

Staff Report for Decision

DATE OF MEETING OCTOBER 1, 2018

AUTHORED BY SHEILA GURRIE, CITY CLERK AND CORPORATE OFFICER

SUBJECT “COUNCIL PROCEDURE BYLAW 2018 NO. 7272”

OVERVIEW

Purpose of Report

To introduce “Council Procedure Bylaw 2018 No. 7272” for first, second and third readings.]

Recommendation

1. That “Council Procedure Bylaw 2018 No. 7272” (To establish the Rules of Procedure for Council, Committee of the Whole and Committee Meetings) pass first reading;
2. That “Council Procedure Bylaw 2018 No. 7272” pass second reading; and,
3. That “Council Procedure Bylaw 2018 No. 7272” pass third reading.

BACKGROUND

At the 2018-SEP-24 Special Meeting of Council, the draft Council Procedure Bylaw was presented to Council for review and background. Council passed a resolution to proceed with the new proposed Council Procedure Bylaw, as presented, for three readings at the 2018-OCT-01 Regular Meeting of Council.

The current bylaw was adopted by Council in 2007 and has had three minor amendments since then.

When drafting a new bylaw for Council to consider, it is important to identify what problems are trying to be fixed. The Watson Report and reviews of the current bylaw identified deficiencies in the current bylaw that needed to be addressed. These include, but are not limited to:

1. Absence of parliamentary procedures such as:
 - a. proper steps for reconsideration of a matter;
 - b. point of order;
 - c. tabling or referring a matter back to Staff; and,
 - d. the proper time to debate a bylaw at the appropriate reading of the bylaw.
2. Requirements for Council raising a hand at the time of a vote. This requirement that is in our current bylaw prohibits advancements in technology that we now have with escribe. Escribe has a function that allows voting to occur on your tablets and appear on the screen. With the new bylaw, this will be allowed, and therefore, voting can be done in this manner when the technology is tested and available.
3. There is little to no mention of decorum in our current bylaw; this new bylaw will give a clear picture of acceptable conduct and debate using parliamentary procedures for Council Meetings, Committee of the Whole Meetings, Public Hearings and Committees. This will be utilized as a reference and will assist in better meeting management.

4. Decorum for the public. This is now clearly outlined in the bylaw. How to address Mayor and Council; how to address Staff; and the tools that can be used to address unruly decorum. Again, this will assist in better meeting management and is outlined clearly in the bylaw for delegations, presentations and question period decorum.

5. In Camera meeting times. What is addressed in the new Council Procedure bylaw is the changing of the times of the regularly scheduled council meetings. Currently we have our regularly scheduled meetings of Council starting at 7:00 p.m. In order to have a closed, in camera meeting prior to the open session, it requires a special meeting notice, for a special meeting and yet another Council agenda, or a "Notice of Time Change". The new bylaw allows for the regularly scheduled meetings to start early in order to proceed in camera, with the regular open session to commence at 7:00 p.m.

6. Addressing the issue of late items and addendums. Currently we print agendas the preceding week on Tuesday's, for the meeting the following Monday. Addendums are printed on Friday afternoons and this at times ends up being a full second agenda. Moving the printing and publishing of the agenda to the Thursday before the meeting, and having no addendum will cut down on Staff resources needed to produce agendas and reduce the amount of late items on the agenda. The public will be able to sign up until Monday to speak to an item on the agenda.

7. Committee of the Whole Meetings (COW). There has been a problem with COW meetings ultimately being another meeting of Council and this is not the traditional intent of these meetings. Committee of the Whole, is intended to be a less formal meeting, in a less formal setting, to have Council "roll up their sleeves" and get down to work on the issues.

The issues brought to the table at COW can be debated and discussed fully, before coming to a council meeting to be voted on. This will help two-fold. This will get back to the true purpose of the Committee of the Whole, and shorten Council meetings as the items will have had a fulsome discussion at the COW meeting.

8. Speaking limits. There is currently nothing in the bylaw that addresses speaking times for members during the meetings. It is recommended in the new bylaw that this addressed with the repurposing of COW meetings, though some items will appear at a Council Meeting that have not been to a COW. Putting speaking limits on the members of Council will help to move the meetings along and help to keep the items on topic. This can always be altered and members can speak longer with a motion and vote, but ultimately these time limits, if adhered to, should help the meetings run more efficiently.

9. Consent Items. The new Council procedure bylaw allows for the Corporate Officer to prepare a list of consent items which lists various items and recommendations to address those items. Some matters that will not be included in a "Consent Items" are:

- items pertaining any changes to the financial plan;
- items pertaining the annual municipal report; or
- items pertaining any changes to any strategic plans.

Council may vote on and adopt in one motion all recommendations appearing in the consent items section unless a Council Member makes a request to remove an item from the consent items for the purposes of debate or discussion; they would be voting in opposition to a recommendation on the consent agenda; or declaring a conflict of interest. If these issues occurred, the Chair would remove the applicable item and its recommendation from the

consent items list and have it considered separately by Council immediately after the consideration of the remaining consent items recommendations.

10. Public Hearings and process that were absent from the current bylaw are addressed in the new bylaw. The new bylaw outlines the processes for the hearing and again is designed to assist the Chair and Council members with the proper procedures to follow during a public hearing.

11. Supporting Policies. There is a new section in the new Council Procedure bylaw that clearly defines when a supporting policy would be helpful to provide additional administrative or procedural rules to support the new bylaw. These policies would be adopted by council; would not be in contravention of the new bylaw, or the *Community Charter*, and are easier to amend as they require a resolution of council and not an amendment to the bylaw. Feedback received during the Procedure Bylaw Education and Engagement session has prompted Staff to commence drafting supporting policies for Council approval as soon as possible.

As noted above, Staff have attempted to take a number of the issues that have been brought to the attention of Council either by Council itself, by a member of the public, or problems that Staff have noticed and attempted to address these issues in a clear and concise manner in the new procedure bylaw.

OPTIONS

1. That "Council Procedure Bylaw 2018 No. 7272" (To establish the Rules of Procedure for Council, Committee of the Whole and Committee Meetings) pass first reading;

That Council Procedure Bylaw 2018 No. 7272" pass second reading; and,

That Council Procedure Bylaw 2018 No. 7272" pass third reading.
2. That Council table the report and defer readings to the next Council.

SUMMARY POINTS

- Council resolved at the 2018-SEP-24 Special Meeting of Council to move forward with the three readings of "Council Procedure Bylaw 2018 No. 7272".
- "Council Procedure Bylaw 2018 No. 7272" will replace the Current Council Procedure Bylaw No. 7060 with additions recommended for good Governance.

ATTACHMENTS

"Council Procedure Bylaw 2018 No. 7272"

Submitted by:

Sheila Gurrie
City Clerk and Corporate Officer

Concurrence by:

Jake Rudolph
Chief Administrative Officer