

AGENDA GOVERNANCE AND PRIORITIES COMMITTEE MEETING

Monday, September 21, 2020, 10:30 A.M. - 1:00 P.M. SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE 80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. CALL THE MEETING TO ORDER:

[Note: This meeting will be live streamed and video recorded for the public.]

- 2. INTRODUCTION OF LATE ITEMS:
- 3. APPROVAL OF THE AGENDA:
- 4. ADOPTION OF THE MINUTES:

a. Minutes 3 - 10

Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-MAR-09 at 1:00 p.m.

- 5. REPORTS:
 - a. GOVERNANCE AND MANAGEMENT EXCELLENCE:
 - 1. Procedure Bylaw 11 49

To be introduced by Sheila Gurrie, Director, Legislative Services.

2. Communications Update

To be introduced by Sheila Gurrie, Director, Legislative Services.

3. Council Dashboard (Voting Record)

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To provide Council with options for a Council Voting Dashboard that will display and track council members voting records for Council Meetings.

Recommendation: That Council direct staff to proceed with the Council Voting Dashboard that has been developed by our IT Department to track Council's voting record for Council Meetings retroactive to July 1, 2020.

- b. ENVIRONMENTAL RESPONSIBILITY:
- c. ECONOMIC HEALTH:
- d. COMMUNITY WELLNESS/LIVABILITY:
- e. AGENDA PLANNING:
 - 1. Governance and Priorities Committee Agenda Planning

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6. ADJOURNMENT:

MINUTES

GOVERNANCE AND PRIORITIES COMMITTEE MEETING BOARDROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET, NANAIMO, BC MONDAY, 2020-MAR-09, AT 1:00 P.M.

Present: Councillor B. Geselbracht, Chair

Mayor L. Krog

Councillor S. D. Armstrong Councillor D. Bonner Councillor T. Brown

Councillor E. Hemmens (arrived 1:20 p.m.)

Councillor Z. Maartman Councillor I. W. Thorpe Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer

R. Harding, General Manager, Parks, Recreation and Culture

D. Lindsay, General Manager, Development Services

B. Sims, General Manager, Engineering and Public Works

S. Legin, General Manager, Corporate Services

J. Van Horne, Director, Human Resources (vacated 1:06 p.m.)

L. Mercer, Director, Finance (vacated 3:29 p.m.)

A. Groot, Director, Facilities and Parks Operations (vacated 3:40 p.m.)

L. Wark, Director, Recreation and Culture (vacated 3:28 p.m.)

K. Fry, Fire Chief

J. Bevan, Manager, Culture & Special Events (arrived 1:06 p.m., vacated 3:28 p.m.)

F. Farrohki, Manager, Communications (vacated 1:06 p.m.)

S. Pamminger, Manager, Infrastructure Planning and Energy (vacated 3.28 p.m.)

D. Thompson, A/Manager, Sanitation and Recycling and Manager,

Construction Projects (arrived 2:41 p.m.)

K. Gellein, Zero Waste Coordinator (arrived 2:46 p.m.)

D. Blackwood, Client Support Specialist (vacated 1:10 p.m.)

S. Gurrie, Director, Legislative Services N. Sponaugle, Recording Secretary

CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 1:02 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add Agenda Item 5a - Update from John Van Horne, Director, Human Resources, re: COVID-19

3. <u>APPROVAL OF THE AGENDA:</u>

It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. <u>ADOPTION OF THE MINUTES:</u>

It was moved and seconded that the Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-FEB-24 at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

5. REPORTS:

a. <u>Update from John Van Horne, Director, Human Resources, re: COVID-19</u>

John Van Horne, Director, Human Resources, provided an update on the COVID-19 (Coronavirus) situation including:

- The City is monitoring the situation and working with internal and external stakeholders
- Reinforced recommended health practices including proper handwashing
- Recommended visiting the BC Centre for Disease Control website for more information

b. ENVIRONMENTAL RESPONSIBILITY:

1. Corporate Energy and Emissions Management Program

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

- F. Farrokhi, B. Sims and J. Van Horne vacated the Boardroom at 1:06 p.m.
- J. Bevan entered the Boardroom at 1:06 p.m.

Presentation:

- 1. Scott Pamminger, Manager, Infrastructure Planning and Energy, provided a presentation giving an overview of the City's Corporate Energy and Emissions program including:
 - How the program supports Council's environmental goals
 - Key achievements, current opportunities/challenges and next steps
 - Council declared State of Climate Emergency in April 2019
 - Intergovernmental Panel on Climate Change (IPCC) recommends keeping emissions below 1.5 degrees Celsius
- D. Blackwood vacated the Board room at 1:10 p.m.

- Provided an overview of Provincial programs and targets in place for lowering emissions
- Outlined history of the City's involvement in programs dedicated to climate protection:
 - o Partners for Climate Protection Program (2002)
 - o Corporate Climate Change Plan (2007)
 - Sustainability Committee formed (2007)
 - Signed on with Union of BC Municipalities Climate Action Charter (2007)
 - Joined with BC Hydro's Commercial Energy Manager Program (2008)
 - Official Community Plan set new greenhouse gas (GHG) targets, lower than previous levels (2008)

B. Sims returned to the Boardroom at 1:13 p.m.

- Corporate emissions are small compared to community emissions
- Outlined community emission initiatives including land use, transportation, buildings and solid waste initiatives
- Outlined City's corporate role, goals and objectives including:
 - o Improving efficiencies, reducing energy consumption
 - Switching to cleaner fuel sources, such as electric
 - Reducing GHG emissions
 - Increasing the local renewable energy supply
- City receives credit for organic waste diversion

Councillor Hemmens entered the Boardroom at 1:20 p.m.

- Outlined challenges and opportunities including:
 - Current Energy Conservation & Management Policy outdated
 - Increasing renewable energy options including solar, thermal, geothermal and wind
- Provided an overview of City departments, mentioning that certain departments (such as Fire Rescue and Recreation Facilities) have higher energy needs than others
- BC Hydro Energy Manager Program requires 300,000 kWh electricity be conserved. The program pays for half of the wages for the Manager, Infrastructure Planning and Energy staff position
- Outlined significant energy uses including office buildings, operational facilities, recreation and parks facilities, Fire Rescue/Police, parkades, fleet and street lights
- In 2018 nearly \$4.8 million was spent on electricity
- Outlined key achievements including:
 - Replacement of boilers at Beban Park with high efficiency unit and heat recovery coils
 - Optimization improvements at all City recreation facilities to increase efficiencies

- Upgrades to lighting Nanaimo Aquatic Centre and Beban Park upgraded to LED in 2019
- Upgrades to street and parking lot lighting to LED
 - Phase 2 recently completed nearly 1,000 of the 4,300 City-owned lights have been converted
- Phase 3 to be done this year, converting rest of Cityowned street lights
- o BC Hydro lights to be converted to LED in next 2-3 years
- All ice facilities now using Cool Water Ice Making (REALice) in arenas – annual savings of \$12,000 per sheet
- Lighting audits and design energy studies at various facilities to look for areas of improved efficiency
- Study and recommendations on main heating plan coming to March 18 Finance and Audit Committee meeting
- City has decreased GHG emissions by 23% since 2009
- City's water reservoir creates over 800,000 kWh in energy per year
- Next steps include:
 - Updating Energy Conservation and Management Policy
 - Change Sustainability Funding criteria to make more flexible
 - Review Climate Action Plan and Community Sustainability Action Plan
 - o Choose electric over carbon-based solutions
 - Look for new technologies to reduce energy consumption
 - Support green fleet strategy
 - Develop renewable energy projects aimed at improved sustainability

Committee discussion took place regarding:

- Programs to reduce methane gas in composted materials
- Initiatives undertaken in last 10 years, and since climate emergency was declared in 2019
- Addressing reduction of community emissions and steps that can be taken to support this
- Costs associated with electric energy due to rising costs
- Council providing direction on priorities and initiatives, based on recommendations from Environment Committee and Staff
- Importance of having clear targets and plan/strategies to support those as well as flexibility to adapt when new opportunities arise

The Governance and Priorities Committee meeting recessed at 2:13 p.m. The Governance and Priorities Committee meeting reconvened at 2:23 p.m.

Councillor Turley returned to the Boardroom at 2:25 p.m.

c. GOVERNANCE AND MANAGEMENT EXCELLENCE:

1. City of Nanaimo Facilities

Richard Harding, General Manager, Parks, Recreation and Culture, provided a presentation giving an overview of City of Nanaimo facilities including:

- The history of facilities in Nanaimo:
 - No facilities existed prior to 1970's
 - An amalgamation took place in 1975 consolidating a number of different areas into the City of Nanaimo. The City inherited the facilities in these areas (i.e. Fire Halls and Departure Bay Activity Centre)
 - A number of investments and purchases took place in the 2000's including Nanaimo Aquatic Centre, Nanaimo Ice Centre and the Vancouver Island Conference Centre
 - The City now owns over 200 buildings
- Provided an overview of the different types of facilities including civic use, operations, pump houses/reservoirs, fire rescue, police, Vancouver Island Conference Centre, cultural facilities, heritage facilities and parks facilities.

Art Groot, Director, Facility and Parks Operations, spoke regarding:

- City's asset management framework developing and formalizing a long-term approach to asset management
- Facility condition assessment project supporting planning from a short and long-term perspective including maintenance planning, staffing and funding requirements

Richard Harding, General Manager, Parks, Recreation and Culture, spoke regarding:

- How priorities are assessed and what types of studies are used
- Prioritization of projects due to seismic priority
- Community requests including arts/culture demands, civic demands and recreation demands

D. Thompson entered the Boardroom at 2:41 p.m.

Art Groot, Director, Facility and Parks Operations, spoke regarding the City's five-year capital projects plan.

Richard Harding, General Manager, Parks, Recreation and Culture, spoke regarding:

- Regular facility maintenance requirements
- Decisions needing to be made on certain facilities including:
 - o Chase River Activity Centre
 - Departure Bay Activity Centre
 - Kin Hut Activity Centre

- Nanaimo Curling Club
- Stadium Options
- City Operations at 2020 Labieux Rd, 89 Prideaux Street, 2300
 Bowen Road (Centennial Building) and 1050 Nanaimo Lakes
 Road
- Police operations and police annex buildings

K. Gellein entered the Boardroom at 2:46 p.m.

- S. Legin, General Manager, Corporate Services, spoke regarding financial capacity including:
- Potential funding strategies and priorities
- Discussions needed around topics such as debt philosophy, reserves and partnerships
- Reserve balance as a potential source of funding for 5-year capital plan
- Other reserves that can be pulled from including General Capital Reserve and Strategic Infrastructure Reserve Fund
- Overview of debt servicing limit and financing options

Richard Harding, General Manager, Parks, Recreation and Culture, discussed facilities needing priority discussion including:

- City operations facilities
- RCMP building
- Chase River Activity Centre
- South End Community Centre
- Stadium Options
- Serauxmen Improvement Plan
- Possibly others as plans are developed through the Official Community Plan process, or as per Council's direction

Committee discussion took place regarding:

- Individual priorities of projects
- Sponsorships as potential tool to increase funding capacity
- Impact of amalgamation of City in 1975 leading to differing quality of buildings and other infrastructure across City
- Importance of future conversation around debt servicing
- Creative solutions such as possibly relocating the Parks yard to Public Works, rather than rebuilding both facilities
- Partnership opportunities for mixed use facilities

Jake Rudolph, Chief Administrative Officer, discussed next steps:

- Staff coming to Finance and Audit Committee with recommendations
- Scheduling future Governance and Priorities Committee meeting to provide more information and discuss details regarding Public Works/Operations facilities and RCMP facilities
- Waterfront walkway, turf fields as examples of other items outside of the facility discussion that will need to be considered during funding discussions

- J. Bevan, S. Pamminger and L. Wark vacated the Boardroom at 3:28 p.m.
- S. Gurrie and L. Mercer vacated the Boardroom at 3:29 p.m.
 - 2. Single-Use Checkout Bag Regulation Update

Introduced by Bill Sims, General Manager, Engineering and Public Works.

Presentation

- 1. David Thompson, Acting Manager, Sanitation and Recycling, provided a presentation regarding:
 - The results of the single-use checkout bag consultation which took place during a 3-month period in 2019
 - Purpose of consultation focused on how to change behaviour
 - High response levels of consultation from both residential and retailers
 - 50% of retailers that responded do not currently provide plastic bags
 - Of those retailers that responded providing plastic bags, the amount of bags provided was 2.5 million
- S. Gurrie returned to the Boardroom at 3:33 p.m.
- D. Lindsay vacated the Boardroom at 3:34 p.m.
 - Overview of results from residential survey
- A. Groot vacated the Boardroom at 3:40 p.m.
 - Results showed strong support for regulating single-use bags
 - Many retailers and residents already not using single-use bags
 - Discussed Supreme Court decision regarding Victoria's bylaw repeal and other municipalities involved in the process of banning single-use plastics

Kirsten Gellein, Zero Waste Coordinator, provided an overview including:

- Recent actions taken by other levels of government
- Provincial government wanting to provide input on what plastics to ban
- BC Supreme Court struck down City of Victoria's ban in January 2020
- A number of municipalities are submitting their bylaws to the province for Ministry of Environment approval
- D. Lindsay returned to the Boardroom at 3:51 p.m.

Bill Sims, General Manager, Engineering and Public Works, noted that Staff are now looking for direction from Council on next steps.

Committee discussion took place regarding:

- Plastic bags contaminating streams and waterways
- Banning plastic bags would increase capacity in landfill
- Results of survey show support from residents and businesses
- Importance of bringing bylaw forward to Ministry of Environment for proper approval
- Smaller municipalities that have drafted bylaw banning plastic bags without waiting for Ministry approval
- Potential legal costs associated with not seeking Ministry approval
- Nanaimo's bylaw not specific to plastic bags, but rather speaks to regulating check-out bags in general

It was moved and seconded that the Governance and Priorities Committee recommend that Council approve the wording of the draft "Checkout Bag Regulation Bylaw 2019 No. 7283" and direct Staff to prepare the bylaw for first, second and third reading for the next scheduled Council meeting. The motion was <u>defeated</u>.

Opposed: Mayor Krog and Councillors Armstrong, Maartman, Thorpe, Turley

It was moved and seconded that the Governance and Priorities Committee recommends that Council direct Staff to revise draft "Checkout Bag Regulation Bylaw 2019 No. 7283" in reference to section 8(3)(j) of the *Community Charter*, and return with the revised bylaw for first, second and third reading at the next scheduled Council meeting, to be forwarded to the Minister of Environment and Climate Change Strategy for approval. The motion carried unanimously.

d. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

By unanimous consent, the Committee delayed agenda planning until their next scheduled meeting.

CEDTIFIED CODDECT.

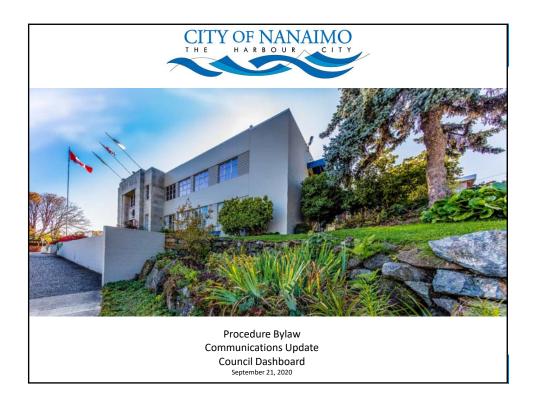
6. **QUESTION PERIOD:**

There were no members of the public in attendance to ask questions.

7. <u>ADJOURNMENT:</u>

It was moved and seconded at 4:06 p.m. that the meeting terminate. The motion carried unanimously.

	CERTIFIED CORRECT.	
CHAIR	CORPORATE OFFICER	



Agenda Overview

- 1. Procedure Bylaw
 - 1. Time and Location of Meetings
 - 2. Order of Proceedings and Business
 - 3. Petitions and Communications
 - 4. Consent Items
 - 5. Delegations
 - 6. Question Period
 - 7. Other
- 2. Communications Update
- 3. Council Dashboard (Voting Record)





Time and Location of Meetings

- 5.2 Regular Council meetings will:
 - (a) be held in accordance with the schedule adopted by Council on or before December 31 of the preceding year;
- (b) begin:
- (i) at 4:30 p.m. to proceed "In Camera", if necessary, pursuant to section 90 of the *Community Charter*; and, (7272.01)
- (ii) commence the open session of the meeting at 7:00 p.m.
- (c) be adjourned at 11:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 25.2.



Order of Proceedings and Business

- 9.1 The agenda for all Regular Council meetings may contain the following matters in the order in which they are listed below:
 - (a) Call to Order
 - (b) Procedural Motion
 - (c) Introduction of Late Items
 - (d) Approval of the Agenda
 - (e) Adoption of the Minutes
 - (f) Mayor's Report
 - (g) Presentations
 - (h) Consent Items
 - (i) Delegations (unrelated to agenda items)
 - (j) Reports
 - (k) Bylaws (with no accompanying report)
 - (I) Notice of Motion
 - (m) Other Business
 - (n) Question Period
 - (o) Adjournment

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Petitions and Communications

- 12.1 A petition or a communication intended to be presented to Council will:
 - (a) be legibly written, typed or printed;
 - (b) not be libelous, obscene, impertinent or improper;
 - (c) be dated;
 - (d) be signed by at least one person; and,
 - (e) include the name and civic address for each person who has signed the petition or communication.
- 12.2 The Corporate Officer may refer any communication addressed to Council which relates to a matter that falls within the scope of responsibility of a particular department directly to that department.
- 12.3 If such a matter is referred pursuant to section 12.2 the Corporate Officer will give a copy of communication to each Council Member and the appropriate staff member and will send an acknowledgement to the writer of the communication advising to whom the matter has been referred.
- 12.4 A person may appeal the referral of a communication pursuant to section 12.2 to the Chief Administrative Officer.
- 12.5 The Chief Administrative Officer shall make the final determination of an appeal made pursuant to section 12.4.



Consent Items

- 14.1 The Corporate Officer may prepare a list of consent items which will include various items, and recommendations on how to address those items.
- 14.2 The following matters should not be included under consent items:
 - (a) adoption of the financial plan;
 - (b) adoption of the annual municipal report; or,
 - (c) adoption of any strategic plans.



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Delegations Pertaining to Council Agenda Items

- 19.1 A Delegation requesting to appear before Council will submit a written request which includes an outline on the agenda matter of the request to the Corporate Officer by 11:00 a.m. the Friday prior to the Monday meeting.
- 19.9 A Delegation will be:
 - restricted to the subject matter contained in the written request; and,
 - (b) limited to 5 minutes for the presentation unless a longer time period is permitted by a motion passed by a unanimous vote of all of the Council Members present.
- 19.10 Notwithstanding section 19.9, Delegations will be given 5 minutes total to make their presentation.
- 19.11 There shall be no limit to the number of delegations included on the Council Meeting Agenda for items that have been included on the Agenda.



Delegations Unrelated to Agenda Items

- 19.12 Any Delegation requests that do not pertain to an item on the agenda shall be reviewed by the corporate officer and if appropriate placed on the next Council meeting agenda under the Delegations heading.
- 19.13 A maximum of four Delegations will be permitted regarding items not listed on a Council agenda. The order of Delegations will be the first four received, commencing 14 days prior to Delegation deadline.
- 19.14 Delegations regarding an item not on the Council agenda will be limited to 5 minutes for their presentation unless a longer time period is permitted by a motion passed by a majority vote of all of the Council Members present.
- 19.17 A Council Member will:
- limit their questions to a Delegation to seek clarification or additional details; and,
- (b) not engage the Delegation in a debate or comment on the merits of the issue.



Question Period

- 23.1 Questions will be addressed through the Mayor and Council members will respond with a 5 minute time limit.
- 23.2 The public will limit its questions strictly to matters considered by Council at that particular Council meeting;
- 23.3(1) If a member of the public:
 - (a) speaks disrespectfully to or of any person;
 - (b) refuses to abide by the rules;
 - (c) fails to adhere to the time limits;
 - (d) does not ask a question; or,
 - (e) disregards the authority of the Chair to run meeting,

the Chair may ask the person to abide by the Chair's instructions.



Question Period Continued...

- (2) If the person fails to comply with the Chair pursuant to section 23.3(1), the Chair may direct the person to vacate the speaker's podium and return to the public seating area.
- (3) If the person still fails to comply with the Chair's direction pursuant to section 23.3(1) or 23.3(2), then section 16.3 applies.
- 23.4 The Chair will determine, if necessary, if sufficient discussion has taken place and may close the question period based on that determination.

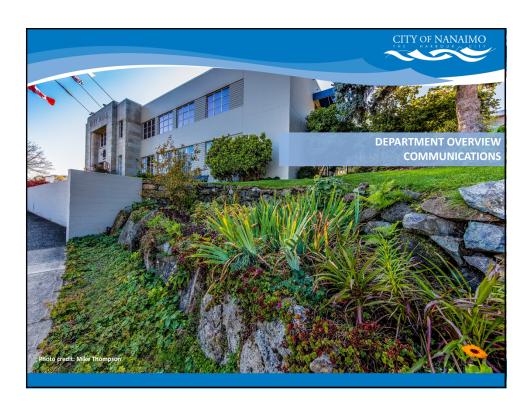




Other

- Conduct and Debate
- Minutes
- Public Hearing and Public Hearing procedures
 staff recommend changing from the 1st Thursday of the month to the 3rd
 Thursday of the month

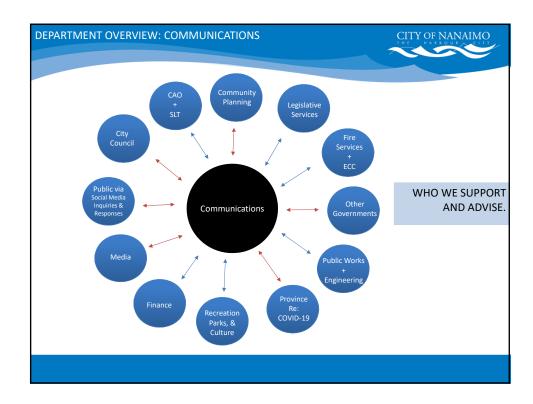




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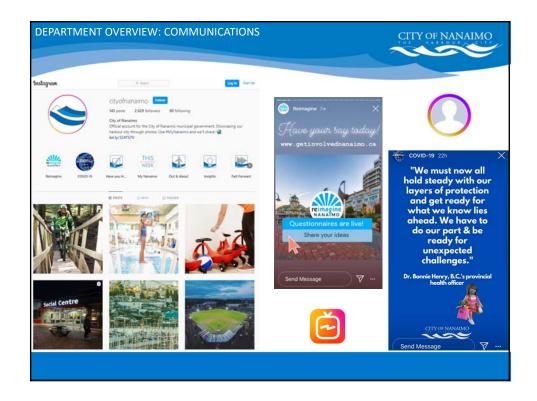


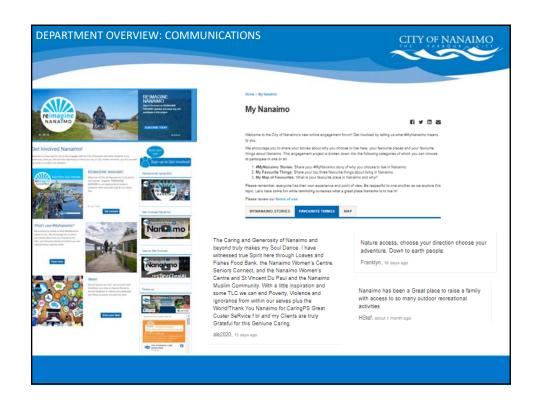


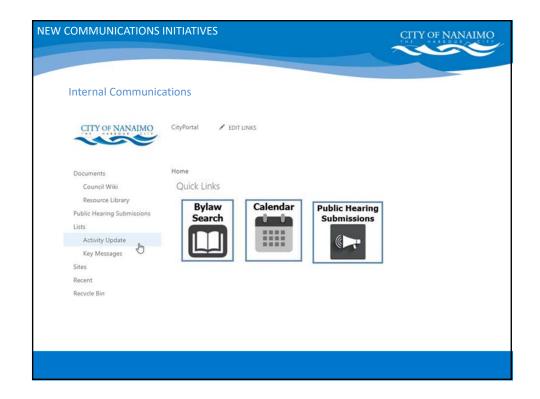




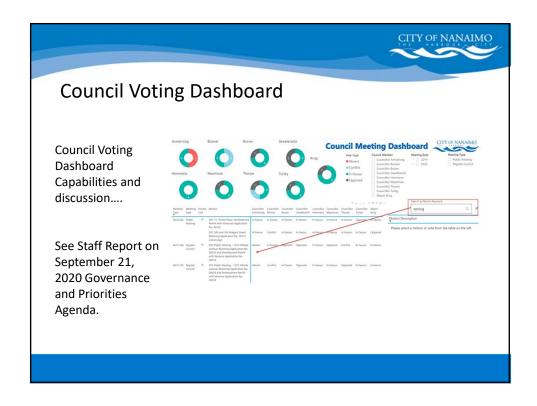


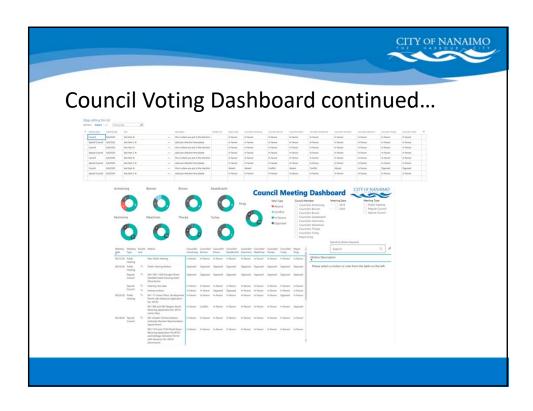


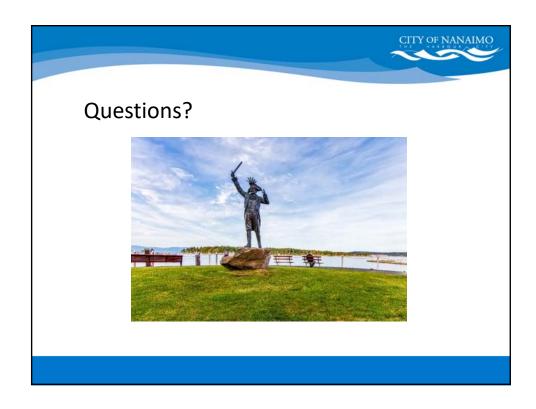












"COUNCIL PROCEDURE BYLAW 2018 NO. 7272"

Consolidated Version

2019-OCT-21

Includes Amendment: 7272.01

CITY OF NANAIMO

BYLAW NO.7272

A BYLAW TO ESTABLISH THE RULES OF PROCEDURE FOR COUNCIL, COMMITTEE OF THE WHOLE AND COMMITTEE MEETINGS.

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CITY OF NANAIMO

BYLAW NO. 7272

A BYLAW TO ESTABLISH THE RULES OF PROCEDURE FOR COUNCIL, COMMITTEE OF THE WHOLE AND COMMITTEE MEETINGS.

A Bylaw to establish the rules of procedure for Council, Committee of the Whole and Committee meetings.

The Council for the City of Nanaimo in open meeting assembled ENACTS AS FOLLOWS:

<u>Title</u>

1.1 This Bylaw may be cited as the "Council Procedure Bylaw 2018 NO. 7272".

PART I - GENERAL

Definitions

2.1 In this Bylaw:

"ACTING MAYOR" means the Council member who, in accordance with

Part IV of this Bylaw, is responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.

"AVICC" means the Association of Vancouver Island Coastal

Communities.

"BOARD OF VARIANCE" Means an independent Board, comprised of 5 members,

appointed by Council for the purpose of hearing appeals outlined in Section 542 of the *Local Government Act*.

"CHAIR" means the person presiding at a meeting.

"CITY" means the City of Nanaimo.

"CITY HALL" means Nanaimo City Hall located at 455 Wallace Street,

Nanaimo, British Columbia.

"CHIEF ADMINISTRATIVE

OFFICER"

means the person appointed by Council as the Chief Administrative Officer for the City and his or her

designate.

"COMMISSION" (7272.01)

"COMMITTEE" means a Select Committee, a Standing Committee or

other committee of Council. (7272.01)

"COMMITTEE OF THE (7272.01)

WHOLE"

"COMMUNITY CHARTER" means the Community Charter, S.B.C. 2003, c. 26 and its

amendments.

"CORPORATE OFFICER" means the person responsible for corporate

administration as set out under Section 148 of the

Community Charter.

"COW" (7272.01)

"COUNCIL" means the Council of the City.

"DELEGATION" means a person, group, or organization which makes a

request to speak at a meeting of Council or Committee.

(7272.01)

"ELECTRONIC MEANS" means a process of communication that does not directly

involve a physical transfer of paper and that is suitable for the retention, retrieval and reproduction of information by

the recipient.

"FCM" means the Federation of Canadian Municipalities.

"IN CAMERA MEETING" means a meeting that is closed to the public in

accordance with Sections 90 and 92 of the Community

Charter.

"LOCAL GOVERNMENT

ACT"

means the Local Government Act, R.S.B.C. 2015, c.1 and

its amendments.

"MAYOR" means the Mayor of the City.

"MEMBER" means a member of the Council or Council Committee.

"PARCEL TAX ROLL

REVIEW PANEL"

ROLL Means a panel consisting of at least 3 members appointed by Council under Section 204 of the

Community Charter to consider complaints respecting the

parcel tax roll and to authenticate the roll.

"PUBLIC HEARING" means a formal open meeting of officials and citizens

where citizens are permitted to offer comments as a means of gathering public opinions and concern on political issues before a decision is made, or action is

taken.

"PUBLIC NOTICE POSTING

PLACE"

means the Notice Board at the front entry of Nanaimo City

Hall, 455 Wallace Street.

"QUORUM" means the majority of Council.

"RECORDING means the person who is responsible for taking the

SECRETARY" minutes at a Council or Committee meeting.

"STANDING COMMITTEE" means a committee appointed by the Mayor under

Section 141 of the *Community Charter* for matters the Mayor considers would be better dealt with by a Committee and at least half of the members must be

Council members.

"SELECT COMMITTEE" means a committee appointed by Council under Section

142 of the *Community Charter* for a select purpose and to report its finding and opinion to the Council. At least one member of a select committee must be a Council

member.

"TASK FORCE" means a type of Select Committee that is created for a

specific purpose identified by Council. (7272.01)

"UBCM" means the Union of British Columbia Municipalities.

Applications of Rules of Procedure

3.1 The provisions of this Bylaw will govern the proceedings of Council and Committees for the City. (7272.01)

- 3.2 In cases not provided for under this Bylaw the 11th Edition of Robert's Rules of Order, as updated from time to time will apply to the proceedings of Council and Committees to the extent that those rules are:
 - (a) applicable in the circumstances; and,
 - (b) not inconsistent with the provisions of this Bylaw, the *Community Charter* or the *Local Government Act*.

(7272.01)

PART II - COUNCIL MEETING ADMINISTRATION

Inaugural Meeting

- 4.1 Council will hold the first meeting of Council within the first 10 days of November pursuant to section 124 of the *Community Charter*.
- 4.2 If a quorum of Council Members elected at the general local election has not taken office by the date of the meeting referred in section 4.1, the first Council meeting will be called by the Corporate Officer and held as soon as reasonably possible after a quorum of Council Members has taken office.

Time and Location of Meetings

- 5.1 Regular Council meetings will take place at the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC except when Council resolves to hold the meetings elsewhere. (7272.01)
- 5.2 Regular Council meetings will:
 - (a) be held in accordance with the schedule adopted by Council on or before December 31 of the preceding year;
 - (b) begin:
 - (i) at 4:30 p.m. to proceed "In Camera", if necessary, pursuant to section 90 of the *Community Charter*, and, (7272.01)
 - ii) commence the open session of the meeting at 7:00 p.m.
 - (c) be adjourned at 11:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 25.2.
- 5.3 Regular Council meetings may:
 - (a) be cancelled by motion passed by Council, provided that two consecutive meetings are not cancelled;
 - (b) be postponed to a different date, time, or location by the Mayor, provided that the Council Members are given written notice at least 24 hours in advance; or,
 - (c) be postponed by a motion of Council to the date, time and location set out in the motion.
- 5.4 Special Council meetings may be held at the date, time and location specified in the notice for the Special Council meeting.

Notice of Regular Council Meetings

- 6.1 The Corporate Officer will:
 - (a) have prepared annually on or before December 31 a schedule of dates, times and locations of Regular Council meetings for the following year to be approved by Council;
 - (b) have the schedule available to the public by posting it at the Public Notice Posting Place; and,
 - (c) have notice given annually when and where the schedule of Regular Council meetings will be available in accordance with the section 94 of the *Community Charter*.
- 6.2 If revisions are necessary to the schedule of the Regular Council meetings, the Corporate Officer, will, as soon as possible, post a notice on the Public Notice Posting Place which indicates any revisions to the schedule.
- 6.3 Regular Council meetings will:
 - (a) be held on the first and third Monday of each month, with the exception of January in which no meeting will be held the first Monday, and July in which only one meeting will be held; and,

- (b) where a Council meeting falls on a statutory holiday or occurs during a week in which the FCM, UBCM or AVICC annual conferences are held, the meeting will be held on the following Monday; and (7272.01)
- (c) not be held in August. (7272.01)

Notice of Special Meetings

- 7.1 Except where notice of a Special Council meeting is waived by a motion passed by a unanimous vote of all Council Members, the Corporate Officer will give a notice of the date, time and location of a Special Council meeting at least 24 hours before the time of the meeting:
 - (a) posting a copy of the notice at the Shaw Auditorium located in the Vancouver Island Conference Centre, or other;
 - (b) posting a copy of the notice at the Public Notice Posting Places, and
 - (c) leaving one copy of the notice for each Council member in the place to which the member has directed notices to be sent.

(7272.01)

7.2 The notice under section 7.1 will describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

Agenda

- 8.1 Prior to a regular meeting, the Corporate Officer will have prepared an agenda setting out all the items for consideration at that meeting and deliver a copy of the agenda to each Council Member by Wednesday prior to the Monday meeting, where possible. (7272.01)
- 8.2 The deadline for submissions to the Corporate Officer of items for inclusion on the agenda for the meeting by staff will be by 12:00 noon, the Monday one week prior to the meeting date.
- 8.3 Items received after the deadline set out in section 8.2 will not be placed on agenda for the upcoming meeting but will be placed on the agenda for the subsequent meeting unless the item is introduced as a late item pursuant to section 10.1.
- The Corporate Officer will make the agenda for a meeting available to the public by posting the agenda table of contents on the Public Notice Posting Place:
 - (a) on the Wednesday afternoon prior to the Regular Council meeting. (7272.01)
- 8.5 Council will not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 10.1.
- 8.6 Prior to a special meeting, the Corporate Officer will have prepared an agenda setting out all the items for consideration at that meeting and deliver a copy of the agenda to each member at least 24 hours before the meeting, where possible. (7272.01)

Order of Proceedings and Business

- 9.1 The agenda for all Regular Council meetings may contain the following matters in the order in which they are listed below:
 - (a) Call to Order
 - (b) Procedural Motion
 - (c) Introduction of Late Items
 - (d) Approval of the Agenda
 - (e) Adoption of the Minutes
 - (f) Mayor's Report
 - (g) Presentations
 - (h) Consent Items
 - (i) Delegations (unrelated to agenda items)
 - (j) Reports
 - (k) Bylaws (with no accompanying report)
 - (I) Notice of Motion
 - (m) Other Business
 - (n) Question Period
 - (o) Adjournment

(7272.01)

- 9.2 The order of proceedings and business for special meetings may contain the matters listed in Section 9.1. (7272.01)
- 9.3 Council will take up business at a Council meeting in the order in which it is listed on the agenda, except that an item may be taken out of its order by a motion passed by a majority vote of all Council Members present.

Late Items

10.1 Council will not consider an item of business not included on the agenda at a Council meeting unless a motion to introduce the item as a late item has been passed by a majority vote of all Council Members present.

Notice of Motion

- 11.1 A Council Member may give a notice of motion respecting an item which he or she intends to present at a future meeting by reading it aloud and providing a copy of the notice of motion to the Chair and the Corporate Officer either before or during the meeting.
- 11.2 The Corporate Officer will include the notice of motion under the notice of motion section in the minutes and will place the notice of motion with any relevant background information under other business on the agenda for the next meeting or another future meeting as requested by the Council Member who presented the notice of motion.
- 11.3 If the Council Member who presented the notice of motion is not in attendance at the meeting when the subject of that notice of motion is brought forward, the notice of motion will be postponed to the next meeting at which the Council Member who submitted the notice of motion is in attendance.

Petitions and Communications

- 12.1 A petition or a communication intended to be presented to Council will:
 - (a) be legibly written, typed or printed;
 - (b) not be libelous, obscene, impertinent or improper;
 - (c) be dated;
 - (d) be signed by at least one person; and,
 - (e) include the name and civic address for each person who has signed the petition or communication.
- The Corporate Officer may refer any communication addressed to Council which relates to a matter that falls within the scope of responsibility of a particular department directly to that department.
- 12.3 If such a matter is referred pursuant to section 12.2 the Corporate Officer will give a copy of communication to each Council Member and the appropriate staff member and will send an acknowledgement to the writer of the communication advising to whom the matter has been referred.
- 12.4 A person may appeal the referral of a communication pursuant to section 12.2 to the Chief Administrative Officer.
- 12.5 The Chief Administrative Officer shall make the final determination of an appeal made pursuant to section 12.4.

Annual Municipal Report

- 13.1 In accordance with Section 99 of the *Community Charter*, the Council must annually consider the Annual Municipal Report. The Corporate Officer must give notice, in accordance with Section 94 of the *Community Charter*, of the date, time and place when Council will consider:
 - (a) the annual report prepared under Section 98 of the Community Charter,
 - (b) submissions and questions from the public.

PART III - CONSENT ITEMS

Consent Items

- The Corporate Officer may prepare a list of consent items which will include various items, and recommendations on how to address those items.
- 14.2 The following matters should not be included under consent items:
 - (a) adoption of the financial plan;
 - (b) adoption of the annual municipal report; or,
 - (c) adoption of any strategic plans.

(7272.01)

14.3 Council may vote on and adopt in one motion all recommendations appearing under the consent items.

- 14.4 If a Council Member makes a request to remove an item from the consent items for the purposes of:
 - (a) debate or discussion;
 - (b) voting in opposition to a recommendation in the consent items; or,
 - (c) declaring a conflict of interest,

the Chair will remove applicable item and its recommendation from the consent items and have it considered separately by Council immediately after the consideration of the remaining consent item recommendations.

- 14.5 The Corporate Officer will remove consent items from the consent items list where a delegation has been permitted to speak to an item. (7272.01)
- 14.6 Where a consent item has been removed from the consent items list when a delegation has been permitted to speak to the item, the delegation and item will be considered immediately after the consideration of the remaining consent item recommendations. (7272.01)

PART IV - DESIGNATION OF COUNCILLOR TO ACT IN PLACE OF MAYOR

Acting Mayor

- 15.1 On an annual basis, the Corporate Officer will prepare a schedule to designate the Council Members to serve as Acting Mayor on a rotating basis.
- 15.2 The Acting Mayor will fulfill the responsibilities of the Mayor in his or her absence.
- 15.3 If both the Mayor and Acting Mayor are absent from the Council meeting, the Council Member who is next in rotation as Acting Mayor and is in attendance at the meeting will act as the Chair at the meeting.

PART V - COUNCIL PROCEEDINGS

Attendance of Public at Meetings

- 16.1 Except where the provisions of section 90 of the *Community Charter* apply, all Council Meetings will be open to the public.
- 16.2 This section will apply to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
 - (a) Committees;
 - (b) Parcel tax roll review panel;
 - (c) Board of variance; and,
 - (d) Task Forces

(7272.01)

16.3 Despite subsection 16.1, the Chair may expel or exclude a person from a Council meeting in accordance with section 133 of the *Community Charter*.

Calling Meeting to Order

- 17.1 As soon as possible after the time specified for a Council meeting, the Mayor will assume the position of Chair and call the Council meeting to order.
- 17.2 If the Mayor is absent, then the Acting Mayor will assume the position of Chair and call the meeting to order.
- 17.3 If a quorum of Council is present but the Mayor and the Acting Mayor do not attend within 15 minutes of the scheduled time for a Council meeting:
 - (a) the Council Member who is next in the rotation for Acting Mayor and is in attendance at that meeting will call the meeting to order, and preside as Chair until the Mayor or Acting Mayor arrives at that meeting.
- 17.4 If the Mayor or the Acting Mayor arrive at any time during a meeting that was called pursuant to section 17.3, the Mayor or the Acting Mayor will then assume the position of Chair.

Adjourning Meeting where No Quorum

- 18.1 If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer will:
 - (a) record the names of the Council Members who are present and those who are absent; and,
 - (b) adjourn the meeting until the next scheduled meeting.

Delegations Pertaining to Council Agenda Items (7272.01)

- 19.1 A Delegation requesting to appear before Council will submit a written request which includes an outline on the agenda matter of the request to the Corporate Officer by 11:00 a.m. the Friday prior to the Monday meeting. (7272.01)
- 19.2 All presentations and handouts from Delegations must be received by the Legislative Services Department by 11:00 a.m. the Friday prior to the Monday meeting. No late presentations will be displayed at the meeting. Handouts must be no more than ten pages long. (7272.01)
- 19.3 (deleted 7272.01)
- 19.4 The Corporate Officer will screen Delegation requests and may do any of the following:
 - (a) schedule a Delegation to a later Council meeting, or Committee meeting as deemed appropriate according to the subject matter of the written request; (7272.01)
 - (b) refuse to place a Delegation on the agenda if:
 - (i) the issue is not considered to fall within the mandate or jurisdiction of Council: or.
 - (ii) the Delegation has already spoken to Council on the same matter and no new significant information is provided; or,

- (c) refer the matter to the appropriate department if the matter has already been referred to staff by Council.
- 19.5 If the Corporate Officer refuses to place the Delegation on the agenda pursuant to subsection 19.4(b), the Corporate Officer will distribute the information received from the Delegation under a separate cover to Council.
- 19.6 If the Delegation wishes to appeal the Corporate Officer's decision made pursuant to subsection 19.4(b), then:
 - (i) the Corporate Officer will distribute the information received from the Delegation under a separate cover to the Council; and,
 - (ii) the appeal will be considered when Council is adopting the agenda for the meeting at which the Delegation requested to appear.
- 19.7 If a Delegation request is received, but not within the timelines pursuant to section 19.1 the Corporate Officer will not place a Delegation on the agenda.
- 19.8 A Delegation which has made an appeal may address the Council at the meeting, if a motion is passed by a unanimous vote of all Council Members present at the start of the meeting.
- 19.9 A Delegation will be:
 - (a) restricted to the subject matter contained in the written request; and,
 - (b) limited to 5 minutes for the presentation unless a longer time period is permitted by a motion passed by a unanimous vote of all of the Council Members present.
- 19.10 Notwithstanding section 19.9, Delegations will be given 5 minutes total to make their presentation. (7272.01)
- 19.11 There shall be no limit to the number of delegations included on the Council Meeting Agenda for items that have been included on the Agenda.

Delegations Unrelated to Agenda Items (7272.01)

- 19.12 Any Delegation requests that do not pertain to an item on the agenda shall be reviewed by the corporate officer and if appropriate placed on the next Council meeting agenda under the Delegations heading. (7272.01)
- 19.13 A maximum of four Delegations will be permitted regarding items not listed on a Council agenda. The order of Delegations will be the first four received, commencing 14 days prior to Delegation deadline. (7272.01)
- 19.14 Delegations regarding an item not on the Council agenda will be limited to 5 minutes for their presentation unless a longer time period is permitted by a motion passed by a majority vote of all of the Council Members present. (7272.01)
- 19.15 Council will not permit a Delegation to address Council regarding the following:
 - (a) a bylaw in which a public or statutory hearing has already been held;
 - (b) matters on which the City had commenced legal proceedings and on which judgment has not been rendered;

- (c) matters for which legal proceedings have commenced against the City on which judgement has not been rendered;
- (d) publicly tendered contracts or proposal calls for the provision of goods or services for the City between the time that such contract or proposal has been authorized and the time such contract or proposal call has been awarded either by Council or staff;
- (e) a hearing pertaining to an application, permit or license which has not yet been considered by Council;
- (f) other Delegation's requests;
- (g) soliciting of services or goods;
- (h) matters that are or have been the subject of a claim for damages against the City of Nanaimo;
- (i) personal or personnel matters about an individual; and/or
- (j) matters that are outside the mandate or jurisdiction of Council. (7272.01)
- 19.16 Multiple delegations from the same organization or group, regarding the same topic will be combined and have a five minute time limitation. (7272.01)

19.17 A Council Member will:

- (a) limit their questions to a Delegation to seek clarification or additional details; and,
- (b) not engage the Delegation in a debate or comment on the merits of the issue.

19.18 If a Delegation:

- (a) speaks disrespectfully to or of any person;
- (b) refuses to abide by the rules for delegations;
- (c) fails to adhere to the time limits; or,
- (d) disregards the authority of the Chair to run the meeting,

the Chair may do any of the following:

- (a) ask the Delegation to withdraw the offensive remarks or cease the offensive behavior;
- (b) stop the presentation; or,
- (c) take steps to have the Delegation abide by the Chair's instructions.
- 19.19 If the Delegation fails to comply with the Chair pursuant to section 19.18 the Chair may terminate the presentation and direct the Delegation to vacate the speaker's podium and return to the public seating area.
- 19.20 If the Delegation still fails to comply with the Chair's direction pursuant to section 19.19, then section 16.3 applies.

Point of Order

- 20.1 Without limiting the Chair's duty under the section 132(1) of the *Community Charter*, the Chair will apply the correct procedure to a motion:
 - (a) if the motion is contrary to the rules of procedure in this Bylaw; and,
 - (b) whether or not a Council Member has raised a point of order in connection with the motion.

- 20.2 If the Chair is required to decide a point of order:
 - (a) the Chair will cite the applicable rule or authority, if requested by a Council Member:
 - (b) a Council Member will not question or comment on the rule or authority cited by the Chair under subsection 20.2(a); and,
 - (c) the Chair may reserve the decision until the next Council meeting.

Recess

- 21.1 At any time while the meeting is in progress, the Chair:
 - (a) may call for a recess for a short period of time; and,
 - (b) will state the approximate duration for which the meeting will be recessed.

Voting at Meetings

- 22.1 The following procedures apply to voting at meetings:
 - (a) when debate on a motion is closed, the Chair will put the motion to a vote of the Council Members;
 - (b) when the Chair is putting the motion to a vote, a Council Member will not:
 - (i) cross or leave the room;
 - (ii) make a noise or other disturbance; or,
 - (iii) interrupt the voting procedure unless the interrupting Council Member is raising a point of order:
 - (c) after the Chair finally puts the motion to a vote, a Council Member will not speak to the motion or make another motion concerning it;
 - (d) if a vote on a motion is taken, each Council Member present will signify his or her vote by:
 - (i) raising his or her hand;
 - (ii) pushing the appropriate button on any automated voting system being used at the meeting;
 - (iii) indicating whether he or she votes in favour or against the motion when his or her name is called; or,
 - (iv) by any other means specified by the Chair, except as prohibited by the *Community Charter* or this section;
 - (e) the Chair will not take a vote by ballot or any other method of secret voting;
 - (f) the Chair will declare the result of the vote; and,
 - (g) the Chair's decision about whether a motion has been finally put is conclusive.

Question Period

- 23.1 Questions will be addressed through the Mayor and Council members will respond with a 5 minute time limit.
- 23.2 The public will limit its questions strictly to matters considered by Council at that particular Council meeting;

- 23.3 (1) If a member of the public:
 - (a) speaks disrespectfully to or of any person;
 - (b) refuses to abide by the rules;
 - (c) fails to adhere to the time limits;
 - (d) does not ask a question; or,
 - (e) disregards the authority of the Chair to run meeting,

the Chair may ask the person to abide by the Chair's instructions.

- (2) If the person fails to comply with the Chair pursuant to section 23.3(1), the Chair may direct the person to vacate the speaker's podium and return to the public seating area.
- (3) If the person still fails to comply with the Chair's direction pursuant to section 23.3(1) or 23.3(2), then section 16.3 applies.
- The Chair will determine, if necessary, if sufficient discussion has taken place and may close the question period based on that determination.

Reconsideration

24.1 A motion/resolution which was adopted or defeated may be reconsidered by Council provided that the resolution has not had the assent of the electors, has not been reconsidered under this Section or Section 131 of the *Community Charter*, and has not been acted upon by an officer, servant or agent of the Municipality.

A reconsideration motion:

- (a) must be brought forward by a member who voted on the prevailing side of the motion, or by any member who was absent during the original vote;
- (b) may be seconded by any member;
- (c) must be brought forward at the next meeting of Council after the original vote; or, in the case of when a member was absent at the time of the original vote, at the next meeting to which this member is able to attend;
- (d) must receive a majority vote of Council for it to be adopted;
- (e) if defeated, and the outcome being that the resolution is preserved unchanged, the same resolution may not be brought back before Council for six (6) months from the date of the latest vote, except with two-thirds consent of all the members of Council.
- 24.2 Each resolution or reading of a bylaw may be reconsidered under the provisions of Section 24.1.
- 24.3 Notwithstanding section 24.2, once a bylaw is finally adopted, it may not be reconsidered except in accordance with Section 131 of the *Community Charter*.

24.4 Notwithstanding section 24.2, resolutions for third reading or final adoption of an Official Community Plan Bylaw or Zoning Bylaw shall not be reconsidered.

Adjournment

- 25.1 The Council shall observe an 11:00 p.m. curfew whereby the item on the Agenda under discussion at 11:00 p.m. will be the last item dealt with on that day unless, by majority vote, the Council members decide to extend the time of adjournment.
- 25.2 A Council meeting may continue after 11:00 p.m. by a motion passed by a majority vote of all Council Members present.
- 25.3 As an exception to section 25.2, Council may continue to deal with the item on the agenda under discussion before adjournment, if the 11:00 p.m. has arrived and Council has not passed a motion to extend the time of adjournment.
- 25.4 A motion to adjourn either a Council meeting or a debate at a Council meeting is always in order.
- 25.5 Section 25.4 does not apply to either of the following motions:
 - (a) a motion to adjourn to a specific day; or,
 - (b) a motion that adds a qualification to a preceding motion to adjourn.

Meetings Conducted by Electronic Means

- 26.1 The Mayor may authorize a Council meeting to be conducted by Electronic Means as set out below.
- 26.2 The Electronic Means used will enable Council Members to hear and be heard simultaneously and permits the public to hear the participation of all Council Members during the meeting. (7272.01)
- 26.3 A Council Member, who is unable to attend a Council meeting in person due to circumstances beyond the Council Member's control, may participate in the meeting by Electronic Means.
- 26.4 No more than two Council members may participate at one time by Electronic Means at a Council meeting held pursuant to this section.
- 26.5 The Chair at the Council meeting will not participate by Electronic Means.
- 26.6 The Chair will conduct any voting by roll call at a Council meeting conducted by Electronic Means.
- 26.7 Participation by Council members by Electronic Means is not permitted at meetings closed to the public.

PART VI - CONDUCT AND DEBATE DURING MEETINGS

Decorum in Debate

- 27.1 A Council Member may speak to a motion at a Council meeting only if:
 - (a) that Council Member first addresses the Chair; and,
 - (b) the Chair recognizes that Council Member as having the floor.
- 27.2 If more than one Council Member speaks, the Chair will call on the Council Member who, in the Chair's opinion, first spoke.
- 27.3 A Council Member will address:
 - (a) the Chair by that person's title of Mayor or Acting Mayor or "Your Worship", "Mr./Madam Mayor", "Mr./Madam Acting Mayor" or "Mr./Madam Chair";
 - (b) another Council Member by the title of Councillor and his last name; and,
 - (c) a staff member by his/her official title or Mr./Ms. and his/her last name.
- 27.4 A Council Member will not interrupt another Council Member who is speaking except to raise a point of order.
- 27.5 A Council Member who is called to order by the Chair:
 - (a) will immediately stop speaking;
 - (b) may explain his or her position on the point of order, if requested by the Chair; and,
 - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- 27.6 A Council Member:
 - (a) will use respectful language;
 - (b) will not speak offensive words or use offensive gestures or signs:
 - (c) will speak only in connection with the matter being debated;
 - (d) will announce whether they are speaking in support or against the motion, when called upon by the Chair;
 - (e) will speak through the Chair;
 - (f) will not introduce irrelevant matters or indulge in tedious repetition;
 - (g) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded or reconsidered; and,
 - (h) will adhere to the rules of procedure established under this Bylaw and to the decision of Chair and Council in connection with the rules and points of order.
- 27.7 If a Council Member does not adhere to section 27.6, the Chair may order the Council Member to leave the Council Member's seat and:
 - (a) if the Council Member refuses to leave, the Chair may cause the Council Member to be removed by a peace officer from the Council Member's seat; or
 - (b) if the Council Member apologizes to the Council, Council may allow the Council Member to retake the Council Member's seat.

- 27.8 A Council Member may require the motion being debated at a Council meeting to be read at any time during the debate, if that request does not interrupt another Council Member who is speaking.
- 27.9 The following rules apply to limit speech on matters being considered at a Council meeting:
 - (a) a Council Member may speak:
 - (i) up to 5 minutes for the first time on a matter;
 - (ii) up to 2 minutes for the second time on the matter;
 - (ii) up to 2 minutes on any amendment on the motion, unless Council has permitted an extension of the time limit for that Council Member by a motion passed by two-thirds of all Council Members present; and,
 - a Council Member may speak a second time in connection with the same motion but only after all other Council Members have had an opportunity to speak; and,
 - (c) a Council Member may not speak any additional times unless Council has permitted an extension for the frequency for that Council Member by a motion passed by two-thirds of all Council Members present.
- 27.10 The Chair may make a motion, second a motion or debate a motion while presiding during the meeting.
- 27.11 The Chair may put the motion to a vote in the following circumstances:
 - if the first two speakers have all spoken in support or in opposition to a motion, Chair has called for a speaker for the contrary position and no such speaker is forthcoming; or,
 - (b) if the Chair is of the opinion that there has been sufficient debate on the motion and the debate has been more than 20 minutes in duration.
- 27.12 A Council Member may make motion to continue debate, if either situation in section 27.11(a) or (b) occurs.
- 27.13 A Council Member will keep in confidence any information considered in any part of a closed meeting until the Council agrees to discuss the information at a meeting that is open to the public or releases the information to the public under the appropriate policy or procedure.
- 27.14 Members of the public who constitute the audience at a meeting shall not disrupt the meeting and refrain from any activity or behaviour that would affect the Council or Committee deliberations.

Appeal Ruling of the Chair

28.1 Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall apprise the members without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the Chair may be appealed to the other members of Council then present.

- 28.2 On an appeal by a Council member from the decision of the Chair, the question shall be immediately put by him, and decided without debate "Shall the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the Council members then present, excluding himself. In the event of the votes being equal, the question shall pass in the affirmative.
- 28.3 If the Chair refuses to put the question "Shall the Chair be sustained?", the Council shall immediately appoint a Chair <u>protem</u>. He shall proceed in accordance with Section 28.2. A resolution or motion carried under this Section is binding.

PART VII - BYLAWS

Form of Bylaws

- 29.1 A bylaw introduced at a Council meeting will:
 - (a) be legibly typewritten;
 - (b) have a distinguishing name;
 - (c) have a distinguishing number; and,
 - (d) be divided into sections.

Bylaws to be Considered Separately or Jointly

30.1 Council will consider a proposed bylaw at a Council meeting and review each reading of the proposed bylaw separately.

Reading and Adopting Bylaws

- 31.1 The Chair may give the readings of a proposed bylaw by stating the bylaw's title and the applicable reading number.
- 31.2 Council may debate or amend a proposed bylaw at any time during the first three readings unless prohibited by the *Community Charter*.
- 31.3 If Council resolves to consider a bylaw section by section, Council will consider the bylaw in this manner at the second reading of the proposed bylaw.
- The first three readings of a bylaw may be given on the same day, except in the case of an Official Community Plan designation bylaw or a Zoning bylaw.
- 31.5 An Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at Public Hearing may receive only first and second reading at the time of introduction.
- 31.6 If Council wishes to amend a bylaw after third reading, the Council may do so as follows:
 - (a) make a motion to rescind third reading; and if carried;
 - (b) make a motion to amend the bylaw; and if carried;
 - (c) make a motion to pass third reading of the bylaw as amended.

Bylaws Will Be Signed

- 32.1 After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the City's records for safekeeping with the following affixed to the bylaw:
 - (a) the City's corporate seal,
 - (b) the dates of its readings and adoption,
 - (c) the date of the Public Hearing if applicable; and,
 - (d) the date of Ministerial approval or approval of the electorate if applicable.

Consolidation of Bylaws

33.1 The Corporate Officer may consolidate one or more of the City's bylaws for official use.

PART VIII – COMMITTEE OF THE WHOLE (deleted 7272.01)

34.1 to 41.1 (deleted 7272.01)

PART IX - STANDING AND SELECT COMMITTEES

42.1 This part applies, where applicable, to all Committees of the City. (7272.01)

Duties of Standing Committees

- 42.2 A Standing Committee will consider, inquire into, report and make recommendations to Council about all of the following matters:
 - (a) matters that are related to the general subject indicated by the name of the committee;
 - (b) matters that are assigned by Council; or,
 - (c) matters that are assigned by the Mayor.
- 42.3 A Standing Committee will report and make recommendations to Council at all of the following times;
 - (a) in accordance with the schedule of the Standing Committee's meetings; and,
 - (b) on matters that are assigned by Council or the Mayor,
 - (i) as required by Council or the Mayor; or,
 - (ii) as soon as possible if the Council or Mayor does not specify a time.

Duties of Select Committees

- 43.1 A Select Committee will consider, inquire into, report and make recommendations to Council about all matters referred to the Select Committee by the Council.
- 43.2 The Select Committee will report and make recommendations to Council at the date and time specified by Council or as soon as possible if the Council does not specify a time. (7272.01)

Subcommittees

44.1 Committees may not create sub-committees without prior approval of Council.

Authority

- 45.1 A Committee of Council will not bind the City to any course of action, except if Council has expressly delegated such power to act on the Committee or has approved such action by a motion passed by majority of all Council.
- 45.2 A Committee will not conduct its meetings by Electronic Means.

Notice of Meetings

- 46.1 The Corporate Officer will establish a regular schedule of meetings of the Committee, including the dates, times and locations of the Committee meetings, and notice of the schedule will be given by:
 - (a) posting a copy of the schedule at the Public Notice Posting Place; and,
 - (b) providing a copy of the schedule to each member of the Committee.
- 46.2 If revisions are necessary to the regular schedule of meetings for a Committee, the Corporate Officer will post a notice and a revised schedule as soon as possible at the Public Notice Posting Place which indicates any revisions to the date, time and location, or cancellation of a Committee meeting.
- 46.3 The Corporate Officer will ensure a notice of the date, time and location of a meeting called under Section 46.2 to be given to all members of the Committee at least 24 hours before the time of the meeting.

Agendas for Committee Meetings

- 47.1 For items on the Committee agenda, staff will submit items for inclusion on the agenda to the Staff liaison by 11:00 a.m., 10 days prior to the Committee meeting. (7272.01)
- 47.2 If there are no items submitted for discussion by the deadline set out in section 47.1 the Corporate Officer may cancel the Committee meeting.
- 47.3 Committee agendas will be published on a schedule determined by the Corporate Officer. (7272.01)

Attendance at Meetings

48.1 Section 16.1 applies to Committees. (7272.01)

Quorum

49.1 The quorum for a Committee is a majority of the members of the Committee.

Conduct and debate

- The rules of the Council procedure will be observed during Committee meetings, so far as is possible and unless as otherwise provided in this bylaw.
- 50.2 Council may adopt additional procedural rules for Committees by a motion. (7272.01)
- 50.3 A Council Member:
 - (a) may attend meeting of a Committee of which he or she is not a member;
 - (b) may participate in the discussion; and
 - (c) will not:
 - (i) be counted as part of the quorum;
 - (ii) make motions; or,
 - (iii) vote on any motion considered by the Committee.
- A Delegation requesting to appear before a Committee or Taskforce, will submit a written request which includes an outline on the agenda matter of the request to the Corporate Officer by 11:00 a.m. ten days prior to the meeting. (7272.01)
- 50.5 All presentations from Committee Delegations must be received by the Legislative Services Department by 11:00 a.m. ten days prior to the meeting. No late presentations will be displayed at the meeting. (7272.01)
- 50.6 Delegations requesting to speak before a Committee will be reviewed by the Corporate Officer and assigned to the appropriate Committee. (7272.01)

PART X – MINUTES OF MEETINGS

Minutes of Meetings

- 51.1 This part applies to the minutes of the meetings of any group listed in Section 3 Applications of Rules of Procedure of this bylaw.
- 51.2 The following persons may take the minutes of a meeting:
 - (a) the Corporate Officer; or,
 - (b) the Recording Secretary.
- 51.3 Minutes of the meetings will be:
 - (a) legibly recorded:
 - (b) certified as correct by the Corporate Officer;
 - (c) signed by the Chair; and,
 - (d) distributed to the group in advance of the next meeting. (7272.01)
- 51.4 Subject to section 51.8, minutes of the open meetings will be available for public inspection at City Hall during regular office hours. (7272.01)
- 51.5 The Corporate Officer may make minor corrections to approved minutes including but not limited to:
 - (a) typographical errors;

- (b) sequential numbering:
- (c) grammatical errors; or,
- (d) completing missing information.
- 51.6 Prior to adoption of the minutes, the Corporate Officer will distribute a copy of all minutes to each Council Member and the Corporate Officer will distribute a copy of all minutes to each member of the Committee.
- 51.7 In the absence of the Corporate Officer or Recording Secretary a motion passed by the majority of Council members present is required to permit members of staff or Council to take minutes. (7272.01)
- 51.8 Section 51.4 does not apply to minutes of a Council meeting from which person were excluded under Section 90 of the *Community Charter.* (7272.01)

Recording of Motions in Minutes

- 52.1 Every motion that has been seconded shall be recorded in the Minutes.
- 52.2 Notwithstanding Section 52.1, motions that have been withdrawn by Council as per Section 54.1, shall not be recorded in the Minutes.
- 52.3 The names of the members who moved and seconded a motion shall not be recorded in the Minutes.
- 52.4 All votes on motions will be recorded as either:
 - (a) carried unanimously;
 - (b) defeated unanimously; or,
 - in cases where unanimity is not reached, the names of those who voted against the motion will be recorded in the Minutes.

Consideration of Motions

When any motion is under consideration, no other motion shall be received, except a motion to amend, refer, table or postpone.

Withdrawal of Motions

54.1 After a motion has been made and seconded, it shall be deemed to be in the possession of the Council, but the motion may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.

PART XI - PUBLIC HEARINGS

Public Hearings

- Public Hearing meetings will be scheduled on the first Thursday of each month, excluding the month of August, and will take place at the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, and will commence at 7:00 p.m.
- On an annual basis, the Corporate Officer will prepare a schedule that Council may adopt by resolution for Public Hearing meetings on or before December 31 of the preceding year.
- The Chair of the public hearing will ask if there is any person who wishes to speak at the public hearing, whether or not there is a speakers' list.
- 55.4 A Council Member will:
 - (a) limit his or her questions to the speaker to seek clarification or additional details:
 - (b) not engage the speaker in a debate; and,
 - (c) not comment on the merits of the issue.
- 55.5 The order of business at a Public Hearing shall be as follows:
 - (a) Public Hearing is called to order;
 - (b) Staff reports are identified;
 - (c) Staff provide introductory presentations;
 - (d) Applicant details their application;
 - (e) Chair calls for any person to be heard or present a written submission;
 - (f) Correspondence received at the Public Hearing is identified and read by Council.

(7272.01)

PART XII – ADMINISTRATION OF THE BYLAW

Suspension of the Rules

56.1 Any provision of this bylaw, except those required by the *Community Charter* or the *Local Government Act*, may be temporarily suspended for a single meeting by a motion passed by a two-thirds vote of all Council Members present.

<u>Irregularity</u>

57.1 The failure of Council to observe the provisions of this bylaw and any associated policies will not affect the validity of motions passed or bylaws enacted by Council.

Supporting Policies

58.1 Council may adopt policies which provide additional administrative or procedural rules to support this bylaw.

<u>Repeal</u>

- 59.1 The following bylaw and amendments are repealed effective November 15, 2018:
 - (a) "Council Procedure Bylaw, 2007, No. 7060"; and,
 - (b) "Delegation of Council Powers Bylaw 2012 No. 7148".

Effective Date

60.1 This Bylaw comes into force and effect on November 15, 2018.



Staff Report for Decision

DATE OF MEETING SEPTEMBER 21, 2020

AUTHORED BY Sheila Gurrie, Director, Legislative Services

SUBJECT COUNCIL VOTING DASHBOARD

OVERVIEW

Purpose of Report

To provide Council with options for a Council Voting Dashboard that will display and track council members voting records for Council Meetings.

Recommendation

That Council direct staff to proceed with the Council Voting Dashboard that has been developed by our IT Department to track Council's voting record for Council Meetings retroactive to July 1, 2020.

BACKGROUND

At the 2020-JUN-15 Council Meeting, the following motion was made by Council:

That Council direct Staff to prepare a report for Council outlining alternative tracking methods available for capturing each Councillors vote on motions, other than the official meeting minutes, that allows for easy access of Council voting records by members of the public.

At this meeting, discussion took place on the different methods available for tracking Council's voting records with the City of Victoria, City of Vancouver, or a basic Excel spreadsheet being some of the methods discussed.

DISCUSSION

The City of Nanaimo's IT Department reached out to the City of Victoria regarding the software program that they use for tracking council voting records and determined it would be reasonable to implement here, using only staff time for programming the system as cost. Our IT Department, upon consultation with Legislative Services, proceeded with this method of delivery as ultimately, the time involved in the maintenance and upkeep of this program is much less burdensome than an Excel spreadsheet. As well, the user friendliness and searching capabilities using this program is a better experience for the user and provides a greater service to the public.



Members of the public will find the new dashboard makes it easier to see how members of Council voted on a particular motion and gives the public tools to access information about decisions without having to search Council meeting minutes individually to find voting and attendance records.

The dashboard will include voting records for Council meetings only, as these are the meetings where final decisions are made. There are various search methods that will be available to Dashboard users such as searching by keyword in the motion, date of meeting, etc. Links to the corresponding Council Meeting Agenda will be available when clicking on the vote, and the Staff Report and video for that item will be available for referencing how/why a councillor made the decision they made.

OPTIONS

- 1. That Council direct staff to proceed with the Council Voting Dashboard that has been developed by our IT Department to track Council's voting record for Council Meetings retroactive to July 1, 2020.
 - The advantages of this option: The costs associated with implementing this system consist of staff time only and the user friendliness; searching capabilities; and linking to original content, make this option the most beneficial to the user.
 - The disadvantages of this option: There is staff time associated with any additional meeting follow-up required. The Legislative Services Department staff doing this work are already at maximum; however, there are some efficiencies we have noted to combine this work with similar meeting follow-up that is already being done.
 - Financial Implications: Costs are minimal and related to in-house resources by the IT Department staff and their expertise.
- 2. That Council direct staff to pursue another method of tracking voting records.
 - The advantages of this option: There could be a better tracking system that exists; however, compared to an Excel spreadsheet or the City of Vancouver's method, staff have not seen one.
 - The disadvantages of this option: The user friendliness and benefits to the public with the other system may not be captured in a different system (e.g. Excel spreadsheet) and customer service opportunities would be lost.
 - Financial Implications: Unknown at this time. Depending on the solution/method chosen there could be little to none aside staff time.
- 3. That Council direct staff to maintain status quo and have Council Meeting Minutes as the method of tracking voting records.
 - The advantages of this option: Not having to learn a new system taking staff time away from other duties and projects is an advantage. Legislative Services staff would have more time to focus on the in-depth meeting follow-up that already occurs and is necessary in the meeting process. Status quo would dissolve the maintenance and accountability requirements to Council and the public that exists



- when any new program is implemented. Time and resources would spent maintaining, following up with assistance/issues, would not exist.
- The disadvantages of this option: Council, members of the public and other users would have to continue to search minutes for Council's voting record.
- Financial Implications: There are no financial implication with maintaining status quo.

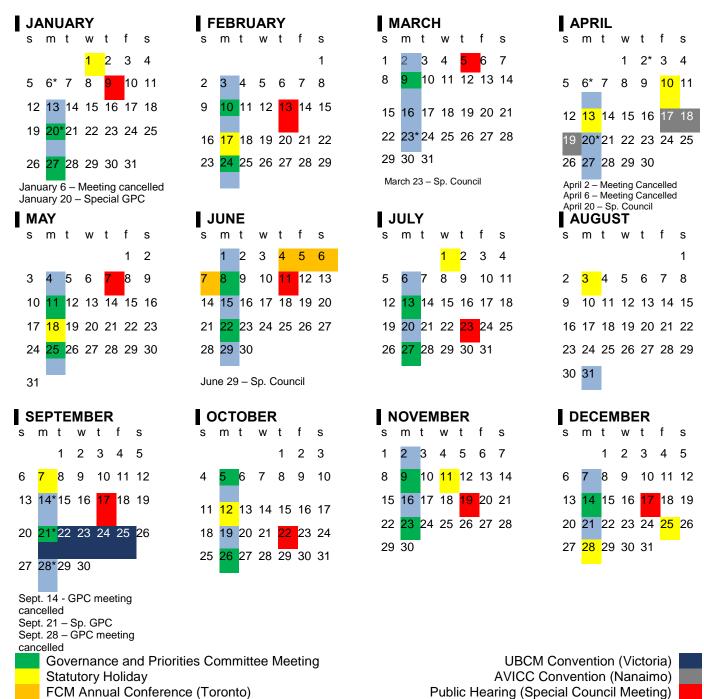
SUMMARY POINTS

- At the 2020-JUN-15 meeting of Council, Council directed Staff to prepare a report for Council outlining alternative tracking methods available for capturing each Councillors vote on motions.
- The City of Nanaimo's IT Department reached out to the City of Victoria regarding their Council Voting Dashboard software and determined it would be reasonable for them to implement at the City of Nanaimo.
- It is anticipated the user friendliness and searching capabilities using this Council Voting Dashboard will be a better experience for the user and provide a greater service to the public.

Submitted by:

Sheila Gurrie Director, Legislative Services

2020 GPC Dates											
Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.
20	10	9		11	8	13			5	9	14
27	24			25	29	27		21	26	23	



Updated: 2020-SEP-16

Council Meeting

Upcoming Topics

MEETING DATE	TOPIC	BACKGROUND	FORMAT	OUTCOMES
September 21, 2020 Special Council Meeting	Review of "Council Procedure Bylaw 2018 No. 7272"	Identified as priority topic at the Special Council meeting held 2020-JUL-13		- Review/update question period and other processes within the Procedure Bylaw.
October 5, 2020	Arts & Culture	Brought forward through Council discussion and motion made at the GPC meeting held 2019-OCT-7	 Invite members from the Arts & Culture community to discuss engagement and communication Staff report and presentation outlining the process for issuing grants related to the arts and providing an update to the Cultural Plan for a Creative Nanaimo Round Table discussion 	- Discussion Recommendation to Council or possibly defer to other committee (ie – budget implications deferred to Finance and Audit)
October 26, 2020	Sanitation Review	With two years of operation, it is timely to review the sanitation operation to ensure future sustainability. Information Report July 15 th advised Council of Staff's intention to conduct a service review on the automated solid waste collection program to inform the upcoming budget cycle	- Presentation of consultant's findings	- Discussion, awareness to support upcoming budget cycle

Updated: 2020-SEP-16

(investigating options to engage w/ neighbourhood associations through the use of Get Involved Nanaimo or other form of online communication)	Neighbourhood Associations – Part 2	Identified as a priority topic at the GPC meeting held 2020-JAN- 20 (session 2 of 2)	 Invite chairs of some associations to attend and be available for the discussion. Identify what resources are available Presentation on how neighbourhood associations work in the City and what expectations they have of Council (i.e.: how do they want to be engaged?) 	 Formalized process for recognizing neighbourhood associations Create a new policy and criteria for neighbourhood associations moving forward including how they can be officially recognized. Defer any financial implications to Finance and Audit Committee
TBD	Women's Participation on City of Nanaimo Task Forces and Childminding Reimbursement for members of City Committees	Identified as a priority topic at the GPC meeting held 2020-FEB- 10		
TBD	Transit		 Tailored City of Nanaimo conversation around transit delivery (City of Nanaimo residents' perspective and impacts to residents and the City). How to encourage transit use from a City perspective. Invite a member of RDN staff speak to Council at the meeting and provide an update of their planning process. Bus stop locations that make sense Conversation around covered bus stops Number of hours that transit operates 	- An ask, or assessment, from the City's perspective sent to the RDN after a decision is made at the city level with a recommendation for consideration at the RDN.

Updated: 2020-SEP-16

TBD	Crosswalk Safety	Identified as a priority topic at the GPC meeting held 2020-FEB- 10	Crosswalks: -report about flashing lights at crosswalks (are they beneficial, etc.) -Education and information around increasing pedestrian safety at crosswalks -Costs around the lighting at crosswalks.	Could come as a next step: -Professional best practice on what should be at crosswalks and what works best and why, etc. Outcome: -a report that outlines all of the pros and cons of crosswalk lighting and pedestrian safety. Options/costs
TBD	Community use of the Vancouver Island Conference Centre	Identified as priority topic at the Finance and Audit Committee meeting held 2020-JUL-15	Staff to provide information package	

Updated: 2020-SEP-16

Future GPC Topics

- Capital planning process
- 1 Port Drive
- Sports venues and tourism strategies
- Vancouver Island Regional Library overview
- Election signage
- Homelessness and addictions
- Outcomes of Health and Housing Task Force
- Waterfront Walkway
- Short Term Rental/AirBnB regulations
- Outcomes of Economic Development Task Force

Updated: 2020-SEP-16

<u>Deferred to Finance and Audit Committee</u>

Fees and Charges

Previous Topics Covered

- Neighbourhood Associations Part 1
- Effective Advocacy Strategies
- Coordinated Strategic Policy Review 2020-2021
- Single Use Checkout Bags
- Civic Facilities conditions, issues, plans and objectives
- Energy and Emissions Management Program
- Advocacy Part 2
- Coordinated Strategic Policy Review 2020-2021 Public Engagement Strategy
- Manual of Engineering Standards and Specifications Revision Update
- ReImagine Nanaimo: Demographics and Land Inventory/Capacity Analysis Summary
- Climate Change Resilience Strategy
- Reallocation of Street Space
- Governance: Question Period/Correspondence/Proclamations/Other
- Council Resolution Update
- Reopening Strategy/Plan
- Roadway Reallocation Options
- Social Procurement
- Capital Projects
- Sports Venues
- Proposed Amendments to the MoESS

Updated: 2020-SEP-16