Committee of the Whole Staff Report

TO: Mayor and Council
FROM: Rami Ajjour, Policy Assistant
City Governance
DATE: May 12, 2020
RE: Amendments to Procedural Bylaw 013-19

REPORT SUMMARY (Detail Background, Comparable Projects, and Outcomes):

Procedural Bylaw 013-19, along with the Municipal Government Act, governs the preparations and proceedings of Council Meetings, including Regular Council meetings, Committee of the Whole Meetings, and Public Hearings. From time to time it is necessary to amend the Procedural Bylaw in order to ensure that best procedural and parliamentary practices are continuously outlined within the Bylaw.

Administration has conducted a thorough review of Council’s Procedural Bylaw and is proposing several amendments for Council’s consideration. The majority of the proposed amendments deal with ensuring the Bylaw accurately reflects Council’s activity during meetings, ensuring legislative compliance, and minor housekeeping changes.

The main amendments include:

• The addition of a provision outlining that once a Public Hearing is closed, it cannot be reopened and that Council is not permitted to receive any further submissions.

• The requirement that those wishing to make representation at a Public Hearing must register with Legislative Services to speak by 12:00 pm the day of the Public Hearing. Non-registered individuals wishing to speak may only do so at Council’s discretion.

• The addition of a provision limiting Organizations to make representation only once during a Public Hearing (i.e. they may make representation as a group together, but multiple representatives from the same Organization would not be permitted to come up at different times to make their representation).

• The addition of a standing “Declaration of Conflict of Interest” item on every Council Meeting and Committee of the Whole Agenda to take place after Call to Order. Council Members will be required to declare any conflict of interest, including pecuniary Interest, pertaining to any item or discussion on the Agenda.
• Amendment to the allotted time members of the public have to ask questions/make comments during question period and public input session from 5 min to 2 minutes. Additionally, questions and comments must now pertain to items on the meeting Agenda.

• The addition of a definition for “Point of Privilege” to mean a request to the Chair to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of a Member of Council or of Council as a whole, despite other pending business currently before Council.

  - An example of this would be that during a deliberation, a Council Member believes they have been misquoted or misrepresented by comments made by another Member of Council. A Point of Privilege could then be raised by the Member, to the Chair, who would then rule on the point, similarly to a Point of Order.

• The addition of a definition for “Notice of Motion” to provide clarity on the process for which one can be brought forward by a Council Member.

• To ensure clarity and that meetings are run consistently, the proposed amendments include definitions for “Motion to Defer” “Motion to Receive” and “Motion to Refer” as outlined below:

  - **Motion to Defer** – A motion to delay consideration of matter by postponing consideration:
    o Indefinitely;
    o Until a specified time;
    o Until a specified event happens; or
    o Until a report or communication is presented.

  - **Motion to Receive** – A motion to acknowledge that an item, report or recommendation under consideration with no additional action required.

  - **Motion to Refer** – A motion to direct a matter to staff or a committee of Council for additional information and/or recommendation, including a specified date at which the information is to be brought back to Council.

• Minor housekeeping changes throughout.

**BENEFITS:**
The proposed amendments will ensure that the Procedural Bylaw is better tailored to the manner in which Council has been conducting its meetings and Public Hearings. They will also provide greater clarity in terms of process for when Council is making decisions, directing staff, or postponing the consideration of items.

**PUBLIC NOTICE/COMMUNICATIONS:**

A draft version, with amendments, of Procedural Bylaw 013-19 will be included in the meeting agenda package for public viewing on the City’s Website.

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<tr>
<th>RELATED COUNCIL POLICIES/BYLAWS &amp; STRATEGIC VISION:</th>
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<tbody>
<tr>
<td>- Relationships: Become outcome focused, Serve customers with excellence</td>
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<td>- Opportunities: Maximize efficiencies and spend smarter</td>
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<th>PREVIOUS REPORTS/COUNCIL DECISIONS (if any):</th>
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<th>ATACHMENTS (including all In Camera items):</th>
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<tr>
<td>- Red-line Proposed Amendments to Bylaw 013-19 (24 pages)</td>
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<tr>
<td>- Clean Proposed Amendments to Bylaw 013-19 (23 pages)</td>
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**CHIEF ADMINISTRATIVE OFFICER’S COMMENTS (if any):**

**NEXT STEPS:**

Administration will take back all feedback provided by the Committee of the Whole regarding the proposed amendments and make the necessary changes.

At a future Council meeting, the updated proposed amendments will be brought to Council for approval. Currently, Administration is targeting the May 19th 2020 Council meeting for the amendments to be brought for approval, pending discussion at the Committee of the Whole.

Approved by:
Bernie Morton
Chief Administrative Officer