

MARKHAM PUBLIC LIBRARY BOARD

Regular Meeting

Minutes of meeting held on Monday, December 14, 2015, Markham Village Library, Program Room, 6031 Highway 7 East, Markham, L3P 3A7

Present from Board: Mr. Alfred Kam, Chair
Mrs. Marilyn Aspevig, Vice-Chair
Regional Councillor Joe Li (up to 7.1)
Ms. Jennifer Yip
Mrs. Jeanette Lewis
Dr. Farzana Jiwani
Mrs. Yemisi Dina
Mrs. Pearl Mantell (up to end of 7.1)
Mr. Ben Hendriks
Mr. Alick Siu
Councillor Alan Ho
Mr. Atif Ahmad

Present from Staff: Mrs. Catherine Biss, CEO & Secretary-Treasurer
Mr. Larry Pogue, Director, Administration
Ms. Deborah Walker, Director, Strategy & Innovation
Mrs. Diane Macklin, Manager, Marketing & Community Development
Mr. Chris Sheehy, Manager, Facilities & Workplace Safety
Mr. Patrick Pan, Manager, Cornell Library
Mr. David Zambrano, Manager, Library Programs
Mrs. Susan Price, Board Secretary

Regrets: Deputy Mayor Jack Heath
Mrs. Claire Chester
Ms. Isa Lee
Mrs. Lillian Tolensky

1.0 **Call to Order/Approval of Agenda**

Mr. Alfred Kam, Chair, called the meeting to order at 7:04 p.m.

Moved by Ms. Jennifer Yip
Seconded by Mr. Ben Hendriks

Resolved that the agenda be approved.

Carried.

1.1 **Declaration of Conflict of Interest**

None.

1.2 **Delegation: Report on Markham Public Library's Food and Drink Policy**

Regional Councillor Joe Li commented that he had been to a branch that allowed food and found it to be messy. Another Board member concurred.

AGENDA 2.2

There was a lot of discussion and agreement that as much as the branches could monitor within the branch, there would be no control over books and materials that came back from individual homes. Additionally, enforcing the policy could be difficult with low staffing levels and might take away from staff's ability to provide other services to the public.

The CEO suggested that they should proceed with the pilot and report back to the Board at May's meeting.

Moved by Mrs. Marilyn Aspevig
Seconded by Mr. Atif Ahmad

Resolved that the report entitled "Markham Public Library's Food & Drink Policy" be received.

And that the Board approves a pilot implementation of Policy Option 3 (Food Free Children's Area) at Cornell Library in order to evaluate its impact on customer satisfaction, staff workload and enforceability in general.

Carried.

1.3 **Chair's Remarks**

Mr. Alfred Kam commented on the procedures for delegations to the Board. No opinions should be offered during a presentation. The Board should ask questions for clarification only. The Board prepares and agrees on a response and then speaks with one voice.

The Chair led a discussion concerning inviting Councillors to Board meetings in their ward. It was decided to continue with the practice that was intended to improve communications between Council and the Library Board. Councillor Ho was not certain of the value of having non-member Councillors present and Regional Councillor Li reminded Board members that it should not be an opportunity to criticize a Council member. The Board agreed that dialogue should be positive and the focus should be on improving Council's awareness of the Board's structure and governance. The Board agreed to continue the practice and when an e-mail invitation is issued to a Councillor the Board will be copied. The Board members will also be advised if a Councillor accepts or declines to attend.

2.0 **Consent Agenda**

Moved by Mrs. Jeanette Lewis
Seconded by Mr. Ben Hendriks

Resolved that the Consent Agenda comprising Agenda items 2.0 to 2.3.2 and the same are hereby approved as written with the exception of the November 23, 2015 minutes which will be revised and presented at the January meeting for the Board's approval. The CEO of the Library is hereby authorized and directed to take such action that may be necessary to give effect to the recommendations as therein contained:

2.0 CONSENT AGENDA:

- 2.1 Minutes of Regular Meeting, November 23, 2015**
- 2.2 Declaration of Due Diligence by the CEO**

AGENDA 2.2

2.3 Communication and Correspondence:

2.3.1 Markham 2015 China Trade Mission: MPL's Manager, Virtual Services Suliang Feng Attendee

2.3.2 Five reasons to Organise a TEDx Event at Your Library

Carried.

3.0 CEO's Highlights, December 2015

Moved by Mrs. Pearl Mantell

Seconded by Ms. Jennifer Yip

Resolved that the report entitled "CEO's Highlights, December 2015" be received.

Carried.

The Chair asked if there were any questions or comments. The CEO advised that the budget should be approved December 15, 2015. The southeast library is progressing and will be a beautiful facility when completed in late 2016.

4.0 Annual Monthly Policy Review

(To be undertaken at the January meeting)

The CEO advised the Board that it was decided in June 2013 that the review of policies would take place once a year in January. The Board was asked to review the policies and bring forward any suggestions for change at the January 2016 meeting.

Moved by Mr. Ben Hendriks

Seconded by Dr. Farzana Jiwani

Resolved that all the policies under the Governance Process and Board-CEO Linkage sections of the Governance Policies be reviewed and that proposed amendments be presented to the Board at its regular meeting in January 2016 if required.

Carried.

5.0 Internal Monitoring Reports:

(Compliance list of internal monitoring reports and discussion led by members.)

5.1 Executive Limitation: EL-2f Protection of Services (Assigned to Mrs. Pearl Mantell)

Mrs. Mantell reported that she canvassed the Board and received no questions or concerns. There was a brief closure of Thornhill Community Library in July 2015 due to a sewage backup and it was quickly remedied.

The report confirmed that the CEO and MPL's practices relative to MPL's Protection of Services are in compliance with the requirements of EL-1 policy.

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Moved by Mrs. Pearl Mantell
Seconded by Mr. Alick Siu

Resolved that the report entitled “Internal Monitoring Report – Executive Limitation EL-2f, Protection of Services” be received.

Carried.

6.0 **Ends**

6.1 **Quarterly Ends Report**

Staff explained that the Quarterly Ends Report covered the months September, October and November.

Ms. Macklin introduced Mr. David Zambrano who has been hired as Manager, Library Programs.

There were no questions.

Moved by Mrs. Pearl Mantell
Seconded by Mrs. Marilyn Aspevig

Resolved that the “Quarterly Ends Report” be received for information.

Carried.

7.0 **Governance**

7.1 **Board Discussion: Roles and Responsibilities of Library and City Staff and Library Board and Council**

Presentation by the CEO on Roles and Responsibilities of Library Board and Council.

The CEO explained that the Board is governed by the Public Libraries Act (PLA). The Board is established by the Municipality and the Public Library is governed by the Library Board who in turn appoints a CEO to manage operations of the Library and Staff.

Powers and Duties of the Board (PLA 20):

The CEO explained some of the powers and duties of the Board such as Authority for Financial Decisions (PLA 24) as long as they are in accordance with its annual estimates as approved by Council.

Council Authority to Appoint Library Board Members:

Council has authority to appoint members of the Library Board which is composed of at least 5 members (PLA 9(1)). The number of Council members is one less than a majority of the Board.

Municipal Act (MA)

A public library board is also a local board of the municipality that established it. Under the MA the public library is not an agent of the municipality; it is a separate and distinct legal entity and the MA expressly prohibits a municipality from dissolving or changing a public Library board.

The general powers of a municipality to enact by-laws applying to local boards do not include a public library board (MA 10(6)(e)).

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The municipality has some oversight and control over the public library board; however it is limited to: establishing a public library, appointing the members of the board, approving or not approving the board's estimates, appointing an auditor and auditing the board.

Administrative Service Agreements between the Library and the City

The library has two service agreements with the City: Information Technology and Financial Services.

While service agreements are common practice, where such administrative financial agreements exist, directions regarding the disbursement of library funds remain the prerogative of the library board.

After much discussion the consensus of the MPL Board was that the Board needs to assume leadership in their advocacy role on behalf of the Library. The Board needs to engage with Council and establish relationships within the framework early on. Councillor Ho advised that both parties need to seek common ground on the value of the library.

The Chair acknowledged that the Board will need to discuss and plan a strategy for its Roles and Responsibilities presentation to Council.

Moved by Mr. Alick Siu
Seconded by Mr. Atif Ahmad

Resolved that the report “Board Discussion on Roles, Responsibilities and Authorities of the Library Board and Council” be received.

Carried.

7.2 **2016 Library Capital Budget Request-Report**

Moved by Mrs. Yemisi Dina
Seconded by Mr. Ben Hendriks

Resolved that the Board receives the report entitled “2016 Library Capital Budget Request-Report”;

And that the Board endorses and approves the ITS-Library 2016 capital Budget Request in the amount of \$38,200.00;

And that the Board endorses and approves the Library’s 2016 capital Budget Request in the amount of \$2,314,300.00;

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried.

The CEO explained how the figures were arrived at.
The Southeast budget will not be established until later in the year.

7.3 **2016 Library Operating Budget Request-Report**

Moved by Ms. Jennifer Yip
Seconded by Mrs. Marilyn Aspevig

Resolved that the Board receives the report entitled “2016 Library Operating Budget Request-Report”;

AGENDA 2.2

And that the Board endorses and approves the Library's 2016 Operating Budget Request consisting of Library Income of \$1,089.219 and Expenditures of \$13,339,317.00 (including Personnel Ramp-ups);

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried.

There was a question about union negotiations to be held in 2016 and if they would affect the Library's operating budget. The CEO explained that the city allocates funds according to the agreement.

8.0 Ownership Linkage

9.0 Board Advocacy

Please note that Study Hall was scheduled to begin at 9:00 p.m. in the Program Room and given that Staff had to set up the room the following recommendation was made.

Moved by Mr. Alick Siu
Seconded by Mrs. Marilyn Aspevig

Resolved that due to the Study Hall scheduled to begin at 9:00 p.m. the following Agenda items be deferred to the January 25, 2016 Board Meeting:

Agenda Item 10.2; Board Statistical Report, Agenda Item 10.2; Opportunities in Library Programming and Partnerships, 11.1; Annual Celebration Update and 13.1; Questionnaire Results.

Carried.

10.0 Education:

10.1 Board Statistical Report (Deferred)

10.2 Opportunities in Library Programming & Partnerships (Deferred)

11.0 Incidental Information

11.1 Annual Library Celebration – Update (Deferred)

11.2 2016 Board Meeting and Agenda Planning Dates

Moved by Mr. Ben Hendriks
Seconded by Mrs. Yemisi Dina

Resolved that the schedule of the 2016 Board meeting and agenda planning dates be received.

Carried.

12.0 New Business

None.

AGENDA 2.2

13.0 Board Evaluation

13.1 Simplified Questionnaire: Performance of Individual Board Members (Deferred)

14.0 In camera

None.

15.0 Adjournment

Moved by Ms. Jennifer Yip and seconded by Mr. Alick Siu that the meeting be adjourned at 8:56 p.m.