

APPLEGROVE COMMUNITY COMPLEX

60 Woodfield Road, Toronto, Ontario M4L 2W6

Tel: 416-461-8143 www.applegrovecc.ca

“TOGETHER, BUILDING OUR COMMUNITY”

Board of Directors Special Meeting

April 30, 2020

This meeting is open to the public and will take place using WebEx. Meeting details are provided below. Members of the public who wish to observe or speak at the meeting are asked to contact Susanne Burkhardt, Executive Director at sburkhardt@applegrovecc.ca for the meeting password.

Meeting number (access code): 626 504 846

To join by videoconference:

<https://meetingsamer11.webex.com/webappng/sites/meetingsamer11/meeting/download/1a755cc73b3d45969655de7bc140ab4a?siteurl=meetingsamer11&MTID=ma6fb75c4f6b44223ba0f679a834dff47>

To join by phone: 416-216-5643

AGENDA

4:00

1. Call to Order/Adoption of Agenda
2. Declaration of Conflicts of Interest

4:05

3. Procedural bylaw amendment to allow remote participation in Board meetings

4:10

4. Adjournment

REPORT FOR ACTION

Enabling Remote Electronic Participation in Applegrove Community Complex Board of Directors Meetings During an Emergency

Date: April 30, 2020

To: Board of Directors of Applegrove Community Complex

From: Executive Director, Applegrove Community Complex

Wards: Ward 14, Toronto-Danforth

SUMMARY

The purpose of this report is to recommend amendments to the procedural by-law for the Board of Directors of Applegrove Community Complex to allow electronic participation by members of the Board in meetings held during an emergency declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

RECOMMENDATIONS

The Executive Director, Applegrove Community Complex recommends that the Board of Directors of Applegrove Community Complex:

1. Amend the Procedural By-law for the Board of Directors of Applegrove Community Complex and adopt the draft bill in Attachment 1 to provide that during an emergency declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- a. a member of the Board may participate in a meeting of the Board or any committee of the Board by electronic means and will be counted in determining whether or not a quorum of members is present at any point in time;
- b. a member of the Board may participate electronically in a meeting of the Board or any committee of the Board that is closed to the public.; and
- c. the Procedural By-law will apply with any other minor modifications as may be required to facilitate meetings in accordance with a. and b. above.

2. Request City Council to approve the Board-approved amendments to the Procedural By-law for the Board of Directors of Applegrove Community Complex.
3. Request the Executive Director, Applegrove Community Complex, to present to the Board of Directors for information the amended Procedural By-law for the Board of Directors of Applegrove Community Complex once approved by City Council.

FINANCIAL IMPACT

The City Manager's Office will work with the Executive Director, Applegrove Community Complex, to identify any financial impacts in excess of what has been approved in the 2020 budget.

DECISION HISTORY

At its meeting on September 25, 26 and 27, 2006, City Council adopted Clause 17, Report No. 7 of the Policy and Finance Committee, and in so doing, approved the Relationship Framework for the Association of Community Centre Boards of Management, including the requirement that each of the Boards pass a procedure by-law.

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060925/pof7rpt/cl017.pdf>

At its meeting on April 18, 2007, the Board adopted the Procedural By-law for the Board of Directors of Applegrove Community Complex.

At its meeting on April 12 and 13, 2011, City Council adopted 2011.EX4.6, and in so doing, directed that City Council approve the board by-laws of all agencies that regulate the internal conduct of the business and affairs of the agency, including the Procedural By-law for the Board of Directors of Applegrove Community Complex.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX4.6>

COMMENTS

COVID-19 measures in the City of Toronto limit public gatherings

On March 17, 2020, the Premier of Ontario declared a state of emergency under section 7.0.1(1) of the *Emergency Management and Civil Protection Act* in response to the novel coronavirus (COVID-19) and prohibited organized public events in excess of 50 people. As of March 28, 2020, the Government of Ontario has further restricted organized public events to no more than five people.

On March 23, 2020, an emergency was declared by the Mayor of the City of Toronto under section 4 of the *Emergency Management and Civil Protection Act*, and section

59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management, due to the risk to the health of the residents of the City of Toronto arising from spread of COVID-19 and its presence within the City of Toronto.

As part of the City of Toronto's COVID-19 measures, the City closed all City buildings, including Applegrove Community Complex, to the public.

Toronto's Medical Officer of Health is recommending physical distancing as a way to minimize COVID-19 transmission in the community. Physical distancing measures include:

- keeping 2 metres (6 feet) apart from others
- avoiding mass gatherings
- avoiding crowds.

These limitations on the assembly of people and the strong recommendations from health professionals and all orders of government that residents stay home and only go out for essential needs, present a challenge to holding legislative meetings in accordance with current procedures.

Conducting Board meetings using electronic participation during a provincial or municipal emergency

On March 19, 2020 the Province passed the Municipal Emergency Act, 2020 (the "Act"), amending the *City of Toronto Act, 2006* to allow for remote participation in municipal council and local board meetings during a declared provincial and/or municipal emergency. The Act is available online at <https://www.ontario.ca/laws/statute/S20004>.

The Act permits City Council, its local boards and committees of both to adopt procedural by-law amendments allowing Members to participate in open and closed meetings electronically and to be counted for quorum when doing so, during declared emergencies.

The Act also allows a local board to call and hold a special meeting in which electronic participation may be counted to determine quorum, for the purpose of amending its procedural by-law to incorporate the new electronic meeting rules during declared emergencies. Under the circumstances, there will be no requirement for boards to seek Council's approval for these amendments in advance. However, all such amendments should be approved by Council at the earliest opportunity.

Nothing in the Act changes the requirement for meetings to be open to the public including:

- Duty to give notice of meetings
- Requirement to meet in public
- Requirement to provide for public participation
- Limitations on closed sessions
- Requirement to start and end meetings in public
- Requirement to pass a motion stating the nature of the matter and the statutory exemption relied upon before closing a meeting to the public
- Prohibition on voting in closed session
- Prohibition on secret balloting.

In order to reduce the demands on staff resources, Members' time, and limited technology during a declared emergency, the City Manager's Office strongly recommends that Boards keep business to urgent or emergency-related matters only.

While the Board may need to attend to pressing business during the COVID-19 pandemic, the Board must also be mindful of the health and safety of its members, staff and members of the public and must comply with Provincial orders. The recommendations in this report, if approved, would amend the Board of Directors's procedural by-law to permit the Board to proceed with a meeting where Board members can participate electronically during a declared emergency in accordance with the Act. To ensure that Board meetings remain open to the public and in accordance with the requirements described above, however, the following describes the steps the Board is taking to ensure transparency and openness while respecting the recommendations and orders of health experts and authorities during the COVID-19 pandemic.

Proposed operations for electronic meetings

Enabling Remote Electronic Participation during Meetings

Members of the Board, Applegrove Community Complex staff, and registered public speakers will use WebEx conference technology as the means of electronic participation. In order to ensure that meetings of the Board continue to be open to the public, the notice of meeting and agenda will include information on how members of the public can call in to listen/watch the meeting and the name and contact information for a staff person to contact should a member of the public wish to speak to or submit comments related to an item on the agenda.

At the beginning of the meeting, the Chair will call the roll to confirm that quorum is present and identify all Members present.

During the meeting, the Chair will ask each Member if they wish to ask questions of staff or wish to speak, in an order of the Chair's choosing, so long as each Member has had an opportunity to question or speak before a second round begins.

Members of the public who register to speak will be given a separate call-in number to join WebEx. If any members of the public have registered to speak, the Chair will introduce the speaker, and they will have the usual time to address the Board, after which there may be questions by Board members.

Board Members and Applegrove Community Complex staff will be requested to state their name prior to speaking, for the benefit of all meeting participants and observers.

Members are requested to read any motions aloud when placing them. The Chair will repeat each motion and any staff recommendations prior to taking a vote. This will ensure that there is transparency at Board meetings and on decisions the Board is making.

Every vote taken will be a recorded vote.

If the meeting needs to resolve into closed session, Members and staff are responsible for ensuring that no other persons see or hear any of the confidential deliberations taking place. The Chair will ensure the removal of any registered public speakers from the WebEx call during the closed session. Ensuring the confidentiality of a closed session may result in brief delays in the meeting.

If a Member's connection to the meeting becomes disconnected, staff may recommend to the Chair that a brief recess be taken to re-establish connection. If quorum is lost as a result of disconnections, the meeting will be in recess until staff can confirm that a quorum has been regained. If a quorum cannot be regained after all reasonable efforts have been made, staff will advise Members of the time that the meeting was adjourned and any remaining business will be carried over to a future meeting.

As the special meeting on April 30, 2020 will be the first time that a Board of Directors meeting is held using remote electronic participation in accordance with the Act, the Board may refine and propose alternate options for meeting operations which can be implemented at future meetings that are held during a declared emergency.

CONTACT

SIGNATURE

Susanne Burkhardt
Executive Director

ATTACHMENTS

Attachment 1 - Draft bill to amend the Procedural By-law for the Board of Directors of Applegrove Community Complex to enable remote electronic participation in board meetings during an emergency

Authority: Board of Directors of Applegrove Community Complex Item 3, adopted on April 30, 2020.

**BOARD OF DIRECTORS OF APPLEROVE COMMUNITY COMPLEX
BY-LAW 2020**

To amend the Applegrove Community Complex Procedural By-law to enable remote electronic participation in board meetings during an emergency.

WHEREAS the Board of Directors for Applegrove Community Complex (the "Board") is a board and local board of the City of Toronto continued under the authority of section 141 of the *City of Toronto Act, 2006* ("COTA"), former City of Toronto Municipal Code Chapter 25, Community and Recreation Centres and former City of Toronto by-law No. 121-83; and

WHEREAS subsection 189(2) of COTA requires that the Board pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Board adopted its Procedural By-law for the Board of Directors of Applegrove Community Complex on April 18, 2007, and amended it in November, 2014 and June, 2017, to govern the calling, place and proceedings of the Board's meetings; and

WHEREAS section 190 of COTA requires that meetings of the Board will be open to the public unless an exception under subsection 190(2), (3) or (3.1) applies; and

WHEREAS subsection 189(4) of COTA states that a procedure by-law of a local board may provide that a board member can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time; and

WHEREAS subsection 189(4.1) of COTA states that a procedure by-law of a local board shall not provide that a member of the local board can participate electronically in a meeting which is closed to the public; and

WHEREAS on March 19, 2020, Bill 187, *Municipal Emergency Act, 2020* ("Bill 187"), was enacted by the Legislative Assembly of Ontario and received Royal Assent; and

WHEREAS Bill 187 amended COTA to state that, where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* (the "Act"), a procedure by-law of a local board may provide that (a) despite subsection 189(4), a member of a local board who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and (b) despite subsection 189(4.1), a member of a local board can participate electronically in a meeting that is closed to the public; and

WHEREAS Bill 187 further amended COTA to state that a local board may hold a special meeting to amend its procedure by-law for the purposes of permitting electronic participation in meetings as described above during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the Act, and despite subsection 189(4), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting; and

WHEREAS COVID-19 is present within the City of Toronto, and COVID-19 is a disease that is readily communicable from person to person, carries a risk of serious complications such as pneumonia or kidney failure, and may result in death; and

WHEREAS the spread of COVID-19 has been declared a pandemic by the World Health Organization; and

WHEREAS, on March 17, 2020, an emergency was declared, by means of Order in Council 518/2020 for purposes of section 7.0.1 of the Act, due to the health risks to Ontario residents arising from COVID-19; and

WHEREAS, on March 23, 2020 an emergency was declared by the Mayor of the City of Toronto for purposes of section 4 of the Act and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management, due to the risk to the health of the residents of the City of Toronto arising from spread of COVID-19 and its presence within the City of Toronto; and

WHEREAS on March 28, 2020, an Order was made by the Lieutenant Governor in Council under Subsection 7.0.2 (4) of the Act – Organized Public Events, Certain Gatherings, O. Reg 52/20, prohibiting attendance at any organized public event of more than five people;

WHEREAS the Board wishes to hold its meetings electronically to comply with Ontario Regulation 52/2020 and to minimize risk to its board members and the public in accordance with advice from the City of Toronto's Medical Officer of Health, who has recommended physical distancing measures to prevent the spread of COVID-19, including maintaining a distance of at least two metres from other individuals who are not members of the same household; and

WHEREAS the Applegrove Community Complex facilities are currently closed to the public; and

WHEREAS the Board continues to ensure its meetings are open to the public in accordance with section 190 of COTA through the provision of notice to the public via an announcement and meeting agenda posted on Applegrove's website at www.applegrovecc.ca and use of the WebEx online platform through which members of the public can participate by telephone or online videoconferencing; and

WHEREAS the Board has authorized changes to the Procedural By-law for the Board of Directors of Applegrove Community Complex to enable remote electronic participation in Board meetings in accordance with the provisions of Bill 187;

The Board of Directors of Applegrove Community Complex enacts:

1. The Procedural By-law for the Board of Directors of Applegrove Community Complex is amended as follows:
 - A. A new section 2.10 is added as follows:
 - 2.10. During any period where an emergency has been declared to exist in all or

part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- i) The Board may, despite section 2.1, hold a meeting where some or all of the Board members participate electronically and no physical meeting is held at the premises of Applegrove.
- ii) Where a meeting is being held in accordance with subsection i):
 - a) notice of that Board meeting will not be posted at Applegrove, but, despite section 2.5, will be posted on Applegrove's website at www.applegrovecc.ca;
 - b) any Board member participating in the meeting electronically will be deemed present for the purposes of quorum and, despite section 4.1, will have the right to vote on any business before the Board;
 - c) any Board member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public in accordance with section 2.6; and
 - d) this By-law will apply to the meeting, with any other minor modifications as may be required.

B. A new section 7.4 is added as follows:

7.4. During any period where an emergency has been declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- i) A Committee of the Board may, despite subsection 7.3 ii) a), hold a meeting where some or all of the members of the committee participate electronically and no physical meeting is held at the premises of Applegrove.
- ii) Where a meeting is being held in accordance with subsection i):
 - a) notice of that committee meeting will not be posted at Applegrove, but will be posted on Applegrove's website at www.applegrovecc.ca;
 - b) any committee member participating in the meeting electronically will be deemed present and will have the right to vote on any business before the Committee, in accordance with subsection 7.3 iii);

- c) any committee member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public; and
- d) this By-law will apply to the meeting, with any other minor modifications as may be required.

2. This by-law will come into force on the date it is enacted and passed.

Enacted and passed on April 30, 2020.

Chair

April 30, 2020

Proposed Board of Directors Motion to amend procedural bylaw:

1. Amend the Procedural By-law for the Board of Directors of Applegrove Community Complex and adopt the draft bill in Attachment 1 of the report to provide that during an emergency declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- a. a member of the Board may participate in a meeting of the Board or any committee of the Board by electronic means and will be counted in determining whether or not a quorum of members is present at any point in time;
- b. a member of the Board may participate electronically in a meeting of the Board or any committee of the Board that is closed to the public.; and
- c. the Procedural By-law will apply with any other minor modifications as may be required to facilitate meetings in accordance with a. and b. above.

2. Request City Council to approve the Board-approved amendments to the Procedural By-law for the Board of Directors of Applegrove Community Complex.

3. Request the Executive Director, Applegrove Community Complex, to present to the Board of Directors for information the amended Procedural By-law for the Board of Directors of Applegrove Community Complex once approved by City Council.

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Board of Management Special Meeting

April 30, 2020

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To join by phone: 416-216-5643

AGENDA

4:10

1. Call to Order/Adoption of Agenda
2. Declaration of Conflicts of Interest

4:15

3. Procedural bylaw amendment to allow remote participation in Board meetings

4:20

4. Adjournment

REPORT FOR ACTION

Enabling Remote Electronic Participation in Applegrove Community Complex Board of Management Meetings During an Emergency

Date: April 30, 2020

To: Board of Management of Applegrove Community Complex

From: Executive Director, Applegrove Community Complex

Wards: Ward 14, Toronto-Danforth

SUMMARY

The purpose of this report is to recommend amendments to the procedural by-law for the Board of Management of Applegrove Community Complex to allow electronic participation by members of the Board in meetings held during an emergency declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

RECOMMENDATIONS

The Executive Director, Applegrove Community Complex recommends that the Board of Management of Applegrove Community Complex:

1. Amend the Procedural By-law for the Board of Management of Applegrove Community Complex and adopt the draft bill in Attachment 1 to provide that during an emergency declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- a. a member of the Board may participate in a meeting of the Board or any committee of the Board by electronic means and will be counted in determining whether or not a quorum of members is present at any point in time;
- b. a member of the Board may participate electronically in a meeting of the Board or any committee of the Board that is closed to the public.; and
- c. the Procedural By-law will apply with any other minor modifications as may be required to facilitate meetings in accordance with a. and b. above.

2. Request City Council to approve the Board-approved amendments to the Procedural By-law for the Board of Management of Applegrove Community Complex.
3. Request the Executive Director, Applegrove Community Complex, to present to the Board of Management for information the amended Procedural By-law for the Board of Management of Applegrove Community Complex once approved by City Council.

FINANCIAL IMPACT

The City Manager's Office will work with the Executive Director, Applegrove Community Complex, to identify any financial impacts in excess of what has been approved in the 2020 budget.

DECISION HISTORY

At its meeting on September 25, 26 and 27, 2006, City Council adopted Clause 17, Report No. 7 of the Policy and Finance Committee, and in so doing, approved the Relationship Framework for the Association of Community Centre Boards of Management, including the requirement that each of the Boards pass a procedure by-law.

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COMMENTS

COVID-19 measures in the City of Toronto limit public gatherings

On March 17, 2020, the Premier of Ontario declared a state of emergency under section 7.0.1(1) of the *Emergency Management and Civil Protection Act* in response to the novel coronavirus (COVID-19) and prohibited organized public events in excess of 50 people. As of March 28, 2020, the Government of Ontario has further restricted organized public events to no more than five people.

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The Act also allows a local board to call and hold a special meeting in which electronic participation may be counted to determine quorum, for the purpose of amending its procedural by-law to incorporate the new electronic meeting rules during declared emergencies. Under the circumstances, there will be no requirement for boards to seek Council's approval for these amendments in advance. However, all such amendments should be approved by Council at the earliest opportunity.

Nothing in the Act changes the requirement for meetings to be open to the public including:

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While the Board may need to attend to pressing business during the COVID-19 pandemic, the Board must also be mindful of the health and safety of its members, staff and members of the public and must comply with Provincial orders. The recommendations in this report, if approved, would amend the Board of Management's procedural by-law to permit the Board to proceed with a meeting where Board members can participate electronically during a declared emergency in accordance with the Act. To ensure that Board meetings remain open to the public and in accordance with the requirements described above, however, the following describes the steps the Board is taking to ensure transparency and openness while respecting the recommendations and orders of health experts and authorities during the COVID-19 pandemic.

Proposed operations for electronic meetings

Enabling Remote Electronic Participation during Meetings

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If a Member's connection to the meeting becomes disconnected, staff may recommend to the Chair that a brief recess be taken to re-establish connection. If quorum is lost as a result of disconnections, the meeting will be in recess until staff can confirm that a quorum has been regained. If a quorum cannot be regained after all reasonable efforts have been made, staff will advise Members of the time that the meeting was adjourned and any remaining business will be carried over to a future meeting.

As the special meeting on April 30, 2020 will be the first time that a Board of Management meeting is held using remote electronic participation in accordance with the Act, the Board may refine and propose alternate options for meeting operations which can be implemented at future meetings that are held during a declared emergency.

CONTACT

SIGNATURE

Susanne Burkhardt
Executive Director

ATTACHMENTS

Attachment 1 - Draft bill to amend the Procedural By-law for the Board of Management of Applegrove Community Complex to enable remote electronic participation in board meetings during an emergency

Authority: Board of Management of Applegrove Community Complex Item C, adopted on April 30, 2020.

**BOARD OF MANAGEMENT OF APPLEROVE COMMUNITY COMPLEX
BY-LAW 2020**

To amend the Applegrove Community Complex Procedural By-law to enable remote electronic participation in board meetings during an emergency.

WHEREAS the Board of Management for Applegrove Community Complex (the "Board") is a city board and local board of the City of Toronto continued under the authority of section 141 of the *City of Toronto Act, 2006* ("COTA"), former City of Toronto Municipal Code Chapter 25, Community and Recreation Centres and former City of Toronto by-law No. 121-83; and

WHEREAS subsection 189(2) of COTA requires that the Board pass a procedure by-law for governing the calling, place and proceedings of meeting; and

WHEREAS the Board adopted the Procedural By-law for the Board of Management of Applegrove Community Complex on April 18, 2007, and amended it on November 24, 2014 and June 26, 2017, to govern the calling, place and proceedings of the Board's meetings; and

WHEREAS section 190 of COTA requires that meetings of the Board will be open to the public unless an exception under subsection 190(2), (3) or (3.1) applies; and

WHEREAS subsection 189(4) of COTA states that a procedure by-law of a local board may provide that a board member can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time; and

WHEREAS subsection 189(4.1) of COTA states that a procedure by-law of a local board shall not provide that a member of the local board can participate electronically in a meeting which is closed to the public; and

WHEREAS on March 19, 2020, Bill 187, *Municipal Emergency Act, 2020* ("Bill 187"), was enacted by the Legislative Assembly of Ontario and received Royal Assent; and

WHEREAS Bill 187 amended COTA to state that, where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* (the "Act"), a procedure by-law of a local board may provide that (a) despite subsection 189(4), a member of a local board who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and (b) despite subsection 189(4.1), a member of a local board can participate electronically in a meeting that is closed to the public; and

WHEREAS Bill 187 further amended COTA to state that a local board may hold a special meeting to amend its procedure by-law for the purposes of permitting electronic participation in meetings as described above during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the Act, and despite subsection 189(4), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting; and

WHEREAS COVID-19 is present within the City of Toronto, and COVID-19 is a disease that is readily communicable from person to person, carries a risk of serious complications such as pneumonia or kidney failure, and may result in death; and

WHEREAS the spread of COVID-19 has been declared a pandemic by the World Health Organization; and

WHEREAS, on March 17, 2020, an emergency was declared, by means of Order in Council 518/2020 for purposes of section 7.0.1 of the Act, due to the health risks to Ontario residents arising from COVID-19; and

WHEREAS, on March 23, 2020 an emergency was declared by the Mayor of the City of Toronto for purposes of section 4 of the Act and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management, due to the risk to the health of the residents of the City of Toronto arising from spread of COVID-19 and its presence within the City of Toronto; and

WHEREAS on March 28, 2020, an Order was made by the Lieutenant Governor in Council under Subsection 7.0.2 (4) of the Act – Organized Public Events, Certain Gatherings, O. Reg 52/20, prohibiting attendance at any organized public event of more than five people;

WHEREAS the Board wishes to hold its meetings electronically to comply with Ontario Regulation 52/2020 and to minimize risk to its board members and the public in accordance with advice from the City of Toronto's Medical Officer of Health, who has recommended physical distancing measures to prevent the spread of COVID-19, including maintaining a distance of at least two metres from other individuals who are not members of the same household; and

WHEREAS the Applegrove Community Complex facilities are currently closed to the public; and

WHEREAS the Board continues to ensure its meetings are open to the public in accordance with section 190 of COTA through the provision of notice to the public via an announcement and meeting agenda posted on Applegrove's website at www.applegrovecc.ca and use of the WebEx online platform through which members of the public can participate by telephone or online videoconferencing; and

WHEREAS the Board has authorized changes to the Procedural By-law for the Board of Management of Applegrove Community Complex to enable remote electronic participation in Board meetings in accordance with the provisions of Bill 187;

The Board of Management of Applegrove Community Complex enacts:

1. The Procedural By-law for the Board of Management of Applegrove Community Complex is amended as follows:
 - A. A new section 2.10 is added as follows:
 - 2.10. During any period where an emergency has been declared to exist in all or

part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- i) The Board may, despite section 2.1, hold a meeting where some or all of the Board Members participate electronically and no physical meeting is held at the premises of Applegrove.
- ii) Where a meeting is being held in accordance with subsection i):
 - a) notice of that Board meeting will not be posted at Applegrove, but, despite section 2.5, will be will be posted on Applegrove's website at www.applegrovecc.ca;
 - b) any Board Member participating in the meeting electronically will be deemed present for the purposes of determine whether a quorum is present and, despite section 4.1, will have the right to vote on any business before the Board;
 - c) any Board Member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public in accordance with section 2.6; and
 - d) this By-law will apply to the meeting, with any other minor modifications as may be required.

B. A new section 7.7 is added as follows:

7.7. During any period where an emergency has been declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

- i) A Committee of the Board may, despite subsection 7.3 i), hold a meeting where some or all of the members of the committee participate electronically and no physical meeting is held at the premises of Applegrove.
- ii) Where a meeting is being held in accordance with subsection i).:
 - a) notice of that committee meeting will not be posted at Applegrove, but will be posted on Applegrove's website at www.applegrovecc.ca;
 - b) any committee member participating in the meeting electronically will be deemed present and will have the right to vote on any business before the Committee in accordance with section 7.4;

- c) any committee member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public; and
- d) this By-law will apply to the meeting, with any other minor modifications as may be required.

2. This by-law will come into force on the date it is enacted and passed.

Enacted and passed on April 30, 2020.

Chair

April 30, 2020

Proposed Board of Management Motion to amend procedural bylaw:

1. Amend the Procedural By-law for the Board of Management of Applegrove Community Complex and adopt the draft bill in Attachment 1 of the report to provide that during an emergency declared to exist in all or part of the City of Toronto under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:
 - a. a member of the Board may participate in a meeting of the Board or any committee of the Board by electronic means and will be counted in determining whether or not a quorum of members is present at any point in time;
 - b. a member of the Board may participate electronically in a meeting of the Board or any committee of the Board that is closed to the public.; and
 - c. the Procedural By-law will apply with any other minor modifications as may be required to facilitate meetings in accordance with a. and b. above.
2. Request City Council to approve the Board-approved amendments to the Procedural By-law for the Board of Management of Applegrove Community Complex.
3. Request the Executive Director, Applegrove Community Complex, to present to the Board of Management for information the amended Procedural By-law for the Board of Directors of Applegrove Community Complex once approved by City Council.