive the *Library Board By-Laws Policy Update* report;

2. Approve the termination of the *Board Remote Attendance Policy* from April 2022 (copy attached for reference), as it has now been merged with the attached updated Board By-Laws Policy; and
3. Adopt the attached *Draft RHPL Board By-Laws Policy*, as approved for recommendation by the Board Governance Steering Committee.

### **RATIONALE**

RHPL currently has a *Board By-Laws Policy* that was established in November of 1994 and has had several updates over the intervening years, with the last update in November 2019.

We have done a comparison to the following seven (7) Ontario Public Libraries with a similar policy, and have found that we are in line with their policies.

1. Brampton Public Library
2. Hamilton Public Library
3. Kingston Public Library
4. Markham Public Library
5. Mississauga Public Library
6. Toronto Public Library
7. Vaughan Public Library

Staff recommended to the BGSC that the policy include some changes to bring the policy in line with the current Public Library Act and also to merge the Board Remote Attendance Policy into the Board By-Laws Policy.

An alternative draft version of the policy was provided to the BGSC to discuss and consider as part of this policy review.



The 2020 version of the policy is attached for reference.

The attached *Draft Library Board By-Laws Policy* is the version that the BGSC approved for adoption by the Board. The yellow highlighted sections and strikethroughs identify the changes made by the committee.

**ATTACHMENTS**

1. *RHPL Board By-Law Policy – September 2020*
2. *RHPL Board Remote Attendance Policy – April 2020*
3. *Draft RHPL Board By-Laws Policy – April 2024*



## LIBRARY BOARD BY-LAWS POLICY

### 1. Definitions:

In this Library Board By-laws Policy, the following terms have the corresponding meaning

- a) “Act” means the *Public Libraries Act, R.S.O. 1990, Chapter P.44*, as may be amended or superseded.
- b) “Board” means the Richmond Hill Public Library Board, which is responsible for the management and control of the Library, in accordance with the Act.
- c) “Chief Executive Officer” or “CEO” means the person appointed by the Board pursuant to Section 15(2) of the Act.
- d) “City” means The Corporation of the City of Richmond Hill
- e) “City Library By-Law” means the by-law or by-laws of the City that establish the Library and Board, as may be amended by Council.
- f) “Council” means the Council for the City.
- g) “Library” means the Richmond Hill Public Library.

### 2. The Board

#### 2.1. Establishment / History of Board

On December 23, 1852, 54 shareholders formed the Richmond Hill Public Library Association. In 1865, a Mechanics Institute was also formed and shared books with the Library Association at a cost of twenty-five (25) cents per year. In 1870, the Mechanics Institute became the Richmond Hill District Library and was incorporated under the Provincial Statutes at that time. In 1895, under the Public

Libraries Act, the Ontario Department of Education supported a Board of Management for the public lending library in Richmond Hill.

## **2.2. Title**

The Library shall be under the management and control of a board, which is a corporation known in English as “The Richmond Hill Public Library Board”.

*R.S.O. Public Libraries Act, 1990, c.P.44, s.3 (3).*

## **2.3. Purpose of Board**

The purpose of The Richmond Hill Public Library Board is to govern the RHPL in accordance with the Act.

## **2.4. Head Office**

The address of the Board is: 1 Atkinson Street, Richmond Hill, Ontario, L4C 0H5, and at such other places in the City of Richmond Hill as the Board may from time to time decide.

## **2.5. Seal & Symbol**

The Board shall have a corporate seal, impression of which is stamped on the margin hereof, and this seal shall be affixed under the direction of the Board to all deeds, contracts, documents or instruments requiring the same, which seal shall always be attested by the signatures of the Chair and the Chief Executive Officer of the Board, or such other member and such other officer of the Board as the Board shall direct.

The corporate seal shall be kept in the custody of the Chief Executive Officer of the Board.

## **2.6. Composition of Board**

A public library board shall be composed of at least five members appointed by the municipal council. *R.S.O. Public Libraries Act, 2002, C.18, Sched. F, s. 3 (8)*

The maximum number of council members appointed to the Board shall be one less than a majority of the Board. *Public Libraries Act, 1990, s. 9 (1)*

## **2.7. Qualifications**

A person is qualified to be appointed as a member of a board who is a member of the appointing council or:

- a) Is at least eighteen years old;
- b) Is a Canadian citizen, or a permanent resident of Canada within the meaning of the *Immigration and Refugee Protection Act (Canada)*;
- c) Is a resident of the City; and
- d) Is not employed by the Board or the City.

*Public Libraries Act, 1990, c. P.44, s. 10 (1) 1; 2002, c.18, Sched. F, s. 3 (9); 2019, c.14, Sched. 12, s.1.*

## **2.8. Appointment**

The first appointments of members of a new board shall be made at a regular meeting of Council and the members shall take office as soon as possible thereafter, and thereafter appointments shall be made at the first meeting of council in each term, but if the Council fails to make the appointments at its first meeting, it shall do so at any regular or special meeting held within 60 days after its first meeting. *Public Libraries Act, 1990, c.P.4, s.10 (4); 2002, c. 18, Sched. F, s. 3 (10).*

## **2.9. Term**

A Board member shall hold office for a term concurrent with the term of Council, or until a successor is appointed, and may be re-appointed for one or more further terms. *Public Libraries Act, 1990, c. P44, s.10 (3).*

## **2.10. Disqualification**

If a Board Member:

- a) Is convicted of an indictable offense;
- b) Becomes incapacitated;
- c) Is absent from the meetings of the Board for three consecutive months without being authorized by a Board resolution;
- d) Ceases to be qualified for membership under clause 10 (1) (c) of the Act;  
or
- e) Otherwise forfeits his or her seat,

The Member's seat becomes vacant and the remaining Members shall forthwith declare the seat vacant and notify Council. *Public Libraries Act, 1990, c. P. 44, s.13.*

## **2.11. Vacancy**

Where a vacancy arises in the membership of a Board, Council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. *Public Libraries Act, 1990, c. P. 44, s.12.*

## **2.12. First Meeting**

The first meeting of the Board in a new term shall be called, if a by-law has been passed under subsection (2) of the Act, by the Chief Executive Officer appointed under subsection 15 (2) of the Act. *Public Libraries Act, 1990, s.14 (1). City of Richmond Hill By-Law 257-85*

## **2.13. Chair Election**

The Chief Executive Officer shall call the meeting to order and conduct the election for the position of Chair.

The Board shall elect one of its members as Chair at its first meeting in a new term and at the first meeting in each year of its term. *Public Libraries Act, 1990, s.14 (3)*.

**2.14. Vice-Chair Election**

The Board shall elect one of its members as Vice-Chair at its first meeting in a new term and at the first meeting in each year of its term. *Public Libraries Act, 1990, s. 14 (3)*.

**2.15. Acting Chair Election**

In the absence of both the Chair and Vice-Chair, the Board may appoint one of its members as acting chair. *Public Libraries Act, 1990,c.P.44, s. 14 (4)*.

**2.16. Committees**

The Board may establish any committees it deems necessary from time to time and establish the Terms of Reference for any such committee.

**2.17. Board Responsibilities**

The Board establishes policies to direct the operations of the Richmond Hill Public Library, in accordance with its mission.

Responsibilities of the Board:

Service

The Board shall determine the Library's goals and objectives and formulate a plan for meeting these goals.

The Board shall identify the library needs of the community, the requirements of the Library and relate the aforesaid to current standards.

Finance

The Board shall submit its annual financial statements, audited by a person in accordance with the Municipal Act, to Council annually. *Public Libraries Act, 1990, s. 24 (7).*

The Board shall recommend to Council the Board's annual operating budget and capital forecast, as developed by the CEO and approved by the Board. *Municipal Act s. 86 and s. 68.(1) (a) (b).*

### Policies

The Board shall formulate and periodically review the Library's Mission Statement and written policy statements which govern the operation and programme of the Library. Such policies should include those dealing with personnel, public service, materials selection and financial authorities.

### Legislation

Should any of the provisions of the By-laws or policies of the Board be in conflict with the provisions of any legislation, the legislation shall take precedence.

## **3. Staff**

### **3.1. Chief Executive Officer**

The Board shall appoint a Chief Executive Officer. The Chief Executive Officer shall also be the Secretary and Treasurer of the Board. *Public Libraries Act, 1990, c.,P.44, s. 15 (2) (3) (4)(5). Richmond Hill Public Library Board, Motion 57:85*

The Chief Executive Officer shall have the general supervision over and direction of the operations of the public library and its staff, shall attend all board and committee meetings and shall have the other powers and duties that the board assigns to him or her from time to time. *Public Libraries Act, 1990, c.P44, s. 15 (2).*

The Chief Executive Officer is authorized to appoint an acting Chief Executive Officer, on a *pro tempore* basis.

### **3.2. Staff**

The Board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. *Public Libraries Act, 1990,c.P.44, s. 15 (1);1993, c.27.*

## **4. Meetings – Dates, Times and Notifications**

### **4.1. Regular Meetings**

Following the first meeting in a new term, further regular meetings of the Board shall normally be held on the fourth Tuesday (as per Motion 19:110 December 17, 2019 Meeting) of each month, for a minimum of 7 meetings per year (as per *Public Libraries Act 2019 amendment Item 16 (1) 2019, c.14, Sched. 12, s. 2 and Motion 20:55 September 22, 2020*). The Board shall normally adopt a schedule of regular meetings before the start of a calendar year. *Public Libraries Act, 1990c.P.44, s. 16 (1).*

The Board shall recognize Canadian Statutory Holidays as the only prescribed non-Library Board meeting days. *Richmond Hill Public Library Board, Motion 05:15*

### **4.2. Special Meetings**

Special meetings of the Board may be called by the Chair or any two members by giving each member reasonable notice in writing, specifying the purpose for which the meeting is called. *Public Libraries Act, 1990, c. P.44 s.16 (2).*

### **4.3. Time Limits for Meetings**

Public sessions of the Board shall be concluded by 10:00 p.m. with extension by the consent of a simple majority of Members present.



#### **4.4. Notification of Meetings**

The Chair shall give notice of each regular, and special meeting, to the members and to the Chief Executive Officer. The notice shall be accompanied by the agenda and any other matter to be brought before the meeting.

The Chair and Chief Executive Officer shall be responsible for the preparation of the agenda. Any member wishing to place an item on the agenda may do so by making a request to the Chair or Chief Executive Officer at least one week prior to the meeting.

Notice of a regular meeting with the agenda shall be delivered electronically to each member so as to be received not later than the day previous to the day of the meeting. Members may request that a hard copy of an agenda be available for pick-up by the member at the Central Library. Every attempt will be made to provide the notice no later than 3 days prior to the day of the meeting.

Notice of meetings will be published on the Library's website and posted on the Notice Boards in the Central and Branch libraries at least one week prior to the meeting.

Lack of receipt of the notice of a regular or special meeting shall not affect the validity of holding the meeting or any action taken thereafter so long as a quorum is obtained.

### **5. Meetings –Procedures**

#### **5.1. Open Meetings**

All Board meetings shall be open to the public except as provided in this section.

## **5.2. Closed Meetings**

A meeting or part of a meeting may be closed to the public if the subject matter being considered falls into one or more of the categories set out in Section 16.1 of the PLA.

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Board or part thereof is designated as head of the institution for the purposes of that Act. *Municipal Act, 1990 c. M.45, s 55 (6)*

## **5.3. Quorum**

The presence of a majority of the Board is necessary for the transaction of business at a meeting. *Public Libraries Act, 1990,c.P.44, s. 16 (5).*

Quorum includes both the physical and remote presence of a majority of the members of the Board. *Revised October 16, 2014*

If a quorum is not present twenty minutes after the time fixed for the meeting, the Secretary shall record the names of the members present and the Board shall remain adjourned until the next meeting.

Should remote access connections be lost during the meeting, continuance of the meeting shall be subject to quorum. *Revised October 16, 2014*

## **5.4. Record of Attendance**

Remote attendance and participation by board member in a meeting shall be in accordance with the *Richmond Hill Public Library Board Remote Attendance Policy*, as may be amended.

Attendance of members at meetings shall be noted and recorded by the Secretary; minutes will reflect physical or remote presence. *Revised October 16, 2014*

Members unable to attend a meeting should notify the Secretary or Chair at least one day prior to the meeting.

One day notice is also required if attending remotely identifying acceptable reasons for inability to physically attend such as illness, business schedule conflict, family or other emergency; and to ensure technology enabling real time participation is in place. *Revised October 16, 2014*

Remote attendance will be limited to three times per year. The Board by majority vote may allow more than three based on its assessment of the special justifying circumstances or conditions. *Revised October 16, 2014*

If a member is absent from the meetings of the Board for three (3) consecutive months, without authorization by Board resolution, the remaining members shall declare the seat vacant and notify Council accordingly. *Public Libraries Act, 1990 s. 13 (c).*

#### **5.5. Conflict of Interest**

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consolidation, the member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such questions.

Where the Member is absent from a meeting, he/she shall disclose any conflict of interest at the next meeting he/she attends.

All declarations of interest shall be recorded by the Secretary in the Minutes of that meeting, and, if the meeting is not open to the public, in the Minutes of the next meeting that is open to the public. *Municipal Conflict of Interest Act, 1990, Chapter M.50*

## **5.6. Order of Business**

At all regular meetings of the Board, the order of business shall be as follows:

- a. Declaration of Conflicts of Interest
- b. Delegations
- c. Adoption of Minutes
- d. Staff Reports
- e. Closed Meeting (if required)
- f. New Business
- g. Date of Next Meeting
- h. Adjournment

The Board may suspend or vary the order of business outlined by a majority vote of the members present.

## **5.7. Delegations**

Any person wishing to appear before the Board shall advise the Chief Executive Office or Chair one week before the meeting. The request to appear before the Board shall be in writing and shall state the nature of the matter to be presented and the name of the spokesperson. No delegation may speak on the matter for more than a total of five minutes, exclusive of the time required to answer questions posed by the Board, except that a group of persons may have more than one spokesperson provided that the total length of time is not more than ten minutes, exclusive of the time required to answer questions put to them by the Board. *Town of Richmond Hill Procedural By-Law No. 65-91, s. 16.*

## **5.8. Minutes of Meetings**

Minutes of every Board meeting will be recorded by the Secretary. *Public Libraries Act, 1990 s. 15 (3) (b)*.

Minutes of the Board and Committee meetings shall be approved at the next regular meeting of the Board for any errors or omissions.

Copies of Board Adopted minutes are accessible online.

## **5.9. Presiding Officer**

The Chair will preside at all Board Meetings, maintain order, decide whether motions are in order, and rule on all procedural matters.

If the Chair is not present at the time for the meeting to begin, the Vice-Chair will call the meeting to order and will preside for that meeting or until the Chair arrives.

If both the Chair and Vice-Chair are not present with fifteen minutes after the time for the meeting to Begin, the Secretary will call the meeting to order and will preside for the election of an Acting Chair. While presiding, the Acting Chair will have all the Chair's rights duties and responsibilities.

## **5.10. Voting**

Each member present shall vote on every motion unless the member is disqualified to vote by reason of a conflict of interest or other statutory qualification. Notwithstanding the foregoing, where a member fails or refuses to vote on a motion, then such member shall be deemed to be voting in the negative.

Votes shall be taken by a show of hands and any member may request a recorded vote immediately prior to or immediately subsequent to the taking of the

vote and the Secretary shall record each vote. *Municipal Act, 1990, chap. M45, s. 61. (1).*

The Chair, Vice-Chair or the Acting Chair of the Board shall vote with the other members of the Board upon all motions. *Public Libraries Act, 1990. s. 16 (6).*

Any motion on which there is an equality of votes shall be deemed to be decided in the negative. *Public Libraries Act, 1990. s. 16 (6).*

### **5.11. Motions - General**

All decisions of the Board on any matter will be made on the basis of votes on motions. All motions must be moved and seconded before any debate or vote can occur.

One or more Staff Reports on the agenda may be adopted in a single motion, unless a specific Staff Report requires direction of the Board. The Secretary will note in the minutes if the Board has adopted one or more Staff Reports in a single motion.

Once moved and seconded, a motion is in the hands of the Board. The mover of a motion may withdraw the motion prior to any vote unless another member objects to the withdrawal.

### **5.12. Procedural Motions**

All procedural motions that have been moved and seconded will be voted on before any vote of a main motion. The following procedural motions and associated rules shall be observed:

#### **a) Motion to Amend**

All motions can be amended. A proposed amendment must be closely related to the motion under consideration and cannot propose to do the opposite thing. Only one amendment shall be considered at any time.

b) Motion to Refer

Any motion or matter on the agenda may be referred to a committee of the Board or Staff by means of a Motion to Refer. The motion must indicate the committee or Staff to whom the matter has been referred. The motion may provide direction on the time and date when matter is to be brought back for the Board's consideration.

A Motion to Refer can only be debated as to the advisability of referring the matter, or to the time and date as to when the matter is to be brought back to the Board

c) Motion to Defer

Any motion or matter on the agenda may be deferred to a future meeting of the Board by means of a Motion to Defer. The motion must provide direction as to the time and date when matter is to be brought back for the Board's consideration.

A Motion to Defer can only be debated as to the advisability of deferring the matter, or to the time and date as to when the matter is to be brought back to the Board.

d) Motion to Adjourn

Any member may move to adjourn a meeting. If the motion to adjourn is seconded it shall be put to a vote. If the motion to adjourn is passed, any unfinished business shall be included on the next agenda.

**5.13. Speaking to a Motion**

A member may speak to any motion unless prevented by law such as having declared a conflict of interest. Before speaking a member shall be given the floor by the Chair. Members will generally only speak twice to a motion and for no more than 5 minutes each time. Unless authorized by the Chair, a member may

only speak once to a procedural motion and generally for no more than 3 minutes.

#### **5.14. By-laws and Policies**

Unless otherwise required by the Act or any applicable law or By-law, the Board may adopt or amend any By-law or Policy in a single motion at the same meeting at which the matter has been introduced.

#### **5.15. Robert's Rules of Order**

Except as set out here-in, all meetings will be conducted in accordance with Robert's Rules of Order.

<b>Dates</b>	<b>Motion #</b>
<b>Approval Date:</b> September 22, 2020	Motion #: 20:49
<b>Date of Last Revision:</b> October 16, 2014	Motion #: 14:97





## **LIBRARY BOARD REMOTE ATTENDANCE POLICY**

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### **1.0 PURPOSE**

The purpose of this policy is to provide the guidelines by which Richmond Hill Public Library Board members may participate remotely in Board meetings.

### **2.0 POLICY PRINCIPLES**

The Richmond Hill Public Library Board recognizes that enabling remote attendance at meetings supports attracting and retaining a diverse set of Board members that are representative of the community, and that remote meetings can achieve successful outcomes.

Remote attendance offers an accessible way for members who physically cannot attend meetings to continue to participate, including meeting the spirit and intent of Ontario's Accessibility for Ontarians with Disabilities Act; offers practical convenience for members with busy or competing schedules to participate; and enables an efficient use of Library personnel time and resources.

The Board also acknowledges that there are times when in-person presence at meetings may be more productive. In-person attendance may enable richer participation and discussion on complex matters; support relationship development between and across Board members, staff, and the community; and would help the Board understand project work or outcomes that are best seen in person.

### **3.0 POLICY**

Remote attendance at Board meetings is permissible with the following caveats:

- i. Quorum includes both in-person and remote presence of a majority of the members of the Board;
- ii. Should remote access connections be lost during the meeting, continuance of the meeting will be subject to quorum;

- iii. Remote attendance will be held through a virtual platform, such as Zoom or Teams, rather than telephone phone;
- iv. Members will identify acceptable reasons for inability to attend meetings that are designated as needing to be in-person, such as accessibility issues, illness, business schedule conflict, family or other emergency;
- v. Minutes will reflect physical or remote attendance;

#### 4.0 RELATED POLICIES

##### 1.0 Richmond Hill Public Library Board By-laws

<b>Approval Date:</b> April 26, 2022	<b>Motion # 22:19</b>
<b>Date of Creation:</b> October 16 2014	<b>Motion # 14:97</b>



## **DRAFT – LIBRARY BOARD BY-LAWS POLICY**

### **1. Definitions:**

In this Library Board By-laws Policy, the following terms have the corresponding meaning

- a) “Act” means the *Public Libraries Act, R.S.O. 1990, Chapter P.44*, as may be amended or superseded.
- b) “Board” means the Richmond Hill Public Library Board, which is responsible for the management and control of the Library, in accordance with the Act.
- c) “Chief Executive Officer” or “CEO” means the person appointed by the Board pursuant to Section 15(2) of the Act.
- d) “City” means The Corporation of the City of Richmond Hill
- e) “City Library By-Law” means the by-law or by-laws of the City that establish the Library and Board, as may be amended by Council.
- f) “Council” means the Council for the City.
- g) “Library” means the Richmond Hill Public Library.

## **2. The Board**

### **2.1. Establishment / History of Board**

On December 23, 1852, 54 shareholders formed the Richmond Hill Public Library Association. In 1865, a Mechanics Institute was also formed and shared books with the Library Association at a cost of twenty-five (25) cents per year. In 1870, the Mechanics Institute became the Richmond Hill District Library and was incorporated under the Provincial Statutes at that time. In 1895, under the Public Libraries Act, the Ontario Department of Education supported a Board of Management for the public lending library in Richmond Hill.

### **2.2. Title**

The Library shall be under the management and control of a board, which is a corporation know in English as “The Richmond Hill Public Library Board”. *R.S.O. Public Libraries Act, 1990, c.P.44, s.3 (3).*

### **2.3. Purpose of Board**

The purpose of The Richmond Hill Public Library Board is to govern the RHPL **Library** in accordance with the Act.

### **2.4. Head Office**

The address of the Board is: 1 Atkinson Street, Richmond Hill, Ontario, L4C 0H5, and at such other places in the City of Richmond Hill as the Board may from time to time decide.

## **2.5. Seal & Symbol**

The Board shall have a corporate seal, ~~impression of which is stamped on the margin hereof~~, and this seal shall be affixed under the direction of the Board, **where appropriate**, to all deeds, contracts, documents or instruments requiring the same, which seal shall always be attested by the signatures of the Chair and the Chief Executive Officer of the Board, or such other member and such other officer of the Board as the Board shall direct.

The corporate seal shall be kept in the custody of the Chief Executive Officer of the Board.

## **2.6. Composition of Board**

A public library board shall be composed of at least five members appointed by the municipal council. *R.S.O. Public Libraries Act, 2002, C.18, Sched. F, s. 3 (8)*

The maximum number of council members appointed to the Board shall be one less than a majority of the Board. *Public Libraries Act, 1990, c.P.44 s. 10 (2)*

The composition of the public library Board shall be composed of such members appointed by Richmond Hill Council in accordance with the City's By-laws.

## **2.7. Qualifications**

A person is qualified to be appointed as a member of a board who is a member of the appointing council or:

- a) Is at least eighteen years old;

- b) Is a Canadian citizen, or a permanent resident of Canada within the meaning of the *Immigration and Refugee Protection Act (Canada)*;
- c) Is a resident of the City; and
- d) Is not employed by the Board or the City.

*Public Libraries Act, 1990, c. P.44, s. 10 (1) 1; 2002, c.18, Sched. F, s. 3 (9); 2019, c.14, Sched. 12, s.1.*

## **2.8. Appointment**

The first appointments of members of a new board shall be made at a regular meeting of Council and the members shall take office as soon as possible thereafter, and thereafter appointments shall be made at the first meeting of council in each term, but if the Council fails to make the appointments at its first meeting, it shall do so at any regular or special meeting held within 60 days after its first meeting. *Public Libraries Act, 1990, c.P.4, s.10 (4); 2002, c. 18, Sched. F, s. 3 (10).*

## **2.9. Term**

A Board member shall hold office for a term concurrent with the term of Council, or until a successor is appointed, and may be re-appointed for one or more further terms. *Public Libraries Act, 1990, c. P44, s.10 (3).*

## **2.10. Disqualification**

If a Board Member:

- a) Is convicted of an indictable offense;
- b) Becomes incapacitated;

- c) Is absent from the meetings of the Board for three consecutive months without being authorized by a Board resolution;
- d) Ceases to be qualified for membership under clause 10 (1) (c) of the Act; or
- e) Otherwise forfeits his or her seat,

The Member's seat becomes vacant and the remaining Members shall forthwith declare the seat vacant and notify Council. *Public Libraries Act, 1990, c. P. 44, s.13.*

### **2.11. Vacancy**

Where a vacancy arises in the membership of a Board, Council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. *Public Libraries Act, 1990, c. P. 44, s.12.*

### **2.12. First Meeting**

The first meeting of the Board in a new term shall be called, if a by-law has been passed under subsection (2) of the Act, by the Chief Executive Officer appointed under subsection 15 (2) of the Act. *Public Libraries Act, 1990, s.14 (1). City of Richmond Hill By-Law 257-85*

### **2.13. Chair Election**

The Chief Executive Officer shall call the meeting to order and conduct the election for the position of Chair.

The Board shall elect one of its citizen members as Chair at its first meeting in a new term (*Public Libraries Act, 1990, s.14 (3)*), and every two years thereafter.

#### **2.14. Vice-Chair Election**

The Board shall elect one of its citizen members as Vice-Chair at its first meeting in a new term and every two years thereafter.

#### **2.15. Acting Chair Election**

In the absence of both the Chair and Vice-Chair, the Board may appoint one of its citizen members as acting chair. *Public Libraries Act, 1900, c.P.44, s. 14 (4).*

#### **2.16. Committees**

The Board may establish any committees it deems necessary from time to time and establish the Terms of Reference for any such committee.

#### **2.17. Board Responsibilities**

The Board establishes policies to direct the operations of the Richmond Hill Public Library, in accordance with its mission.

Responsibilities of the Board:

##### Service

The Board shall determine the Library's goals and objectives and formulate a plan for meeting these goals.

The Board shall identify the library needs of the community, the requirements of the Library and relate the aforesaid to current standards.

##### Finance



The Board shall submit its annual financial statements, audited by a person in accordance with the Municipal Act, to Council annually. *Public Libraries Act, 1990, s. 24 (7).*

The Board shall recommend to Council the Board's annual operating budget and capital forecast, as developed by the CEO and approved by the Board. *Municipal Act s. 86 and s. 68.(1) (a) (b).*

### Policies

The Board shall formulate and periodically review the Library's Mission Statement and written policy statements which govern the operation and services of the Library. Such policies should include those dealing with personnel, public service, materials selection and financial authorities.

### Legislation

Should any of the provisions of the By-laws or policies of the Board be in conflict with the provisions of any legislation, the legislation shall take precedence.

## **3. Staff**

### **3.1. Chief Executive Officer**

The Board shall appoint a Chief Executive Officer. The Chief Executive Officer shall also be the Secretary and Treasurer of the Board. *Public Libraries Act, 1990, c.,P.44, s. 15 (2) (3) (4)(5). Richmond Hill Public Library Board, Motion 57:85*

The Chief Executive Officer shall have the general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings

and shall have the other powers and duties that the board assigns to him or her from time to time. *Public Libraries Act, 1990, c.P44, s. 15 (2)*.

The Chief Executive Officer is authorized to appoint an acting Chief Executive Officer, on a *pro tempore* basis.

### **3.2. Staff**

The Board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. *R.S.O. 1990, c.P.44, s.15 (1);1993, c.27 Sched.*

## **4. Meetings – Dates, Times and Notifications**

### **4.1. Regular Meetings**

A board shall hold at least seven regular meetings in each year. *2019, c.14, Sched. 12, s. 2. The Board shall normally adopt a schedule of regular meetings before the start of a calendar year.*

The Board shall recognize Canadian Statutory Holidays as the only prescribed non-Library Board meeting days. *Richmond Hill Public Library Board, Motion 05:15*

### **4.2. Special Meetings**

The Chair or any two members of the board may summon a special meeting of the board by giving each member reasonable notice in writing, specifying the purpose for which the meeting is called. *Public Libraries Act, 1990, c. P.44 s.16 (2)*.

#### **4.3. Time Limits for Meetings**

Public sessions of the Board shall be concluded by 10:00 p.m. with extension by the consent of a simple majority of Members present.

#### **4.4. Notification of Meetings**

The Board recording secretary, on behalf of the Chair shall give notice of each regular, and special meeting, to the members and to the Chief Executive Officer. The notice shall be accompanied by the agenda and any other matter to be brought before the meeting.

The Board recording secretary, on behalf of the Chair shall be responsible for the preparation of the agenda. Any member wishing to place an item on the agenda may do so by making a request to the Chair or Chief Executive Officer at least one week prior to the meeting.

Notice of a regular meeting with the agenda shall be delivered electronically to each member so as to be received one week before the meetings (as per Motion 23:64 September 21, 2023 meeting).

Notice of Special Meetings with the agenda shall be delivered electronically to each member at least two days before the meeting. Special meetings called to address an emergency or time sensitive matter shall be provided as soon as possible prior to the meeting.

Notice of meetings will be published on the Library's website.

Lack of receipt of the notice of a regular or special meeting shall not affect the validity of holding the meeting or any action taken thereafter so long as a quorum is obtained.

## **5. Meetings –Procedures**

### **5.1. Open Meetings**

Except as provided in this section, all meetings shall be open to the public. 2002, c. 17, Sched. C, s. 24 (5).

### **5.2. Closed Meetings**

A meeting or part of a meeting may be closed to the public if the subject matter being considered falls into one or more of the categories set out in Section 16.1 (4) of the PLA.

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Board or Committee of the Board as the head of the institution for the purposes of that Act. 2002, c. 17, Sched. s. 24 (5)

### **5.3. Quorum**

The presence of a majority of the Board is necessary for the transaction of business at a meeting. *Public Libraries Act, 1990, c.P.44, s. 16 (5)*.

Quorum includes both the physical and remote presence of a majority of the members of the Board.

If a quorum is not present twenty minutes after the time fixed for the meeting, the Secretary shall record the names of the members present and the Board shall remain adjourned until the next meeting.

Should remote access connections be lost during the meeting, continuance of the meeting shall be subject to quorum.

#### **5.4. Record of Attendance**

Attendance of members at meetings shall be noted and recorded by the recording secretary; minutes will reflect physical or remote presence.

Members unable to attend a meeting should notify the Secretary or Chair at least one day prior to the meeting.

One day notice is also required if attending remotely identifying acceptable reasons for inability to physically attend such as illness, business schedule conflict, family or other emergency; and to ensure technology enabling real time participation is in place.

Remote attendance will be limited to three times per year. The Board by majority vote may allow more than three based on its assessment of the special justifying circumstances or conditions.

If a member is absent from the meetings of the Board for three (3) consecutive months, without authorization by Board resolution, the remaining members shall declare the seat vacant and notify Council accordingly. *Public Libraries Act, 1990 s. 13 (c)*.

#### **5.5. Conflict of Interest**

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and

is present at a meeting of the Board at which the matter is the subject of consolidation, the member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such questions.

Where the Member is absent from a meeting, he/she shall disclose any conflict of interest at the next meeting he/she attends.

All declarations of interest shall be recorded by the Secretary in the Minutes of that meeting, and, if the meeting is not open to the public, in the Minutes of the next meeting that is open to the public. *Municipal Conflict of Interest Act, 1990, Chapter M.50*

## **5.6. Order of Business**

At all regular meetings of the Board, the order of business shall be as follows:

- a. Call to Order
- b. Land Acknowledgement
- c. Regrets
- d. Adoption of Agenda
- e. Declaration of Conflicts of Interest
- f. Delegations
- g. Approval of Consent Agenda Items

- h. Adoption of Minutes
- i. Presentations
- j. Staff Reports
- k. Closed Meeting (if required)
- l. New Business
- m. Date of Next Meeting
- n. Adjournment

The Board may suspend or vary the order of business outlined by a majority vote of the members present.

#### **5.7. Delegations**

Any person wishing to appear before the Board shall advise the Chief Executive Office or Chair one week before the meeting. The request to appear before the Board shall be in writing and shall state the nature of the matter to be presented and the name of the spokesperson. No delegation may speak on the matter for more than a total of five minutes, exclusive of the time required to answer questions posed by the Board, except that a group of persons may have more than one spokesperson provided that the total length of time is not more than ten minutes, exclusive of the time required to answer questions put to them by the Board.

#### **5.8. Minutes of Meetings**

Minutes of every Board meeting will be recorded by the Secretary. *Public Libraries Act, 1990 s. 15 (3) (b).*

Minutes of the Board meetings shall be reviewed at the next regular meeting of the Board for any errors or omissions.

Copies of Board Adopted minutes are accessible online.

Through a motion made while in regular session, the Board may declare that In-Camera minutes are not to become part of the public record. If such a motion is passed, the minutes, once approved, will be returned to the Board Secretary by each member for destruction.

Where minutes are to be excluded from the official minutes, the original minutes and approved minutes are separated from the regular Board minutes and kept in a locked cabinet within the CEO/Secretary-Treasurer's permanent files.

Neither staff nor the public is permitted to review them and they do not become part of the public record.

#### **5.9. Presiding Officer**

The Chair will preside at all Board Meetings, maintain order, decide whether motions are in order, and rule on all procedural matters.

If the Chair is not present at the time for the meeting to begin, the Vice-Chair will call the meeting to order and will preside for that meeting or until the Chair arrives.

If both the Chair and Vice-Chair are not present within fifteen minutes after the time for the meeting to begin, the Secretary will call the meeting to order and will preside for the election of an Acting Chair. While presiding, the Acting Chair will have all the Chair's rights duties and responsibilities.



## **5.10. Voting**

Each member present shall vote on every motion unless the member is disqualified to vote by reason of a conflict of interest or other statutory qualification. Notwithstanding the foregoing, where a member fails or refuses to vote on a motion, then such member shall be deemed to be voting in the negative.

Votes shall be taken by a show of hands and any member may request a recorded vote immediately prior to or immediately subsequent to the taking of the vote and the Secretary shall record each vote. *Municipal Act, 1990, chap. M45, s. 61. (1).*

The Chair, Vice-Chair or the Acting Chair of the Board may vote with the other members of the Board upon all questions, and any question on which there is an equality of votes, shall be deemed to be negative. *Public Libraries Act, 1990. c. P.44, s. 16 (6).*

## **5.11. Motions - General**

All decisions of the Board on any matter will be made on the basis of votes on motions. All motions must be moved and seconded before any debate or vote can occur.

One or more items on the agenda may be adopted in a single motion, as per the Consent Agenda, unless a specific Staff Report requires direction of the Board. The Secretary will note Consent Agenda in the minutes if the Board has adopted one or more items in a single motion.

Once moved and seconded, a motion is in the hands of the Board. The mover of a motion may withdraw the motion prior to any vote unless another member objects to the withdrawal.

## **5.12. Procedural Motions**

All procedural motions that have been moved and seconded will be voted on before any vote of a main motion. The following procedural motions and associated rules shall be observed:

### a) Motion to Amend

All motions can be amended. A proposed amendment must be closely related to the motion under consideration and cannot propose to do the opposite thing. Only one amendment shall be considered at any time.

### b) Motion to Refer

Any motion or matter on the agenda may be referred to a committee of the Board or Staff by means of a Motion to Refer. The motion must indicate the committee or Staff to whom the matter has been referred. The motion may provide direction on the time and date when matter is to be brought back for the Board's consideration.

A Motion to Refer can only be debated as to the advisability of referring the matter, or to the time and date as to when the matter is to be brought back to the Board.

### c) Motion to Defer

Any motion or matter on the agenda may be deferred to a future meeting of the Board by means of a Motion to Defer. The motion must provide

direction as to the time and date when matter is to be brought back for the Board's consideration.

A Motion to Defer can only be debated as to the advisability of deferring the matter, or to the time and date as to when the matter is to be brought back to the Board.

d) Motion to Adjourn

Any member may move to adjourn a meeting. If the motion to adjourn is seconded it shall be put to a vote. If the motion to adjourn is passed, any unfinished business shall be included on the next agenda.

**5.13. Speaking to a Motion**

A member may speak to any motion unless prevented by law such as having declared a conflict of interest. Before speaking a member shall be given the floor by the Chair. Members will generally only speak twice to a motion and for no more than 5 minutes each time. Unless authorized by the Chair, a member may only speak once to a procedural motion and generally for no more than 3 minutes.

**5.14. Improper Conduct**

The board chair may expel any person for improper conduct at a meeting. 2002, c. 17, Sched. C. s. 24 (5)

**5.15. Requests for Information**

All member requests for board business information to be emailed to the Board Chair and CEO. If approved the Board Chair and CEO will disseminate the information to all board members.

**5.16. By-laws and Policies**

Unless otherwise required by the Act or any applicable law or By-law, the Board may adopt or amend any By-law or Policy in a single motion at the same meeting at which the matter has been introduced.

**5.17. Robert’s Rules of Order**

Except as set out here-in, all meetings will be conducted in accordance with Robert's Rules of Order.

Update Date: April 18, 2024 – Motion #24:XX

Date of Last Revision: September 22, 2020 – Motion #20:49