PROCEDURAL BY-LAW

GUIDE FOR BOARD MEMBERS

April 25, 2016

TORONTO PUBLIC LIBRARY

INTRODUCTION

- Summary of changes to the Procedural By-law
- Review of motions
- Communications outside of meetings

ROLE OF THE LIBRARY BOARD

To create a comprehensive and efficient public library service that reflects the community's unique needs

Public Libraries Act

SUMMARY OF CHANGES

PRINCIPLES (s. 1)

Members have the right

- to **decide;**
- to **be heard**;
- to **information** to help make decisions**,**
- to an **efficient meeting;**
- to be **treated with respect and courtesy;** and have
- **equal rights, privileges and obligations**

AGENDA DEADLINES

To support good governance and transparency:

- Agenda Deadline - Seven business days before a regular scheduled meeting (s.2(c))
- Agenda Distribution - Five business days before a regular scheduled meeting (s. 2(d))

CONFLICTS OF INTEREST

- The Chair will ask if any Members have a conflict of interest:
  - Members are subject to the Municipal Conflict of Interest Act (s.17)
  - The Board Code of Conduct

CONSENT AGENDA

- Supports an efficient meeting
- Facilitates passing a number of items with one single motion without discussion
- The Chair proposes a number of items to include on the Consent Agenda.
- Any Member may request an item held and moved to the regular agenda

PUBLIC PRESENTATIONS (s. 29)

- On matters on the agenda
  - Request to the Secretary, in writing by 12:00 p.m. on the business day prior to the Board meeting.
- On matters not on the agenda, but within the Board's jurisdiction
  - Needs approval of the Chair
  - May be referred to a future meeting or to the City Librarian or staff for action

MOTIONS

MOTIONS

- All Matters are decided by the Board using Motions (s. 23(a))
- Motions are statements proposing a course of action for the organization or to express an opinion of the Board
- The Chair must also consider the Motion “in order” or acceptable under the Procedural By-Law, including if there has been adequate notice of the motion

MAIN MOTIONS (s. 24(a))

- Main Motions are "**substantive proposals** for consideration and decision" they "originate business, direct, authorize, adopt, approve, confirm or reject actions."
- Members can propose motions for inclusion on the agenda;
  - after the agenda deadline Chair and Secretary must agree that the motion refers to **an urgent matter and 2/3 of members present at the meeting** must agree to its introduction at that meeting
  - To introduce a motion during a meeting **it must be a urgent matter and 2/3 of all Board members (8) must** agree to its introduction at that meeting

Motions(s. 24)

- A main motion may be
  - Amended
  - Referred
  - Deferred
  - Divided
  - Withdrawn

AMENDMENTS (s. 24(b))

- All Main Motions may be amended
- Amendments can also be amended
- Amendments must refer to the same question as the motion

AMENDMENTS

Board report recommended naming **the North York Central Library the Drake Branch**

Proposed Amendments

- Name the North York Central Library the Aubrey Drake Graham Branch to honor his full name
- Name the North York Central Library the Nelly Furtado Invest $1 million in the renovations of the North York Central
- Place a statue of Drake in the lobby Invite Drake to the opening of the renamed and reopened North York Central Branch

AMENDMENTS

Sample procedural ruling:

- Board report recommended naming the North York Central Library the Drake Branch
- Amendments
  - Name the North York Central Library the Aubrey Drake Graham Branch to honor his full name (**germane same question as the main motion**)
  - Name the North York Central Library the Nelly Furtado Branch (**different question not germane**)
  - Invest $1 million in the renovations of the North York Central Library (**different question not germane**)
  - Place a statue of Drake in the lobby (**different question**)
  - Invite Drake to the opening of the renamed and reopened North York Central Branch **(germane**)

Voting Order

Example:

3. Main motion as amended

Name the North York Central Library the Aubrey Drake Graham Branch and invite Drake to the opening

Vote on amendments in reverse order presented

2. **Amendment**: Name the North York Central Library the Aubrey Drake Graham Branch to honor his full name (Approved)

1. **Amendment**: Invite Drake to the opening of the renamed and reopened North York Central Branch (Approved)

COMMUNICATIONS OUTSIDE OF MEETINGS

COMMUNICATIONS OUTSIDE OF REGULAR BOARD AND COMMITTEE MEETINGS

- Meetings must be open to the public
- Board Members are free to gather and communicate with each other outside of Board and Committee meetings
- However Members **cannot advance the decision-making of the Board outside of meetings**

COMMUNICATIONS OUTSIDE OF REGULAR BOARD AND COMMITTEE MEETINGS -

Communication with Board members and staff contacts may occur outside meetings to support informed decision making at Board meetings in keeping with the Board's mandate

COMMUNICATIONS WITH CITY LIBRARIAN BEFORE AND AFTER MEETINGS

- Members may speak to the City Librarian or Directors to:
  - Request information
  - Discuss potential motions or to seek assistance with drafting motions

GATHERINGS OUTSIDE OF REGULAR BOARD AND COMMITTEE MEETINGS

- Orientation, training sessions, and social gatherings, are permitted
    - The content and nature of the communication or discussion, not the forum or the venue, *determines whether the business or decision-making of the Board is being advanced*