



Report to Council From the Office of Mayor Rob Vagramov

Date: April 25, 2021

Subject: Recommendation to Update Record-Keeping for Closed Meetings of City Council

Purpose

To reconcile the current gap in record-keeping standards between closed and open meetings of Port Moody City Council.

Recommendation

THAT staff report back with options and costs to begin conducting and archiving the audio recording of Closed Council meetings going forward, accessible for subsequent reference by attendees and others only as authorized, and include with that report a legal opinion on issues and suggested procedures to minimize any related legal risks as recommended in the report dated April 25, 2021 from the Office of Mayor Rob Vagramov regarding Recommendation to Update Record-Keeping for Closed Meetings of City Council;

AND THAT a full report of decisions regarding the issue of audio recording of Closed Council meetings be provided at an open meeting of Council.

Background

The City of Port Moody prides itself on transparency and record-keeping when it comes to public meetings of Council. The same cannot be said for in-camera (closed) meetings of Council, where deliberations and decisions of the highest importance to city governance are regularly conducted, and yet meeting minutes of the most rudimentary, high-level kind are the only records that are kept for subsequent reference by Council members and others authorized to receive access.

Discussion

Public meetings of Council feature minutes kept by the clerk, usually accompanied by a video-and-audio recording of the proceedings. These recordings are invaluable for the legislative record, for the public, and for subsequent reference by current and future members of Council for a number of valid purposes including, among others:

- ensuring that proceedings were conducted properly and fairly

- referencing previous discussions to inform current decisions
- confirming the specifics of what was said on the record

Closed meetings are not “off the record,” and meeting participants remain fully accountable at all times for what is said and done in those sessions. What is said during in-camera meetings of Council is simply removed from the public sphere, when the topics of conversation fall within a limited set of categories as defined by provincial statute (most often, as when discussion may relate to individual conduct and employment issues, and sensitive business negotiations by the City regarding possible land acquisition or use.).

Aimed toward achieving and ensuring the same good-governance objectives that drive Council’s current record-keeping practices in public meetings, the recommendation of this report seeks to implement an improved record-keeping regime for in-camera meetings. The approach recommended here would involve a system similar to the current system for maintaining video records of public meetings; except that, in this case, the keeping of simple audio archives could suffice and reduce costs associated with the proposed record-keeping. The proposed procedure would entail city staff – likely the Legislative Services department – conducting and archiving a low-quality audio record of each in-camera meeting.

Closed session archives would be available for subsequent reference by session participants and any others legally authorized to review them, and access would be initiated by way of request to Legislative Services. These archives could either be destroyed at the conclusion of each Council term, which is the expectation of this recommendation, or could alternatively be retained as a historical reference under specified conditions, if permissible by law.

Such a record-keeping system would benefit Council by:

- allowing Council members to refer back to previous closed meetings during discussions,
- ensuring that Council members are speaking to the record, even behind closed doors,
- helping to regulate the tone and demeanour during in-camera meetings.

It should be noted that such records would be protected by Provincial FIPPA privacy legislation, making them quite unlikely to ever be released to the public. A staff report on this topic should include an analysis of this aspect of maintaining records.

Other Option(s)

THAT the report dated April 25, 2021 from the Office of Mayor Rob Vagramov regarding Updating Record-Keeping of Closed Meetings be received for information.

Financial Implications

Staff time for a report to Council.

Council Strategic Plan Objectives

The recommendations of this report align with the following Strategic Plan themes and objectives:

- Commit to a high and consistent standard of service
- Increase access to City information.