

MINUTES
SPECIAL GOVERNANCE AND PRIORITIES COMMITTEE MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-SEP-30, AT 1:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director of Parks, Recreation and Culture
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
F. Farrokhi, Manager, Communications
S. Gurrie, Director, Legislative Services
S. Snelgrove, Steno Coordinator
N. Sponaugle, Legislative Services Clerk
J. Vanderhoef, Steno, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE SPECIAL GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Special Governance and Priorities Committee Meeting was called to order at 1:07 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(d)(1) – Community Wellness/Livability, Correspondence, dated 2019-SEP-20, from Richard Stewart, Mayor, City of Coquitlam, requesting support re: Ride-Hailing letter to BC Minister of Transportation, replace recommendation with the following:

“That the Governance and Priorities Committee recommend that Council support the taxi industry’s request to provide a level playing field with all transportation providers.”

3. APPROVAL OF THE AGENDA:

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

4. ADOPTION OF THE MINUTES:

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, 2019-SEP-09 at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

5. REPORTS:

a. GOVERNANCE AND MANAGEMENT EXCELLENCE:

(1) Governance Review

Introduced by Sheila Gurrie, Director, Legislative Services.

(2) Presentation - Governance Engagement, Transparency and Administration

Natalie Sponaugle, Legislative Services Clerk provided a presentation regarding Governance Engagement, which included the following information:

- Two types of public engagement: Community Engagement and Governance Engagement
- There are many ways for the community to engage with Council including: Council Meeting, appearing as a delegation, question period, email and phone
- What the City currently does to engage with the community, what new engagement resources have been implemented and what is coming up in the future to further engage with the community
- The different engagement tools used for each of the four pillars of the strategic plan including Livability, Governance Excellent, Environment Responsibility and Economic Health

Committee discussion took place regarding:

- Methods Council and Committees communicate decisions, goals and initiatives to the public that are being completed or coming forward
- Communication tools that the City of Nanaimo has available to the public

Sheila Gurrie, Director, Legislative Services, provided a presentation regarding Governance, Transparency and Freedom of Information (FOI), which included the following information:

- Previously completed FOI requests, which can be released, will soon be available on the city's website for the public to view
- 2018 FOI files have been compiled and are undergoing final review before being released on the website
- Certain categories including requests for personal information and Nanaimo Fire Rescue incident reports and photos cannot be released

- Legislative Service is currently developing an FOI release procedures policy
- The steps taken to decide which files can be released and which cannot

Committee discussion took place regarding:

- Fire Rescue information and photos being released to the public
- Cost of FOI requests and staff time involved
- Increase and decrease in FOI requests, no cost recovery in place and staff time averages 10 hours per day
- Assistance from Council and other Staff to simplify the process for FOI clerks to search information such as emails, archived emails and correspondence

Jessica Vanderhoef, Steno, Legislative Services, provided a presentation regarding Governance Engagement, Transparency – “In Camera” Releases and Administration, which included the following information:

- Council Policy “Routine Release of “In Camera” Agenda” was amended on 2019-JUL-22 and provides for routine release of “In Camera” Agenda including reports and minutes
- “In Camera” release information can be found at www.nanaimo.ca/goto/InCameraReleases
- Currently the webpage provides releases from 2010 – 2017 and the 2018 and 2019 documents are being prepared
- Routine release of documents is not a legislated but support Governance Excellence regarding openness and transparency
- Review of all agenda, reports and minutes are required as some items need to be redacted, such as:
 - 3rd party information
 - Personal information
 - Law enforcement
 - Litigation and negotiations
- Steps taken to ensure any of the above items are redacted from agenda’s, minutes and report

Committee discussion took place regarding:

- Rise and report option and can this process be completed sooner if there is no confidential information included in the report
- Release of third party information
- Methods that Council can rise and report on an item

Jessica Vanderhoef, Steno, Legislative Service, continued her presentation regarding Governance Administration, which included the following information:

- eSCRIBE is the meeting management software used to prepare reports, agenda and livestream meetings

- Most agendas are now being published electronically which has reduced printing of paper agendas by half
- Outline of agenda and report cycle including all steps taken to produce the agenda
- Meeting statistics include comparing the first seven months of each year, average number of meetings per month, length of council meetings and average number of delegations at Committee of the Whole meetings
- Addition of Consent Items on agendas has likely decreased meeting lengths

(3) Presentation - Procedure Bylaw Amendments

(1) Amendments to "Council Procedure Bylaw 2018 No. 7272"

Sky Snelgrove, Steno Coordinator, provided Council with a presentation regarding the Amendment to "Council Procedure Bylaw 2018 No. 7272", which included the following information:

- 2013 Watson Report recommended that the procedure bylaw be updated
- Registered parliamentarian attended the facilitated engagement session in August of 2018, along with 30 members of the public
- The goal of the amendments are to streamline the administrative process, officially dissolve the Committee of the Whole and address concerns regarding the publishing/printing timeline of the agenda
- Key amendments to the bylaw include:
 1. Remove all references to the Committee of the Whole
 2. Add definition "Task Force"
 3. Change "In Camera" Council meeting start times
 4. Add clause that no Regular Council meetings will be held in August
 5. Change Agenda and Addendum print and publishing days
 6. Change deadline for delegation related to items on the agenda
 7. Change process for delegations not related to agenda items
 8. Delegation speaking to consent items
 9. Consent Items
 10. Committee delegation timelines
 11. Public Hearing process
- Amended Procedure bylaw next steps include three readings at the Regular Council Meeting, 2019-OCT-07, Public Notice, adoption at the Regular Council Meeting, 2019-OCT-21 and to become effective 2019-NOV-01

Committee discussion took place regarding:

- 10 day deadline for delegation speaking to Council, Committees and Task Forces
- Business arising from a delegation and where that would be placed on an agenda and how to properly deal with the item
- Financial implications arising from a delegation would be placed on a Finance and Audit Committee agenda
- Clarification of the process for approving delegation requests
- Delegations would now have the opportunity to speak to Council twice a month at a Regular Council meeting whereas Committee of the Whole meetings were scheduled once a month
- Speaking time for delegations especially in a group

Sky Snelgrove, Steno Coordinator, continued her presentation:

- If changes are needed to the amended bylaw these changes could be brought forward in the future for consideration
- The *Community Charter* mandates that the Council Key Date Calendar for 2020 be published in December of 2019

Committee discussion took place regarding:

- Printing and publishing change from Thursday to Wednesday and if this change decreases the delegations time frame to submit a presentation
- Public perception and ability to address Council if Committee of the Whole meetings are dissolved
- Efficiency of meetings, Staff time involved in creating the agenda and Council's ability to review an agenda before the meeting will be positively affected by these amendments
- Presentations from a group and limiting the number of pages that can be provided in a handout

Jake Rudolph, Chief Administrative Officer, stated that Council and Staff could initiate a 6 month check in meeting regarding the changes to the procedure bylaw to address any concerns stemming from the amendments.

Committee discussion took place regarding:

- Motion needed to appoint a member of Staff or Council to take minutes in the absence of a recording secretary or the City Clerk
- Recording on the minutes who voted for or was opposed
- Feedback from the public regarding the amendments to the procedure bylaw

It was moved and seconded that the Governance and Priorities Committee recommend that Council proceed with three readings and adoption of "Council Procedure Amendment Bylaw 2019 No. 7272.01" as presented. The motion carried unanimously.

The Special Governance and Priorities Committee Meeting recessed at 2:40 p.m.
The Special Governance and Priorities Committee Meeting reconvened at 2:50 p.m.

(4) Agendas Committee

Sheila Gurrie, Director, Legislative Services, provided Council with an overview of the potential Agenda Committee, which included the following information:

- Potential challenges include:
 - Overlapping responsibilities between the agenda committee and the Governance and Priorities Committee (GPC)
 - Legislative and administrative requirements could result in a backlog of reports and unnecessary delays
 - *Community Charter* does not allow for Staff to take direction from individual Council members
 - All members of Council would not be on the committee which could negatively effect Council relationships

Committee discussion took place regarding:

- Negative affects of an agenda committee
- Council having access to the draft agenda earlier so Council members can be better versed in items coming forward
- Risk of some members of Council having influence over the agenda and more information regarding an agenda item if they are on the agenda committee
- Governance and Priorities Committee meeting could decide on discussion items going forward and include a discussion at the end of each GPC meeting
- The request to defer an agenda item is available at any time to Council if a topic needs more discussion or is controversial

Sheila Gurrie, Director of Legislative Services, noted that Staff and the Chief Administrative Officer could meet and discuss a potential method that would allow Council members access to view the draft agenda prior to printing/publishing day.

Jake Rudolph, Chief Administrative Officer, reiterated that GPC meetings are the place for significant discussion and debate on topics and this could include future agenda items.

(5) Presentation - Notice of Motion Policy

(1) Council Policy - Notice of Motion

Introduced by Sheila Gurrie, Director, Legislative Services.

Sky Snelgrove, Steno Coordinator, provided a presentation regarding the proposed Notice of Motion policy, which included the following information:

- This is a draft policy for Council's consideration
- Notice of Motion is a parliamentary tool used to introduce a motion to Council by a member of Council
- Policy outlines duties of each Councillor, Staff member and the City Clerk
- Provides for clear and concise steps and instructions to members of Council that are bringing forward a Notice of Motion
- Staff's input is imperative as a motion could have financial or legal implications that members of Council are not aware of when voting

Committee discussion took place regarding:

- Whether the policy creates more work for Staff and confusion for members of Council
- Council has the option to refer an item to Staff for more information and a Staff Report
- Does a Policy have repercussions if the policy is not followed
- Current process versus the policy
- Following the Notice of Motion, steps could potentially identify legal or financial ramifications that were not obvious when the Notice of Motion was drafted
- Potential Notices of Motion could be brought to the GPC meetings first for discussion and debate
- Steps if a Notice of Motion has no seconder

Sheila Gurrie, Director, Legislative Services, spoke and stated that there are no repercussions if the policy is not followed. The policy is meant to be a guideline for members to follow the appropriate process and provides Staff time to give feedback to Council regarding the implications of a Notice of Motion.

It was moved and seconded that the Governance and Priorities Committee recommend that Council approve the Notice of Motion Policy.

It was moved and seconded that consideration of "Council Policy - Notice of Motion", be deferred to the next scheduled Governance and Priorities Committee meeting, 2019-OCT-07. The motion carried unanimously.

Due to time constraints the following items will be deferred to the next scheduled Governance and Priorities Meeting, 2019-OCT-07:

(6) Presentation - Additional Committees

- (1) Nanaimo Youth Advisory Council
- (2) Advisory Committee on Accessibility and Inclusiveness

d. COMMUNITY WELLNESS/LIVABILITY:

- (1) Correspondence, dated 2019-SEP-20, from Richard Stewart, Mayor, City of Coquitlam, requesting support re: Ride-Hailing letter to BC Minister of Transportation

Introduced by Mayor Krog.

It was moved and seconded that the Correspondence, dated 2019-SEP-20, from Richard Stewart, Mayor, City of Coquitlam, requesting support re: Ride-Hailing letter to BC Minister of Transportation be deferred to the next scheduled Regular Council Meeting, 2019-OCT-07. The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 4:00 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER