



Staff Report for Council Meeting

Date of Meeting: June 22, 2022

Report Number: SRCFS.22.001

Department: Corporate and Financial Services

Division: Office of the Clerk

Subject: SRCFS.22.001 – Richmond Hill Public Library Board Composition

Purpose:

To recommend the adoption of a By-law to establish the revised composition of the Richmond Hill Public Library Board effective at the start of the 2022 Term of Council (November 15, 2022).

Recommendation(s):

- a) That staff report SRCFS.22.001 be received.
- b) That the Richmond Hill Public Library Board, beginning with the 2022 to 2026 Term of Council starting on November 15, 2022, be comprised of a total of nine (9) persons selected as follows:
 - (i) three (3) Members of Council; and
 - (ii) six (6) citizen members qualified for appointment under the *Public Libraries Act*, R.S.O. 1990, c.P.44, as amended, including persons who are permanent residents within the meaning of the *Immigration and Refugee Protection Act*.
- c) That the City Clerk be directed to place a By-law on a future Council agenda to formally establish the Richmond Hill Public Library Board revised composition starting on November 15, 2022.

Contact Person:

Stephen M.A. Huycke, Director, Legislative Services/City Clerk, extension 2529

Report Approval:

Submitted by: Sherry Adams, Commissioner of Corporate and Financial Services

Approved by: Darlene Joslin, Interim City Manager

Page 2

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Page 3

Background:

On April 22, 2020, Council considered Staff Report SRCM.20.02 – Richmond Hill Public Library Board Vacancy, and adopted a resolution that included the following clause:

“c) That staff report back on recommendations to update the City’s composition requirements for the Richmond Hill Public Library Board that are consistent with the *Public Libraries Act*, R.S.O. 1990, c.P.44, as amended.”

Current Board Composition Rules

Currently, the rules on the Richmond Hill Public Library Board (RHPLB) composition are as follows:

- No more than four (4) but not less than three (3) Members of Council shall be appointed to the Board
- Two (2) residents of Richmond Hill qualified under the *Public Libraries Act* (PLA); shall be appointed to the Board
- Two (2) residents of Richmond Hill qualified under the PLA and recommended by the public school board; shall be appointed to the Board
- Two (2) residents of Richmond Hill qualified under the PLA and recommended by the Catholic school board; shall be appointed to the Board
- That in the event that Council only appoints three (3) Members of Council, they shall appoint another resident qualified under the PLA.

This composition was established on January, 15, 2001, when Council adopted the recommendations in Staff Report SRCAO.01.05, and enacted Confirmatory By-law No. 22-01.

In August 2019, Council received confidential legal advice in respect to the Library Board composition and appointment rules under the PLA. The City Clerk has considered this advice in recommending the future composition of the Board beyond the current Term of Council.

Public Libraries Act - Requirements

Under the *Public Libraries Act*, R.S.O. 1990, c.P.44, as amended, (the “PLA”), Council is responsible for establishing the Richmond Hill Public Library Board (“RHPLB”) and appointing the Board members. Section 9 of the PLA requires that the RHPLB be comprised of at least five (5) members. Section 11 of the PLA says that the total Members of Council appointed to a Library Board must be one less than a majority of the Board.

Section 10 of the PLA says that a person is qualified to be appointed to a Library Board if they are:

- At least 18 years of age;

Page 4

- A Canadian Citizen or a permanent resident of Canada;
- A resident of the City of Richmond Hill; and
- Not employed by the library or by the municipality

In 2001, when Council approved the current RHPLB composition, the PLA required that a Library Board include two (2) representatives as recommended by the public school board, and one (1) representative as recommended by the Catholic school board. In 2001, the PLA also required that only Canadian Citizens be appointed to the Board. The currently enforce PLA no longer requires that there be board members recommended by the public or Catholic school boards. Additionally, the PLA now permits board members who are Permanent Residents within the meaning of the federal *Immigration and Refugee Protection Act*, not just Canadian Citizens

Consultation with the Current Library Board

Before making a recommendation to Council on the future composition of the RHPLB, staff consulted with the current Library Board. By letter dated July 30, 2021, the City Clerk formally engaged the current Library Board on the future composition of the RHPLB (Attachment “A”).

At its meeting on October 26, 2021, the Library Board provided feedback for Council’s consideration. A copy of the Board’s feedback is attached to this report as Attachment “B”. The Board recommends that the current size and composition of the Board, including the ratio of Members of Council and Citizen Members, be maintained. Additionally, the Board has provided the feedback that in appointing the Board, Council consider seeking the following for Board Members:

- Members with experience in the areas of fundraising, user experience or user technology, and marketing; and,
- Encourage applicants who represent the diversity of our City.

Other Municipal Library Boards

In addition to the current Library Board, the City Clerk consulted with other municipalities in York Region to understand their current Library Board compositions.

York Region Library Boards

Municipality	Total Size of Library Board	Number of Members of Council Appointed to the Board	Number of Citizens Appointed to the Board
Aurora	9	2	5
East Gwillimbury	10	1	9

Page 5

Georgina	9	1	8
King	7	3	4
Markham	12 to 15	3	9 to 12
Newmarket	7	3	4
Vaughan	18	4	14
Whitchurch-Stouffville	9	1 or 2	7 or 8

The average size of a Library Board in York Region is 10 members. The average number of Members of Council appointed to a Library Board is only 2, or 20% of the total average board size.

In addition to other York Region municipalities, the City Clerk consulted with other similar sized municipalities in Ontario to understand their current Library Board compositions.

Other Ontario Library Boards

Municipality	Total Size of Library Board	Number of Members of Council Appointed to the Board	Number of Citizens Appointed to the Board
Oakville	7 to 9	2	5 to 7
Oshawa	11	1	10
Guelph	11	1	10

In these other municipalities, the average size of a Library Board is 10 members. The average number of Members of Council appointed to these Library Boards is only 1, or 10% of the total average board size.

Recommended Board Composition Rules

Having considered the advice of the current Library Board, the composition of other municipal Library Board's, and previous confidential legal advice provided to Council in August 2019, it is recommended that the RHPLB be comprised of a total of nine (9) Members selected as follows:

- Three (3) Members of Council; and
- The remaining six (6) members be Citizen Members qualified under the PLA, including residents who are Permanent Residents within the meaning of the federal *Immigration and Refugee Protection Act*.

Page 6

This recommendation will not result in any significant changes to the current composition of the Board, while also ensuring certainty on the ratio of Members of Council and Citizen Members. By establishing a 3:6 ratio, future Council's will have options to ensure that the Board represents the diversity of the community, as well as the choice to appoint one Citizen Member from each Ward.

If this recommendation is adopted, the composition of the RHPBL will be approximately 33% Members of Council and 66% residents. This is consistent with the practice over the last several terms of Council, and only slightly above the average ratio of Members of Council to residents as seen in other Library Boards.

In addition to this, by aligning the Board composition with the current PLA rules permitting Permanent Residents to serve, Council will have the ability to ensure that the Board is more representative of all residents of the City.

Financial/Staffing/Other Implications:

There are no financial implications related to the composition of the Richmond Hill Public Library Board.

Relationship to Council's Strategic Priorities 2020-2022:

The composition of the Richmond Hill Public Library Board is related to the Council Strategic Priority of *Strong Sense of Belonging*.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report

Conclusion:

Council directed staff report back on recommendations to update the City's composition requirements for the Richmond Hill Public Library Board that are consistent with the *Public Libraries Act*. Staff recommend that the composition of the Board beginning with the 2022 to 2026 term of Council, be a total of nine (9) Members selected as follows:

- Three (3) Members of Council; and
- Six (6) Citizen Members who are qualified under the PLA, including permanent residents.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment A – City Clerk's Letter to the Library Board dated July 30, 2021
- Attachment B – Library Board Resolution from October 26, 2021 meeting

Page 7

Report Approval Details

Document Title:	SRCFS.22.001 - Richmond Hill Public Library Board Composition.docx
Attachments:	- SRCFS.22.001 - Attachment A - Clerks Letter to Library Board_July 30 2021.docx - SRCFS.22.001 - Attachment B - Letter from Library Board.pdf
Final Approval Date:	May 17, 2022

This report and all of its attachments were approved and signed as outlined below:

Sherry Adams - May 16, 2022 - 3:44 PM

Darlene Joslin - May 17, 2022 - 1:17 PM