

# Memorandum

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To:	Council	File #:	09-3900-50/Vol 01
		Date:	February 11, 2019
From:	Corporate Services Department – Legislative Services Division		
<b>Subject:</b>	<b>Council Procedure Bylaw Review and Amendments</b>		

At the Committee of the Whole meeting held on January 22, 2019, Council considered the attached report dated January 11, 2019 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review and Amendments, and addressed 10 of 13 issues presented in the report. The presentation and consideration of the issues will resume at the Committee of the Whole meeting to be held on March 19, 2019.

# Unfinished at January 22, 2019 Special Council (COTW) Meeting

**Council Agenda Information**☒ COTW January 22, 2019

Item 6.1



## City of Port Moody Report/Recommendation to Council

Date: January 11, 2019

File No. 09-3900-50/Vol 01

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Council Procedure Bylaw Review and Amendments

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### Purpose / Introduction

To present requested and recommended changes to the Council Procedure Bylaw for consideration and endorsement.

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### Recommended Resolutions

**THAT the report dated January 11, 2019 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review and Amendments be received for information;**

**AND THAT staff be directed to draft a Council Procedure Bylaw Amendment with the changes approved at the Committee of the Whole meeting held on January 22, 2019.**

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### Background

At the Committee of the Whole meeting held on November 27, 2018, Council considered a report dated November 17, 2018 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review (**Attachment 1**), which provided background information on the Council Procedure Bylaw amendments requested by Mayor Rob Vagramov in his report dated November 3, 2018 regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw. This report provides information on and suggested resolutions for the implementation of the eight changes requested.

### Discussion

The first portion of this section provides information and recommended resolutions for each requested change. The second portion introduces suggested amendments to update the Bylaw to facilitate meeting management based on recent practices and in anticipation of the implementation of an electronic meeting management system. All recommended resolutions for amendments are included as **Attachment 2**, which Council may choose to endorse as a whole.

# Unfinished at January 22, 2019 Special Council (COTW) Meeting

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Council Procedure Bylaw Review and Amendments

January 11, 2019

Requested Changes

1. Increasing Council Member Speaking Time to 10 Minutes – increasing Council member speaking time limit to 10 minutes extends the maximum length of debate to 70 minutes for one agenda item. With this amendment, the speaking time limit for Regular Council would be identical to that of Committee of the Whole (COTW), with the exception that in COTW, there are no limits on the number of times a member may speak for ten minutes. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the Council Member speaking time limit be increased to 10 minutes for Regular and Closed Council meetings.

2. Permitting Electronic Participation in Meetings – electronic participation in meetings has previously been deemed by Council to be cost-prohibitive. The last available figures for technological infrastructure to support electronic participation was \$45,000 for two participants and \$35,000 for one participant. The forthcoming implementation of the electronic meeting management system may present opportunities for electronic participation at a reduced cost. Once the audio integration for the electronic meeting management system has been tested in February 2019, staff will be able to report back on expenses necessary to support electronic participation. In the meanwhile, Council may wish to include provisions for electronic participation in the Council Procedure Bylaw, contingent upon the availability of satisfactory technological infrastructure. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the Council Procedure Bylaw be amended to include authorization for electronic participation in open Council meetings with the following conditions:

- electronic participation is only available when a quorum of Council is physically present at the meeting;
- only one Member may participate electronically in each meeting;
- a Member may participate electronically for a maximum of four days per calendar year; and
- electronic participation will be made available once the technological infrastructure is in place to support it;

AND THAT staff report back on the extent to which the forthcoming electronic meeting management system will facilitate electronic participation and on its associated costs;

AND THAT staff be directed to draft a Corporate Policy to set out the connection and remote space requirements for electronic participation, as well as the criteria for determining eligibility for electronic participation in situations where demand outstrips capacity.

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3. Addition of Council Verbal Report at Start of Meeting – if a Council Verbal Report section is to be added to the beginning of the meeting, it should precede Public Input to ensure that members are not obligated to respond to Public Input and delay addressing the items discussed in Public Input as part of the agenda. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the Order of Proceedings and Business be amended to include an additional Council Verbal Reports section after Call to Order.

4. Increasing Public Input Speaking Time Limit – as the common practice has been to pass resolutions to extend Public Input to allow all who wish to speak a chance to do so, increasing the Public Input Speaking Time Limit to 30 minutes is not expected to have an effect on the length of meetings. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT Public Input Speaking Time Limits be increased to 30 minutes.

5. Lowering Approval Requirements for Addition of Late Items – lowering the approval requirements for the addition of late items to the agenda from unanimous to two-thirds may result in higher incidence of late submissions from both staff and Members, and would reduce or eliminate the time that Members have to consider the item before the meeting. It is recommended that, at minimum, the requirement be set at two-thirds of all members rather than two-thirds of members present, as two-thirds of members present may be as few as three members. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT late items be added to the agenda with the approval of two-thirds of all Members.

6. Addition of Recess – motion to recess is included under privilege in section 29. While the Chair may call for a recess, it must have the approval of the majority. Allowing a Chair to impose a recess without the consent of members is not recommended.
7. Automatic Adjournment of Meetings at 11pm – while ensuring that meetings end at a reasonable hour has many benefits, introducing a mandatory adjournment at 11pm may limit Council in extenuating circumstances where it is necessary to extend a meeting past 11pm, or where it would be preferable to extend the meeting briefly past 11pm rather than reconvene at another time. It may be preferable for Council to limit meeting time with the existing provisions by not extending a meeting past 11pm rather than introduce an inflexible end time. The resolution for implementing this change is as follows and, as it is not recommended, is not included in **Attachment 2**:

THAT Council meetings be automatically adjourned at 11pm with no possibility of extension.

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January 11, 2019

8. Addition of Review Clause – the recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the Council Procedure Bylaw be brought forward for review in the first quarter of any year following a General Local Election.

Other Changes

1. 16(1) Order of Proceedings and Business – it has been suggested that the second Public Input opportunity at the end of a Regular Council meeting may be superfluous, as its absence from Committee of the Whole meetings has not raised any concerns. Eliminating this second Public Input opportunity may increase meeting efficiency. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the second Public Input opportunity at Regular Council meetings be removed.

2. 20(1)(b), 20(1)(f), 44(1) Voting by Show of Hands – several sections refer to the process of calling of votes and requiring the raising of hands to indicate one's vote. The forthcoming electronic meeting management system allows for electronic voting, which may also facilitate electronic participation. It is recommended that the Council Procedure Bylaw be updated to accommodate this anticipated change. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT references to electronic voting through the electronic meeting management system be included in the Council Procedure Bylaw.

3. 21(1) Presentations and Delegations – the original intent of placing presentations and delegations on COTW agendas was to allow for interaction between delegates and members. As Council has expressed a desire to receive presentations and delegations at Regular Council meetings held in Council Chambers, and Council has taken the opportunity in multiple Regular Council meetings to go into Committee when appropriate, it may be preferable to schedule presentations and delegations at Regular Council meetings. It is recommended that a limit of two delegations per meeting be imposed. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT presentations and Delegations to Council be received at Regular Council meetings;

AND THAT the Corporate Policy on Delegations be amended to impose a two-delegation limit per meeting.

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4. 23(4) Council Code of Conduct – with the 2018 adoption of the Council Code of Conduct Bylaw, the reference to the Council Code of Conduct should be updated to refer to the Bylaw and the policy. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT references to the Council Code of Conduct be updated to include the Council Code of Conduct Bylaw.

5. 35(6) and (7) Reading and Adopting Bylaws – the requirements for reading Bylaws separately were introduced to ensure that members had sufficient opportunities to discuss and amend Bylaws. Staff believe that recommending that each reading of a Bylaw be given separately already allows sufficient opportunities for members to consider and amend proposed Bylaws. Removing this requirement in the Council Procedure Bylaw would allow Council to give multiple readings to a Bylaw or to multiple Bylaws with a single resolution if efficiency is desired. This would also allow for the inclusion of Bylaw readings and adoption on the Consent Agenda if desired, and allows for the Legislative Matters section to be dealt with as a single item. The recommended resolution for implementing this change is as follows and is included in **Attachment 2**:

THAT the requirements to give each Bylaw reading separately and to separate third reading with an additional meeting be removed.

## Other Options

THAT staff be directed to report back on additional changes to the Council Procedure Bylaw as directed at the Special Council (Committee of the Whole) meeting held on January 22, 2019.

## Financial Implications

The cost of Public Notice for amending the Council Procedure Bylaw is expected to be approximately \$600. The costs for the addition of electronic participation in meetings is to be determined.

## Communications / Civic Engagement

Once an amendment Bylaw has been prepared for consideration at a Regular Council meeting, the procedure for Public Notice (newspaper advertising) will be followed.

## Council Strategic Plan Objectives

A Council Procedure Bylaw update contributes to the development of responsive sustainable service excellence, community engagement, and a culture of transparency.

## Attachments:

1. Report dated November 17, 2018 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review.
2. List of recommended resolutions.

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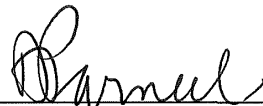

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Council Procedure Bylaw Review and Amendments

January 11, 2019

<b>Prepared by:</b>	<b>Reviewed by:</b>
 D. Shermer Corporate Officer	 A. Parnell General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comments</b>   Tim Savoie, MCIP, RPP City Manager	

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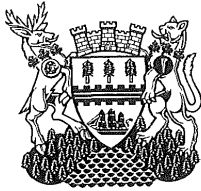
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### City of Port Moody Report/Recommendation to Council

Date: November 17, 2018

File No. 09-3900-50/Vol 01

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Council Procedure Bylaw Review

#### Purpose / Introduction

To introduce requested and recommended changes to the Council Procedure Bylaw.

#### Recommended Resolution

**THAT a Special Council (Committee of the Whole) meeting be held in early 2019 for consideration of changes to the Council Procedure Bylaw as recommended in the report dated November 17, 2018 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review.**

#### Background

At the Regular Council meeting held on November 13, 2018, Council considered a report dated November 3, 2018 from Mayor Rob Vagramov regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw (**Attachment 1**) and passed the following resolution:

RC18/578

THAT staff report back to a 2018 Committee of the Whole meeting with changes to the Council Procedure Bylaw that include:

- increasing Council member speaking time to 10 minutes;
- permitting electronic participation in meetings;
- duplicating 16(1)(k), below 16(1)(b);
- increasing Public Input time allotted under section 17(1) to 30 minutes;
- changing the threshold for Late Items under section 19(1) to a two-thirds Majority vote;
- allowing the Presiding Member of Council or any Committee to impose a recess;
- requiring automatic adjournment of meetings of Council at 11pm; and
- requiring the Council Procedure Bylaw to be revisited by Council after every election at the first possible Committee of the Whole meeting following the Inaugural Meeting of Council;

as recommended in the report dated November 3, 2018 from Mayor Rob Vagramov regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw.



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### **Report/Recommendation to Council**

Council Procedure Bylaw Review

November 17, 2018

This report provides information on each of the above proposals for Council consideration. While it is possible to immediately begin the process of revising the Council Procedure Bylaw to implement some or all of the changes proposed above, staff recommend that Council receive the information in this report and review the Council Procedure Bylaw as a whole at a Special Council (Committee of the Whole) meeting dedicated to this task to ensure comprehensiveness of the amendment bylaw, as a public notice process must be followed each time consideration is given to amending the Council Procedure Bylaw.

### **Discussion**

The current Council Procedure Bylaw was adopted on March 8, 2016, after discussions in the Committee of the Whole meetings held on November 17, 2015 and on January 19, 2016. The reports considered at those meetings provide relevant information for comprehensively reviewing the Council Procedure Bylaw and are included for Council information as **Attachment 2** and **Attachment 3**. The following sections provide information on the changes requested on November 13, 2018.

#### Increasing Speaking Time Limit to Ten Minutes

The current Council Procedure Bylaw states that a member may speak to a question, or may speak in reply, for longer than a total time of five minutes only with the permission of Council. With seven members present, the total maximum speaking time per item would be 35 minutes. If this limit were to be doubled, the total maximum speaking time per item would be 70 minutes. It should be noted that, under the current bylaw, Council can resolve to allow a member, some members, or all members to speak for longer than a total time of five minutes. In situations where it is deemed necessary to have a lengthier discussion, Council may resolve to extend or dispense with the speaking time limit, or to go into Committee of the Whole.

Doubling the speaking time limit can easily be done by amending section 23(11)(d); however, this would have the effect of removing the incentive for members to keep discussions concise and focussed. As speech lengthens, attention wanes. With a ten-minute speaking limit, a member may have to listen for one full hour on a topic before they speak for the first time. Retaining the five-minute speaking time limit may encourage Council to go into committee to provide enough time and flexibility for debate on complex matters. As lengthening the speaking time limit to ten minutes may remove the impetus for going into committee, it is recommended that any extension of the speaking time limit for Regular Council meetings be accompanied by a corresponding extension of the speaking time limit for Committee of the Whole meetings.

#### Permitting Electronic Participation in Meetings

Electronic Participation at Council meetings was considered at the Regular Council meeting held on April 12, 2016; the report considered at that meeting is included for reference as **Attachment 4**. Council chose to further explore enterprise solutions that would allow one or two members to participate remotely without requiring a technician to operate the microphone system. At the Committee of the Whole meeting held on September 20, 2016, Council considered a report dated June 27, 2016 from the Corporate Services Department – Legislative Services Division regarding Electronic Participation in Council Meetings (**Attachment 5**), and decided not to allow for remote participation. If Council would like to allow for electronic

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Council Procedure Bylaw Review

November 17, 2018

participation with the aid of one auxiliary staff for each member participating remotely, staff can provide updated information on the feasibility and cost of this option. As outlined in the report dated June 27, 2016, the following should be incorporated into the Council Procedure Bylaw and Corporate Policy if electronic participation is to be allowed:

- requiring that a minimum of four participants physically attend the meeting. This allows the meeting to continue uninterrupted in cases where connection or intelligibility is lost;
- restricting the maximum number of meetings in which a member may participate electronically each year. This ensures that the expectations of the community regarding physical attendance at meetings are met;
- including criteria for determining eligibility for electronic participation. This allows for a fair determination of priority for electronic participation in situations in which demand outstrip capacity;
- restricting Electronic Participation to meetings that are open to the public. This ensures that Closed Council meetings are securely closed to the public;
- specifying requirements for the physical location of the remote participant. This ensures that undesirable environments and interruptions are not introduced into the Council Chambers;
- specifying that, once connection is lost, the remote participant is deemed to have left the meeting and will be recorded as such in the minutes. This allows meetings to continue with minimal disruption; and
- specifying the minimum level of intelligibility (e.g. speech must be clearly heard without time lag) for a member to continue participating remotely. This will allow the Presiding Member to determine when it would be appropriate to disconnect a remote participant to allow the meeting to continue without disruption.

### Adding a Verbal Report Section After Public Input

While the addition of a Verbal Report Section after the first Public Input can be easily accomplished with an amendment to the Council Procedure Bylaw, this addition will have the effect of lengthening Council meetings and creating the temptation and opportunity for members to respond to Public Input speakers rather than address the issues as part of the agenda. If the impetus for this change is to increase the effectiveness of the verbal reports by presenting them while more members of the public are in attendance during the earlier part of the meeting, staff recommend moving Council and Staff Verbal Reports ahead of the first Public Input; this would have the desired effect without duplicating the item and without the risk and temptation for members to discuss agenda items with the public rather than with the body of Council. It may also be prudent to introduce a time limit to these verbal reports to ensure that agenda items are addressed as early as possible.

### Increasing Public Input Time Limit to 30 Minutes

The current public input time limit is set at 15 minutes. Increasing the time limit to 30 minutes would have little to no effect on the length of meetings, as Public Input is almost always extended by resolution. The chief function of the 15-minute time limit is to remind the body of Council and the public that additional Public Input is delaying the addressing of agenda items by 15-minute increments; its other function is to allow the body of Council to limit the time for

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Public Input should it ever become necessary. The cost of retaining the 15-minute time limit is the requirement to pass a resolution to extend the Public Input period.

### Late Items Approval with Two-Thirds Majority

Currently, late items can only be added to the agenda with unanimous consent of all members present, which may be as few as four members of Council. By allowing late items to be added onto the agenda with a two-thirds majority, the minimum number of members required to add a late item is reduced to three, and the maximum number required would be five. Since the requirement for unanimous consent for addition of agenda items has generally not prevented urgent matters from being added to the agenda, it is advisable to retain this requirement as the addition of late items should be avoided whenever possible. Increasing the ease with which late items can be added to the agenda may result in increased incidence of late items being presented for addition to the agenda, which may reduce or in some cases eliminate the opportunity for Council members to prepare for agenda items.

### Imposing Recess Without Agreement of Members

Council can currently resolve to recess a meeting with a majority vote. While it is not necessary to specify this in the Council Procedure Bylaw, it can be included for clarity.

### Mandatory Adjournment at 11:00pm

Regular Council meetings are currently automatically adjourned at 10:00pm unless extended for an additional hour by unanimous vote. The meeting can be extended for an unlimited number of one-hour increments. Amending the bylaw to allow for only one one-hour extension would ensure that Regular Council meetings end by 11:00pm. If such an amendment were to be made, it should be accompanied by corresponding amendments to all meeting types listed in section 31 of the bylaw to ensure consistency.

### Addition of Review Clause

A section may be introduced to the bylaw to require that the Council Procedure Bylaw be brought forward for review at the beginning of each term of Council. Public Notice under the *Community Charter* would only be required if amendments are proposed.

### Other Options

1. THAT the report dated November 17, 2018 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Review be received for information.
2. THAT staff be directed to implement the changes proposed at the Regular Council Meeting held on November 13, 2018 by drafting a Council Procedure Bylaw Amendment for consideration at an upcoming Regular Council meeting.

### Financial Implications

The cost of Public Notice for amending the Council Procedure Bylaw is expected to be approximately \$600.

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### Communications / Civic Engagement

Once an amendment bylaw has been prepared for consideration at a Regular Council meeting, the procedure for Public Notice (newspaper advertising) will be followed.

### Council Strategic Plan Objectives

A Council Procedure Bylaw update contributes to the development of responsive sustainable service excellence, community engagement, and a culture of transparency.

### Attachments:

1. Report dated November 3, 2018 from Mayor Rob Vagramov regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw.
2. Report dated November 8, 2015 from the Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Update.
3. Report dated January 9, 2016 from the Corporate Services Department – Legislative Services Division regarding 2016 Council Procedure Bylaw Update.
4. Report dated April 1, 2016 from the Corporate Services Department – Information Services Division regarding Electronic Participation at Council Meetings.
5. Report dated June 27, 2016 from Corporate Services Department – Legislative Services Division regarding Electronic Participation at Council Meetings.

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 Council Procedure Bylaw Review  
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<b>Prepared by:</b>	<b>Reviewed by:</b>
 <hr/> Dorothy Shermer Corporate Officer	 <hr/> Angie Parnell General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comments</b>   <hr/> Tim Savoie, MCIP, RPP City Manager	

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## Council Agenda Information

☒ Regular Council November 13, 2018

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## City of Port Moody Report/Recommendation to Council

Date: November 3, 2018

File No. 01-0530-01/2018

Submitted by: Mayor Rob Vagramov

Subject: Modernizing City Hall – Revisiting the Council Procedure Bylaw

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### Purpose / Introduction

To revisit the Council Procedure Bylaw.

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### Recommended Resolution

**THAT staff report back to a 2018 Committee of the Whole meeting with changes to the Council Procedure Bylaw that include:**

- increasing Council member speaking time to 10 minutes;
- permitting electronic participation in meetings;
- duplicating 16(1)(k), below 16(1)(b);
- increasing Public Input time allotted under section 17(1) to 30 minutes;
- changing the threshold for Late Items under section 19(1) to a two-thirds majority vote;
- allowing the Presiding Member of Council or any Committee to impose a recess;
- requiring automatic adjournment of meetings of Council at 11pm; and
- requiring the Council Procedure Bylaw to be revisited by Council after every election at the first possible Committee of the Whole meeting following the Inaugural Meeting of Council;

**as recommended in the report dated November 3, 2018 from Mayor Rob Vagramov regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw.**

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### Background

The day-to-day functioning of City Council is governed by the Council Procedure Bylaw.

### Discussion

A series of modifications are recommended by this report, and are listed below. It is expected that members of Council take the time to review this Bylaw and these proposed changes, and bring with them a list of questions or concerns or changes to the meeting where this will be discussed. This report also recommends that each new Council review this bylaw to decide for themselves how their meetings ought to be conducted.

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### Report/Recommendation to Council

Modernizing City Hall – Revisiting the Council Procedure Bylaw

November 3, 2018

- *Increasing Council member speaking time to 10 minutes:*  
This has been problematic in the past, where discussion on extremely complex matters has been forced into quick discussion with an arbitrarily-set time limit of 5 minutes. This leads to a lack of discourse and healthy debate, essential for positive decision making.
- *Permitting electronic participation in meetings:*  
When this was taken out of the Procedure Bylaw in the last term, easy solutions for problems identified were ignored. This report recommends that Staff reports back with a Skype-based solution where the technology is operated by a Staff technician who is not a member of ELT, where the member attending remotely is entitled to no more than 2 re-connection attempts, and where the Presiding Member may decide to cut the connection due to poor quality.
- *Duplicating 16(1)(k), below 16(1)(b):*  
Members of Council ought to have the opportunity to have their verbal reports heard up front, whether to respond to Public Input, or to increase the effectiveness of their Report by virtue of having more members of the public present at the Council meeting.
- *Increasing Public Input time allotted under section 17(1) to 30 minutes:*  
Longer sessions negate repeated motions to extend. No motion to extend from the past term on Council has ever been defeated.
- *Changing the threshold for Late Items under section 19(1) to a two-thirds majority vote:*  
Lowering this threshold increases the likelihood that a timely late item may be heard, and could increase the responsiveness of City Council in the face of emerging issues.
- *Allowing the Presiding Member of Council or any Committee to recess:*  
Already happening in practice, this would formally allow the Chair to call for a recess. This would be useful in long meetings, where a general washroom break would negate individual members of Council from having to leave the meeting, or in meetings with contentious issues, where a large crowd for one item could be given time to clear Council Chambers without disturbing proceedings.
- *Requiring automatic adjournment for meetings of Council at 11pm:*  
Many meetings in the past term have extended beyond reason. Imposing a mandatory adjournment would require agendas to be better planned, and important decisions to be made at a reasonable hour.

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### **Report/Recommendation to Council**

Modernizing City Hall – Revisiting the Council Procedure Bylaw

November 3, 2018

- *Requiring the Council Procedure Bylaw to be revisited by Council after every election at the first possible Committee of the Whole meeting following the Inaugural meeting of Council:*

In the spirit of modernization, every new Council ought to have the duty (rather than the right) to adopt a Council Procedure Bylaw by which their meetings are to be governed. This would formalize this process into a regular occurrence as part of the onboarding process, and would also increase familiarity of the bylaw around the table.

### **Other Options**

THAT the report dated November 3, 2018 from Mayor Rob Vagramov regarding Modernizing City Hall – Revisiting the Council Procedure Bylaw be received for information.

### **Financial Implications**

None.

### **Communications / Civic Engagement**

N/A

### **Council Strategic Plan Objectives**

- Goal: “Be a flexible, responsive, and modern organization”;
- Initiative: “Create a responsive culture at City Hall”.

### **Attachment:**

1. Port Moody Council Procedure Bylaw.



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## **Report/Recommendation to Council**

Modernizing City Hall – Revisiting the Council Procedure Bylaw

November 3, 2018

**Prepared by:**



Rob Vagramov  
Mayor

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## City of Port Moody

### **CONSOLIDATED FOR CONVENIENCE**

#### **Bylaw No. 3013**

A Bylaw to establish rules of procedure for Council Meetings.

The Council of the City of Port Moody enacts as follows:

#### **PART 1 – INTRODUCTION**

##### **Title**

1. This Bylaw may be cited as the “City of Port Moody Council Procedure Bylaw, 2016, No. 3013”.

##### **Definitions**

2. In this Bylaw,

“City” means the City of Port Moody;

“City Hall” means Port Moody City Hall located at 100 Newport Drive, Port Moody, British Columbia;

“City Website” means the information resource found at [www.portmoody.ca](http://www.portmoody.ca);

“Commission” means a municipal commission established under s.143 of the *Community Charter*;

“Committee” means a standing, select, or other committee of Council, but does not include COTW;

“Committee Clerk” means a Legislative Services staff member assigned to clerk a committee meeting;

“COTW” means the Committee of the Whole Council;

“Corporate Officer” means the Corporate Officer for the City;

“Council” means the Council of the City of Port Moody;

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"Delegation" means an address to Council or Committee at the request of the person wishing to speak and relates to an item of business on the agenda of the Meeting at which the person wishes to appear, or includes the submission of a request;

"Deputy Corporate Officer" means the Deputy Corporate Officer for the City;

"Mayor" means the mayor of the City;

"Member(s)" means a member of the Council of Port Moody;

"Presentation" means an address to Council or Committee for the provision of information of interest to Council and residents, and generally, though not necessarily, relates to a non-business item. Requests are not submitted as part of a presentation;

"Presiding Member" means the Member chairing the meeting;

"Public Notice Posting Places" means the City Website and the notice board located in the breezeway at City Hall;

"Regular Council Meeting" means a meeting of Council held on the second or fourth Tuesday of each month, starting at 7:00pm; and

"Special Council Meeting" means a meeting of Council other than a Regular Council Meeting.

### Application of Rules of Procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all Committees of Council, as applicable.
- (2) Robert's Rules of Order Newly Revised, 11<sup>th</sup> edition, 2011, apply to the proceedings of Council, COTW, and Committees to the extent that those Rules are:
  - (a) applicable in the circumstances; and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

## PART 2 – COUNCIL MEETINGS

### Inaugural Meeting

Amended  
by  
BL3131

4. (1) Following a general local election, the first Council meeting must be held on the first Tuesday in November in the year of the election.
- (2) If a quorum of Members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

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### Time and Location of Meetings

5. (1) All Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council Meetings must:
  - (a) be held on the second and fourth Tuesday of each month, except for the month of August and the second half of December, during which no regular meetings shall be scheduled;
  - (b) begin at 7:00pm or immediately following a Public Hearing to be held at 7:00pm;
  - (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 31; and
  - (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open;

Notwithstanding this subsection, Council may decide not to hold a Council meeting on the second and/or fourth Tuesday of a month, or to hold additional Council meetings in a month, when establishing the annual schedule of Council meetings.

- (3) Regular Council Meetings may:
  - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
  - (b) be postponed to a different day, time, and place by the Mayor, provided the Corporate Officer is given at least two days' written notice.
- (4) Public Hearings:
  - (a) may be held on Tuesdays;
  - (b) may begin at 7:00pm; and
  - (c) must be adjourned at or before 9:00pm on the day scheduled for the meeting, unless Council resolves to proceed beyond that time in accordance with section 31.
- (5) Closed Council meetings must be adjourned:
  - (a) if scheduled on the same day as a Regular Council Meeting, by 6:55pm;

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- (b) if scheduled on a day other than the day on which a Regular Council Meeting is also scheduled, within three hours after the time at which the meeting started; and
- (c) unless Council resolves to proceed beyond that time in accordance with section 31.
- (6) COTW meetings must be adjourned within three hours after the time at which the meeting started, unless Council resolves to proceed beyond that time in accordance with section 31.
- (7) Standing Committee, Select Committee, and Commission meetings must be adjourned within two hours after the time at which the meeting started, unless its members resolve to proceed beyond that time in accordance with section 31.

### Notice of Council Meetings

- 6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before the second Tuesday of December, a schedule of the dates, times, and places of Regular Council Meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must give notice annually on or before the second Tuesday of December of the availability of the annual schedule of the dates, times, and places of Regular Council Meetings for the following year in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) Council may make revisions to the annual schedule of Regular Council Meetings, including by cancelling, rescheduling, or changing the time or location for holding a meeting. When such revisions are made, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the schedule of Regular Council Meetings.

### Notice of Special Meetings

- 7. (1) Except where notice of a Special Council Meeting is waived by unanimous vote of all Members under section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a Special Council Meeting must be given at least 24 hours before the time of meeting, by:
  - (a) posting a copy of the notice at City Hall;
  - (b) posting a copy of the notice at the Public Notice Posting Places; and
  - (c) advising Members of the Special Council Meeting by electronic means.
- (2) The notice under subsection (1) must describe in general terms the purpose of the Meeting and be signed by the Mayor or the Corporate Officer.



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## Electronic Participation at Meetings and Electronic Meetings

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* [electronic meetings and participation by members] are met,
  - (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities if:
    - (i) the Mayor calls for a Meeting by electronic means; or
    - (ii) in extreme emergency situations as determined by the Mayor or Corporate Officer, such as when a State of Local Emergency has been declared, Members are unable to physically meet in one location together.

## PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

9. (1) Annually, Council must from amongst its Members designate Councillors to serve on a rotating basis as the Member 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.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the Members designated under section 9(1) are absent from the Council meeting, the Members present must choose a Councillor to preside at the Council meeting.
- (4) The Member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.
- (5) If the Mayor or Councillor designated under section 9(1) arrives after the start of a meeting, he or she shall preside at the meeting upon arrival.

## PART 4 – COUNCIL PROCEEDINGS

### Community Charter Provisions

10. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [Council Proceedings]. The relevant extracts from the *Community Charter* are appended to this Bylaw for convenient reference.

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### Attendance of Public at Meetings

11. (1) Except where the provisions of section 90 of the *Community Charter* [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* [requirements before Council meeting is closed].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) COTW;
  - (b) Committees;
  - (c) Parcel Tax Review Panel;
  - (d) Board of Variance;
  - (e) advisory bodies such as Advisory Design Panel; and
  - (f) Commissions, such as the Parks and Recreation Commission.
- (4) Despite section 11(1), the Mayor or the Councillor designated as the Member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a Member in accordance with section 23(9).

### Minutes of Meetings to be Maintained and Available to the Public

12. (1) Minutes of the proceedings of Council must be:
  - (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer; and
  - (c) signed by the Mayor or the Presiding Member.
- (2) Subject to subsection 12(3), and in accordance with section 97(1)(b) of the *Community Charter* [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection 12(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter* [meetings that may be closed to the public].

### Calling Meeting to Order

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council

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meeting to order; however, where the Mayor is absent, or where the Mayor wishes not to preside over a COTW meeting, the Councillor designated as the Member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.

- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 does not attend within 20 minutes of the scheduled time for a Council meeting:
  - (a) the Corporate Officer must call to order the Members present; and
  - (b) the Members present must choose a Member to preside at the meeting.
- (3) If neither the Chair nor Vice-Chair of a Committee, Commission, or Board is able to attend a meeting, the Chair or Mayor may request that another Member of Council act in the place of the Chair at the Committee, Commission, or Board Meeting.

### Adjourning Meeting Where No Quorum

14. (1) If there is no quorum of Council present within 20 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
  - (a) record the names of the Members present, and those absent;
  - (b) adjourn the meeting until the next scheduled meeting; and
  - (c) place all business on the agenda that is not dealt with at the meeting on the Agenda for the next meeting.
- (2) If quorum is lost during a meeting, the meeting will be temporarily recessed, and if not reconvened within 15 minutes, sections 14(1)(a), (b), and (c) apply.

### Agenda

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda is 9:30am on the Monday of the week prior to the meeting.
- (3) The deadline for submissions by staff and Members to the Corporate Officer of items for inclusion on the Council meeting Agenda is set out in the Administrative Policy on Council Report Standards.
- (4) Notwithstanding the requirements of sections 15(2) and 15(3), the Corporate Officer has the discretion, where practical, to include on a Council Agenda

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prior to its publication, an item or report which is not provided by the time and date required.

- (5) The Corporate Officer must make the Agenda available to the members of Council and the public at City Hall and on the City Website:
  - (a) for Regular Council Meetings and Public Hearings, on the Thursday afternoon prior to the meeting; and
  - (b) for Special Council Meetings, as soon as is practicable at the discretion of the Corporate Officer.
- (6) For Closed meetings of Council, the Corporate Officer must prepare an Agenda setting out the numbers of all the items for consideration at that meeting, noting the sections of the *Community Charter* under which the discussions must or may be held in a Closed meeting. This Agenda must be made available to Members of Council and the public on the Thursday afternoon prior to the meeting.
- (7) Council must 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 19.

### Order of Proceedings and Business

- 16. (1) The Agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below:
  - (a) 1. Call to Order
  - (b) 2. Public Input
  - (c) 3. General Matters
  - (d) 4. Adoption of Minutes
  - (e) 5. Consent Agenda
  - (f) 6. Items Removed from the Consent Agenda
  - (g) 7. Legislative Matters
  - (h) 8. Unfinished Business
  - (i) 9. New Business
  - (j) 10. Other Business
  - (k) 11. Verbal Reports from Council and Staff
  - (l) 12. Information Items
  - (m) 13. Public Input
  - (n) 14. Adjournment
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the Agenda unless otherwise resolved by Council.

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### Public Input

17. (1) One 15-minute Public Input period is available after a Regular Council Meeting is called to order, and another immediately preceding adjournment of the Meeting. One 15-minute Public Input period is available after a COTW Meeting is called to order.
- (2) Anyone wishing to speak during a Public Input period must so indicate by registering his or her name and city of residence on a speakers' list prior to the Public Input period. The list shall determine the order of speakers.
- (3) During Public Input periods, once recognized by the presiding Member, speakers may address Council to comment on any matter coming within the competence of Council. Each speaker must state his or her name and city of residence, and will be allowed two minutes to speak. No person must speak regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) To accommodate speakers who were not given an opportunity to address Council within the 15-minute Public Input period, Council may extend Public Input periods by 15-minute increments by a majority vote.
- (5) Members of Council shall not interact with the speakers during the Public Input period, but may call speakers up for questions at the end of the Public Input period.
- (6) Once the nomination period preceding a General Local Election or By-election begins, Public Input periods shall be suspended until the meeting of Council following the Election.

### Consent Agenda

18. (1) On a Regular Council Agenda, as determined by the Corporate Officer in consultation with the Mayor, non-controversial, routine items which do not require discussion or debate may be grouped together under a Consent Agenda and dealt with under one resolution of Council.
- (2) Items to be included in the Consent Agenda are:
  - (a) Recommendations from Committees;
  - (b) Reports for Information; and
  - (c) Items for which debate is not expected.
- (3) Any Member of Council may request that an item included on the Consent Agenda be removed from the Consent Agenda and dealt with separately. Members shall request removal of items from the Consent Agenda prior to moving adoption of recommendations listed in the Consent Agenda. Any item that is removed from a Consent Agenda will be considered immediately after the consideration of the Consent Agenda.

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- (4) A Member may request that an item be included on the Consent Agenda, and if no one objects, it will be so listed and considered.
- (5) Members may vote on and adopt in one motion all recommendations appearing on the Consent Agenda.

### Late Items

- 19. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council with a unanimous vote of all members present.
- (2) If the Council makes a resolution under section 19(1), information pertaining to late items must be distributed to the Members.

### Voting at Meetings

- 20. (1) The following procedures apply to voting at Council meetings:
  - (a) when debate on a matter is closed, the Presiding Member must put the matter to a vote of Members;
  - (b) when the Council is ready to vote, the Presiding Member must put the matter to a vote by stating:
 

“Those in favour, raise your hands,” and then, “Those opposed, raise your hands.”
  - (c) when the Presiding Member is putting the matter to a vote under paragraphs (a) and (b), a Member must not:
    - (i) cross or leave the room, unless excused as a result of not being entitled to vote under the *Community Charter*;
    - (ii) make a noise or other disturbance; or
    - (iii) interrupt the voting procedure under paragraph (b) except to raise a point of order;
  - (d) after the Presiding Member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
  - (e) the Presiding Member’s decision about whether a question has been finally put is conclusive;
  - (f) whenever a vote of Council on a matter is taken, each Member present shall signify their vote by raising their hand;

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- (g) the Presiding Member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative; and
- (h) should any Member refrain from voting when any question is put, the Member shall be regarded as having voted in the affirmative and the Member's vote shall be counted accordingly.

### Presentations and Delegations

21. (1) Presentations and Delegations to Council shall be received at COTW meetings, if:
  - (a) at least eight days prior to the date of the meeting at which the presenter wishes to appear, the presenter or delegation submits his or her request to appear before Council in writing to the Corporate Officer, clearly outlining the intended subject matter to be presented and the name of the presenter and, if applicable, the organization being represented; and
  - (b) the Corporate Officer has advised the presenter or delegation of the date of the meeting at which he or she may appear.
- (2) Presentations and Delegations shall be confined to the subject which was indicated in the written request, and limited to:
  - (a) 15 minutes for a Presentation; and
  - (b) five minutes for a Delegation.
- (3) Council may waive strict compliance with section 21(2) by a resolution passed by a two-thirds majority vote of all Members present.
- (4) Where written application has not been received by the Corporate Officer as prescribed in section 21(1), an individual or Delegation may address the meeting if approved by the unanimous vote of the members present.
- (5) Council must not permit a presenter or a Delegation to address a meeting of Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (6) The Corporate Officer may schedule Delegations and Presentations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the Delegation.
- (7) The Corporate Officer may refuse to place a Delegation or Presentation on the Agenda if the issue is not considered to fall within the jurisdiction of Council. Non-jurisdictional items will be dealt with in accordance with the City's Non-Jurisdictional Items Policy. A two-thirds majority vote is required when deciding to consider a non-jurisdictional item at a Council Meeting.

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## Points of Order

22. (1) Without limiting the Presiding Member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the Presiding Member must 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 another Member has raised a point of order in connection with the motion.
- (2) When the Presiding Member is required to decide a point of order:
  - (a) the Presiding Member must cite the applicable rule or authority if requested by another Member;
  - (b) another Member must not question or comment on the rule or authority cited by the Presiding Member under subsection (2)(a); and
  - (c) the Presiding Member may reserve the decision until the next Council meeting.

## Conduct and Debate

23. (1) A Member may speak to a question or motion at a Council meeting only if that Member first addresses the Presiding Member.
- (2) Members must address the Presiding Member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-Presiding Members by the title Councillor.
- (4) Members must adhere to the Code of Conduct for Elected Officials Corporate Policy.
- (5) No Member may interrupt a Member who is speaking except to raise a point of order.
- (6) If more than one Member speaks, the Presiding Member must call on the member who, in the presiding member's opinion, first spoke.
- (7) Members who are called to order by the Presiding Member:
  - (a) must immediately stop speaking;
  - (b) may explain their position on the point of order; and
  - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.



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- (8) Members at a Council meeting:
  - (a) must use respectful language;
  - (b) must not use offensive gestures or signs;
  - (c) must speak only in connection with the matter being debated;
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (9) If a Member is considered to be acting improperly, the Presiding Member may order the Member to leave the Member's seat, and:
  - (a) if the Member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the Member's seat; and
  - (b) if the Member apologizes to the Council, Council may, by resolution, allow the member to retake the Member's seat.
- (10) A Member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another Member who is speaking.
- (11) The following rules apply to limit speech on matters being considered at a Council meeting:
  - (a) a Member may speak more than once in connection with the same question only:
    - (i) with the permission of Council; or
    - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
  - (b) a Member who has made a substantive motion to the Council may reply to the debate;
  - (c) a Member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate; and
  - (d) a Member may speak to a question, or may speak in reply, for longer than a total time of five minutes only with the permission of Council.

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## Motions Generally

24. (1) Council may debate and vote on a motion only if it is first made by one Member and then seconded by another.
- (2) Whenever possible, Members are encouraged to share with the Corporate Office and with all Members of Council in advance wording of motions that they intend to introduce at Council meetings, as amendments or as motions arising.
- (3) A Member may make only the following motions, when the Council is considering a question:
  - (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely;
  - (e) to postpone to a certain time;
  - (f) to move the previous question; and
  - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Member.

## Motion to Commit

25. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

## Motion for the Main Question

26. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
  - (a) if a Member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
  - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

## Amendments Generally

27. (1) A Member may, without notice, move to amend a motion that is being considered at a Council meeting.

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- (2) An amendment may propose removing, substituting, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the Presiding Member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) A motion to amend that has been defeated by a vote of Council cannot be proposed again.
- (7) A Member may propose an amendment to an adopted amendment.
- (8) The Presiding Member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive; and
  - (c) the main question.

## Reconsideration by Member

28. (1) Subject to subsection (5), a Member may, at the next Council meeting:
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) If a motion to reconsider is defeated, the subject matter may not be open for consideration by Council within a certain time period except by way of a new and substantially different motion.
- (6) Council may only reconsider a matter that has not:

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- (a) had the approval or assent of the electors and been adopted;
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*; and
  - (c) been irreversibly acted on by an officer, employee, or agent of the City.
- (7) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (8) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

## Privilege

29. (1) In this section, a matter of privilege refers to any of the following motions:
- (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council; and
  - (e) raise a question of privilege of a Member.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

## Reports from Committees

30. Council may take any of the following actions in connection with a resolution it receives from COTW:
- (a) agree or disagree with the resolution;
  - (b) amend the resolution;
  - (c) refer the resolution back to COTW; or
  - (d) postpone its consideration of the resolution.

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## Adjournment

31. (1) A Council may continue a Regular Council meeting for an additional hour after 10:00pm only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (2) Council may continue a Public Hearing for an additional hour after 9:00pm only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (3) A Council may continue a Closed Council meeting scheduled on the same day as a Regular Council Meeting for an additional specified amount of time beyond 6:55pm only by an affirmative unanimous vote of the Members present.
- (4) A Council may continue a Committee of the Whole meeting for an additional hour beyond the first three hours only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (5) Members of a Standing or Select Committee, Commission, or Board may continue a Committee, Commission, or Board meeting for an additional 30 minutes beyond the first two hours only by an affirmative unanimous vote of the members present. At the expiration of the additional half hour, another affirmative unanimous vote to continue the meeting for an additional half hour is required, as well as every half hour thereafter.
- (6) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (7) Subsection (6) does not apply to either of the following motions:
  - (a) a motion to adjourn to a specific day; or
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

### Copies of Proposed Bylaws to Members

32. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Member at least 24 hours before the Council meeting, or all Members unanimously agree to waive this requirement.

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## Form of Bylaws

33. A bylaw introduced at a Council meeting must:
- (a) be printed;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose; and
  - (e) be divided into sections as necessary.

## Bylaws to be Considered Separately or Jointly

34. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the Presiding Member or requested by another Member; or
  - (b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.

## Reading and Adopting Bylaws

35. (1) The Presiding Member of a Council meeting may:
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 477 of the *Local Government Act* [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Members present.
- (5) In accordance with section 135 of the *Community Charter* [requirements for passing bylaws], Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) In cases where a bylaw is amended prior to receiving third reading, the third reading of the bylaw must be given at a meeting subsequent to the meeting in which it received second reading.
- (7) Each reading of a bylaw must be moved separately.
- (8) Despite section 135(3) of the *Community Charter* [requirements for passing bylaws], and in accordance with section 477(6) and 480 of the *Local*

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*Government Act, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.*

## **Bylaws Must be Signed**

36. 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 and endorse upon it:
  - (a) the dates of its readings and adoption; and
  - (b) the date of Ministerial approval or approval of the electorate if applicable.

## **PART 6 – RESOLUTIONS**

### **Introducing Resolutions**

37. (1) Resolutions must be dealt with on a motion put by a Member and seconded by another Member.

## **PART 7 – PUBLIC HEARINGS**

### **Presentations at Public Hearings**

38. (1) All persons with an interest in a proposed bylaw which is the subject of a Public Hearing shall be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw. A person must first be acknowledged by the Presiding Member before he or she may speak. Speakers must first identify themselves by stating their name and city of residence, and the name and address of the person or body they represent if applicable.
- (2) Presentations by members of the public at a Public Hearing shall be limited to a maximum of five minutes each. If a person has additional information that he or she is unable to provide within that time, he or she shall be given further opportunities to address Council after all other interested members of the public have been heard a first time. Without limiting the opportunity provided for in subsection (1), speakers shall be encouraged to confine their comments to new information.

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## PART 8 – COMMITTEE OF THE WHOLE

### Going into Committee of the Whole

39. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting or a commission meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COTW.

### Notice for COTW Meetings

40. (1) Subject to subsection (2) a notice of the day, hour, and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) advising Members of the COTW meeting by electronic means.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 41, during a Council meeting for which public notice has been given under sections 6 or 7.

### Minutes of COTW Meetings to be Maintained and Available to the Public

41. (1) Minutes of the proceedings of COTW must be:
- (a) legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the Mayor or Member presiding at the meeting; and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

### Presiding Members at COTW Meetings and Quorum

- (1) The Mayor shall preside over the COTW and may appoint the Acting Mayor to preside in order to participate in the discussion.
- (2) The quorum of COTW is the majority of Members.

### Points of Order at Meetings

42. The Presiding Member must preserve order at a COTW meeting and, subject to an appeal to other Members present, decide points of order that may arise.



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## Conduct and Debate

43. (1) The following rules apply to COTW meetings:
- (a) a motion for adjournment is not allowed;
  - (b) a Member may speak any number of times on the same question; and
  - (c) a Member must not speak longer than a total of 10 minutes on any one question.

## Voting at Meetings

44. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a Member.
- (2) The Presiding Member must declare the results of voting.

## Reports

45. (1) COTW may consider reports and bylaws only if:
- (a) they are printed and the Members each have a copy; or
  - (b) a majority of the Members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

## Rising Without Reporting

46. (1) A motion made at a COTW meeting to rise without reporting:
- (a) is always in order and takes precedence over all other motions;
  - (b) may be debated; and
  - (c) may not be addressed more than once by any one Member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 41(1), the Council meeting must resume and proceed to the next order of business.

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## PART 9 – COMMITTEES

### Duties of Standing Committees

47. (1) Standing committees must consider, inquire into, report on, 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; and
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
  - (a) in accordance with the schedule of the 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) at the next Council meeting if the Council or Mayor does not specify a time.

### Duties of Select Committees

48. (1) Select committees must consider, inquire into, report on, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

### Schedule of Committee Meetings

49. (1) At its first meeting after its establishment, a Committee must establish a regular schedule of meetings.
- (2) The chair of a Committee may call a meeting of the Committee in addition to the scheduled meetings or may cancel a meeting.

### Notice of Committee Meetings

50. (1) Subject to subsection (2), after the Committee has established the regular schedule of Committee meetings, including the times, dates, and places of the Committee meetings, notice of the schedule must be given by:

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- (a) posting a copy of the schedule at the Public Notice Posting Places;  
and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of Committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time, and place, or cancellation of, a committee meeting.
- (3) The chair of a Committee must cause a notice of the day, time, and place of a meeting called under section 51(2) to be given to all members of the committee at least 24 hours before the time of the meeting.

## Attendance at Committee Meetings

51. Members who are not members of a Committee may attend the meetings of the Committee.

## Minutes of Committee Meetings to be Maintained and Available to the Public

52. (1) Minutes of the proceedings of a Committee must be:
- (a) legibly recorded;
  - (b) certified by the Committee Clerk;
  - (c) signed by the chair or member presiding at the meeting; and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

## Quorum

53. The quorum for a Committee is a majority of all of its members.

## Conduct and Debate

54. (1) The rules of the Council procedure must be observed during Committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the Committee members present.

## Voting at Meetings

55. Members attending a meeting of a Committee of which they are not a member must not vote on a question.

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### PART 10 – COMMISSIONS

#### Schedule of Commission Meetings

56. (1) At its first meeting after its establishment, a Commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

#### Notice of Commission Meetings

57. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates, and places of the Commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, a notice must, as soon as possible, be posted at the Public Notice Posting Places which indicates any revisions to the date, time, and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time, and place of a meeting called under section 58(2) to be given to all members of the Commission at least 24 hours before the time of the meeting.

#### Minutes of Commission Meetings to be Maintained and Available to the Public

58. (1) Minutes of the proceedings of a Commission must be:
- (a) legibly recorded;
  - (b) certified by the Committee Clerk; and
  - (c) signed by the Chair or a member presiding at the meeting, and open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

#### Quorum

59. The quorum of a Commission is a majority of all of its members.

#### Conduct and Debate

60. (1) The rules of the Council procedure must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this Bylaw.

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## PART 11 – GENERAL

61. If any section, subsection, or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.
62. This Bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter [public notice]*.
63. City of Port Moody Council Procedure Bylaw No. 2988, 2014 and all amendments thereto are repealed.

**Read a first time** this 9<sup>th</sup> day of February, 2016.

**Read a second time** this 9<sup>th</sup> day of February, 2016.

**Read a third time** this 9<sup>th</sup> day of February, 2016.

**Public Notice of Intention to Consider given on**

**Adopted** this 8<sup>th</sup> day of March, 2016.

---

M.E. Clay  
Mayor

---

D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3013 of the City of Port Moody.

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D. Shermer  
Corporate Officer

**BYLAW 3013 ADOPTED**  
**AMENDMENT No. 1, 2018, No. 3131**

March 8, 2016  
April 10, 2018

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## Council Agenda Information

☒ COW November 17, 2015

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## City of Port Moody Report/Recommendation to Council

Date: November 8, 2015

File No. 0550-00

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Council Procedure Bylaw Update

### Purpose / Introduction

To present various options for an update of the Council Procedure Bylaw.

### Recommended Resolution

**THAT the report dated November 8, 2015 from Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Update be received for information.**

*NB: recommended resolutions for the various options presented in this report are included as **Attachment 1** and will also be presented in a slide deck at the meeting.*

### Background

At the Regular Council Meeting of May 12, 2015, staff were directed to reorder the sections of the Council Procedure Bylaw for clarity and consistency, as well as to recommend amendments to the Bylaw to address issues including: reference to the Code of Conduct for Elected Officials, requirement for formal address among members, addition of agenda items by Councillors, presenting motions in advance of meetings, definitions, notices of motion, and requirement for reports to accompany notices of motion. Details of these resolutions are included in **Attachment 2**, Excerpt from the Minutes of the Regular Council Meeting held on May 12, 2015.

### Discussion

Staff conducted a review of City of Port Moody Council Procedure Bylaw No. 2988 (Bylaw No. 2988), as well as the Council Procedure Bylaws of 30 other municipalities in the Lower Mainland and the Greater Victoria Region. While these Bylaws share the common framework set out in the *Community Charter*, there are significant variations in both form and content among the Bylaws. The recommendations and options presented in this report are intended to facilitate discussions of the issues raised by members of Council, to provide information on other issues Council may wish to address in order to improve the clarity and ease of application of the Council Procedure Bylaw, to provide opportunities to increase meeting efficiency, and to ensure adherence to parliamentary principles.

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Item 6.1

Attachment 1

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### Voting

Parliamentary principles protect the rights of the majority to rule, as well as the rights of the minority and the individual to be heard. For ease of reference, the following table sets out the number required for a majority vote, a 2/3 vote, and a unanimous vote:

Quorum	Majority	2/3	Unanimous	Large Minority
7	4	5	7	3
6	4	4	6	3
5	3	4	5	2
4	3	3	4	2

When deciding the vote required to allow an action, it is helpful to keep in mind that the requirement for a unanimous vote respects the objection of a single member; the requirement for a 2/3 vote respects the objection of a large minority; and the requirement for a majority vote respects the right of the majority to rule.

### Organization of Bylaw

The existing Council Procedure Bylaw is organized into schedules, which can create confusion for referencing, as multiple sections share the same section number. Bylaw drafting guidelines suggest that bylaws be structured and organized on the same basis as provincial statutes. As the organization of a bylaw cannot be changed through amendments, staff recommend that the existing Council Procedure Bylaw be repealed and replaced by a Bylaw structured and indexed in parts, divisions, sections, subsections, paragraphs, and subparagraphs.

### Report Submission Deadlines

Some Council Procedure Bylaws specify deadlines for the submission of reports, applications for delegations, correspondence, etc. Bylaw No. 2988 does not specify the report submission deadline for staff or Council members. Current practice sets the deadline at 9:00am on the Monday of the week preceding the meeting. This allows the Legislative Services Division to review, edit, and format reports for the City Manager's review at 3:30pm, and for the City Manager to review all reports prior to the agenda review with the Mayor on the following day at 3:30pm. While this deadline can be included in the Council Procedure Bylaw, staff recommend that report submission deadlines be included in an administrative policy rather than in the Bylaw; as the current deadline may require review and adjustments from time to time due to changes in deadline compliance, readiness for publication, and demands of the meeting cycle.

Inclusion of report submission deadlines in an administrative policy would allow flexibility for adjustments by the Executive Leadership Team. If Council wishes to exercise greater control over report submission deadlines for Council members, the preferred method of doing so would be to include it in a Corporate Policy rather than in the Bylaw, as any amendment to the Council Procedure Bylaw requires Public Notice, which carries an advertising cost.

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### Presentations and Delegations

Many Council Procedure Bylaws differentiate between presentations and delegations. Bylaw No. 2988 distinguishes presentations from delegations only in terms of the difference in time allotted to each, and allows a maximum of 30 minutes for a combination of delegations and presentations at each Regular Council Meeting. Staff recommend that presentations and delegations be defined as follows:

Presentations are for the provision of information of interest to Council and residents, and generally, though not necessarily, relate to a non-business item. Requests are not submitted as part of a presentation.

Delegations are for addressing Council on a business item on the agenda, or for submitting requests to Council.

As the times allotted to delegations and presentations do not include questions and responses from Council, the length of time spent on receiving presentations and delegations often exceed the maximum of 30 minutes. Along with Art at Council and Public Input, Council business may start well over one hour after a meeting is called to order. If this is a concern for Council, one option is to consider further limiting the number of delegations and presentations. Another option Council may wish to consider is scheduling presentations and delegations at Committee of the Whole Meetings, which are less formal and allow greater interaction between Council and presenters and delegates. Delegation requests can then be referred by resolution to a subsequent Regular Council Meeting, which would not result in delays above those under the current system.

Some municipalities require delegation requests to be referred to staff for a report that includes background information, financial implications, and staff recommendations prior to any action being taken; this provides Council with the opportunity to evaluate the request against existing strategic priorities and financial commitments. The requirement for a staff report may delay approval of delegation requests, but would facilitate informed decision making and allow for time to evaluate whether a delegation request aligns with the Council Strategic Plan. To allow urgent requests to be granted without delay, Council may include an option to waive the requirement for a staff report.

### Public Input

Currently, the Public Input Period is 15 minutes at the beginning of a Regular Council meeting and 15 minutes at the end of the meeting. This can be extended for an unlimited time by majority vote of Council. Often, the Public Input Period is exhausted by Council members interacting with speakers during Public Input Period. To keep the length of the Public Input Period reasonable, we are proposing the addition of a clause explicitly stating that Council shall not interact with the speakers during the Public Input Period, but may call speakers up for questions at the end of the Public Input Period. This will ensure that the full 15 minutes are devoted solely to Public Input rather than to Council interaction with speakers. The option to extend the Public Input Period will remain the prerogative of the majority, but will be amended to



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the addition of 15 minutes rather than an unlimited extension. The majority may extend the Public Input Period as many times as deemed appropriate.

### Definition of Non-Jurisdictional

Bylaw No. 2988 allows Council to address non-jurisdictional items with a 2/3 vote of Council. As Council has no power to regulate non-jurisdictional issues, Council is limited to advocacy whenever non-jurisdictional items are addressed. The requirement of a 2/3 vote is intended to focus Council's time and attention on matters within its jurisdiction by allowing a large minority to decline to address non-jurisdictional items. By redefining "non-jurisdictional" to exclude advocating for non-jurisdictional items, Council agrees to allow non-jurisdictional issues the same right of consideration as jurisdictional issues. If Council wishes to include this right of consideration to non-jurisdictional issues without allowing a large minority to decline to address these issues, it would be preferable to specifically exempt the submission of resolutions for Union of British Columbia Municipality and Federation of Canadian Municipality consideration as non-jurisdictional, rather than to generally allow advocacy of non-jurisdictional items.

### Definition of "Untimely" and Items Submitted by Members for the Agenda

The term "untimely" is used only once in Bylaw No. 2988 for the purpose of determining whether an item submitted by a member of Council shall be added to a Council Agenda. Staff are unable to determine the intention of the term "untimely" as it relates to criteria for exclusion of an agenda item submitted by a member of Council. Staff recommend that the criteria for exclusion of a report submitted by a member of Council be clearly determined. It is common for municipalities to set out criteria for inclusion of agenda items from Council members. Criteria may require that the item be submitted by a certain deadline, be jurisdictional, be formatted appropriately, consist of appropriate language, contain no libellous remarks, or other requirements deemed necessary.

If an item is submitted before an agreed upon deadline for inclusion on an agenda and conforms to the report format which includes the recommended resolution, a Notice of Motion should not be required as members will have had the opportunity to review the motion before the meeting. It is important to note that a majority of Council always has the prerogative of referring any agenda item to staff or committee if further information or study is required.

### Submission of Notices of Motion, Late Items, and Requiring Notices of Motions

Submitting Notices of Motion fulfils the criteria of providing previous notices as set out in Robert's Rules of Order. A Notice of Motion cannot imply that a motion is moved at the subsequent meeting, as the member who submitted the motion cannot be guaranteed to be in attendance at the subsequent meeting. Some municipalities specify that the Notice of Motion can only be moved by the member who submitted the Notice, or by a member authorized in writing by that member to do so.

Late items are items that were not published as part of the agenda. Council should decide whether late items should be allowed to be added by a member, and if so, should determine whether a majority, 2/3, or unanimous vote is required.

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Council may also allow any member to require a Notice of Motion for any late item; this would have the same effect as requiring a unanimous vote, but if implemented with a requirement for a majority or 2/3 vote, would allow the member to exercise the right to require notice at his or her discretion. Some municipalities allow any member to call for a Notice of Motion for a motion presented under New Business, and require the motion to be placed on an agenda for a future meeting to be held at least two weeks later. Depending on Council's decision on the criteria for inclusion of agenda items by members of Council, it should not be necessary to require that a report be prepared for the following Council Meeting for all Notices of Motion, as Council members should be allowed to present motions without preparing a report if that member deems it unnecessary.

### Consent Agenda

As there is no legal requirement for the citation of a bylaw to be read aloud during first three readings or adoption, it is possible to include readings and adoptions of Bylaws on the Consent Agenda. Staff recommend clearly setting out the criteria for items to be included on the Consent Agenda.

### Speaking Time Limit

Bylaw No. 2988 allows every member to speak for a maximum of 15 minutes on any item. If every member exercises this right, a single item can be debated for up to 1 hour and 45 minutes. The time limit most commonly found in other Council Procedure Bylaws is five minutes. Some Council Procedure Bylaws set the right of the chair to advance debate; this can allow the chair to advance debate if the chair is of the opinion that sufficient debate has taken place, or can take the form of the chair calling only for speakers of the opposing side if a majority of members have spoken for the same side.

### Consideration of Bylaws

Staff recommend that if a Bylaw under consideration is amended before third reading, that third reading of the Bylaw be delayed to a subsequent meeting. This will allow staff to review the amendments and ensure that the Bylaw is written as was intended by Council.

### Adjournment of Meetings

Bylaw No. 2988 requires unanimous consent to continue a meeting past 10:00pm. If the meeting is allowed to continue past 10:00pm, there are no further time limits. Staff recommend that the meeting be allowed to continue for 15 or 30 minutes past 10:00pm with a 2/3 vote, then an additional 15 or 30 minutes by unanimous consent, and every hour thereafter by unanimous consent. This allows the meeting to continue for a brief period despite objections from a small minority, providing time to wrap up the business at hand and thereby avoiding an abrupt end; unanimous consent would still be required for a lengthy continuance.

Council may also wish to consider adding an automatic adjournment time for Closed Council meetings. Closed Council Meetings would end by 7:00pm unless extended by unanimous resolution of Council. This would reduce the likelihood of a Closed Council Meeting delaying the 7:00pm public meeting, which is usually streamed live and at which members of the public may be in attendance. Other options include adjournment at 6:55pm (this would ensure a timely

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start to the 7:00pm meeting), or requiring only 2/3 resolution of Council to extend the meeting, which would allow a large majority to determine whether to continue the meeting past 7:00pm.

### Mandatory Changes to Meeting Types and Agendas

The following are changes that must be made, and should be referred to in the Council Procedure Bylaw for clarity.

*Publishing Agendas for Closed Council Meetings* – Closed Council Agendas will be published to increase organizational transparency. Currently, the only part of Closed Agendas released to the public are the sections of the *Community Charter* under which the meeting will be closed. The meeting is then closed with the first resolution. The new Closed Council Agenda will include the order of business, the name of the item, and the reasons for which the item is to be discussed in a closed meeting; this agenda will be made available to the public. A separate agenda package that includes the Closed Council Agenda, detailed item titles, recommendations, and reports will be circulated to members of Council and ELT as is current practice. This change will increase the number of agendas the Legislative Services Division is required to produce, but should only result in a nominal increase of effort from those submitting items and reports. Those submitting items for a Closed Agenda will be asked to provide a meaningful, succinct, and public title for any item to be included on a Closed Council Agenda.

*Closed Council Meetings Called as Special Council Meetings* – Closed Council Meetings will be called as Special Council meetings. We currently already post notices for these meetings as if they were Special Council Meetings, but we do not treat the meetings as such. The meeting will be open to the public until the resolution to close the meeting is passed. If any member of Council wishes to discuss the appropriateness of items on the Closed Meeting Agenda, he or she would recommend closing the meeting under section 90(1)(n). The discussion on the appropriateness of closing the discussion on an item would be closed to the public, and the Special Meeting would resume at the end of that discussion. Council can then close the meeting pursuant to all of the recommended sections (minus whatever item it was determined not suitable for a closed meeting), and resume the Special Meeting upon finishing the closed items. This change will increase the number of minutes the Legislative Services Department is required to produce, but is not expected to affect the workload of other departments. Minutes for the Closed portion of the Special Council Meeting will be adopted in the Closed portion of the next Special Council Meeting; minutes for the Open portion of the Special Council Meeting will be adopted at a Regular Council Meeting.

### Electronic Participation in Meetings and Electronic Meetings

Currently, there is no stated maximum number of participants who may participate electronically in Council meetings. As it is preferable to have members of Council physically present at as many meetings as possible, it is suggested that a maximum number of participants who may attend electronically be limited to a maximum of one per meeting, and the maximum number of times a member of Council may participate electronically be limited to twice per calendar year. Electronic participation in meetings should be differentiated in the Bylaw from meetings that are held entirely electronically because the whole of Council cannot be at the same location due to

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extenuating circumstances such as city-wide catastrophic infrastructure failure or an outbreak of highly contagious diseases.

### Committee of the Whole Meeting Format

Council may wish to reconsider the Committee of the Whole Meeting format, and hold Committee of the Whole meetings within Special Council Meetings. We currently already post notices for Committee of the Whole Meetings as if they were Special Council Meetings, but we do not treat the meetings as such. With the new structure, Council would resolve to go into Committee of the Whole at the beginning of the Special Council Meeting. At the end of the Committee of the Whole, Council would resume the Special Council Meeting, at which they can pass all of the resolutions made in Committee of the Whole. The benefits of this change are:

1. Immediacy - Committee of the Whole resolutions are ratified on the same evening and can be acted upon immediately.
2. Consistency – Having the same Council members vote to ratify the resolutions eliminates the possibility that a different quorum of Council might overturn the decision made in Committee of the Whole—possibly after lengthy debate—at the next Regular Council Meeting.
3. Opportunity to Refer – Currently, if Council deems an issue worthy of discussion in a Regular Council Meeting, they may be reluctant to delay the decision by a minimum of two weeks by referring it to Committee of the Whole. With this new structure, Council would be delaying the decision by as few as one week. Items referred from a Regular Council Meeting would be forwarded as is, and would not require the resubmission of a report; however, supplementary memos can be added until end of day Wednesday.

Council may also wish to give thought to whether Committee of the Whole meetings should continue to be held in Council Chambers. As Committee of the Whole Meetings are set up identically to Council Meetings, there is often little distinction between the two meeting types, and the goal of having more informal discussions is often not met. Council may wish to consider holding Committee of the Whole meetings in the Brovold Room to encourage informal discussion. If this option is explored, staff recommend adding cameras to the Brovold Room to facilitate live-streaming and web-casting of Committee of the Whole Meetings.

### Other Options

No other options are presented.

### Financial Implications

There are no financial implications with the receipt of this report.

### Communications / Civic Engagement

Once a new Council Procedure Bylaw is drafted and ready to present to Council for consideration at a Regular Council Meeting, the procedure for Public Notice (newspaper advertising) will be followed.

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### Council Strategic Plan Objectives

A Council Procedure Bylaw Update contributes to the development of responsive sustainable service excellence, community engagement, and a culture of transparency.

### Attachments:

1. Recommended Motions for Options Presented in the Report.
2. Excerpt from the Minutes of the May 12, 2015 Regular Council Meeting.

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<b>Prepared by:</b>	<b>Reviewed by:</b>
 Dorothy Shermer Corporate Officer	 Angela Parnell General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comment/Concurrence</b>  for Kevin Raverty. City Manager	
<b>Corporate Review</b> Corporate Communications	<b>Initials</b> 
<b>For Committee of the Whole Reports. To be completed by Legislative Services.</b> <input type="checkbox"/> Refer to Regular Council as recommended. <input type="checkbox"/> Refer to Regular Council with amendments as discussed. <input type="checkbox"/> Direct staff to prepare new report for Committee of the Whole. <input type="checkbox"/> Receive for information.	

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#### Recommended Motions for Options Presented in the Report

##### Report Submission Deadlines

THAT an Administrative Policy be drafted to clearly indicate the Report to Council submission deadline for staff and members of Council.
THAT a Corporate Policy be drafted to clearly indicate the Report to Council submission deadline for members of Council.
THAT the report submission deadline of 9:30am on the Monday of the week before the meeting be included in the Council Procedure Bylaw.

##### Presentation and Delegations

THAT the differentiation between delegations and presentations be included in the Council Procedure Bylaw.	
THAT delegations be scheduled for Committee of the Whole meetings.	THAT delegations and presentations be scheduled for Committee of the Whole meetings
THAT the maximum number of delegations be set at two per Regular Council Meeting (or Committee of the Whole Meeting).	
THAT the maximum number of presentations be set at one per Regular Council Meeting (or Committee of the Whole Meeting).	
THAT all delegation requests be referred to staff for a report to include background information, financial implications, and staff recommendations before any action is taken;	
AND THAT this requirement be waived only by unanimous consent of Council.	

##### Public Input

THAT a clause be added stating that Council shall not interact with the speakers during the Public Input Period, but may call speakers up for questions at the end of the Public Input Period.	
THAT public input periods be extended by 15-minute increments by a majority vote of Council.	THAT public input periods be extended by 15-minute increments by a unanimous vote of Council.

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### Non-Jurisdictional Items

THAT motions to submit resolutions for UBCM and FCM consideration not be treated as non-jurisdictional.	
THAT consideration of non-jurisdictional items require a 2/3 vote of Council.	THAT consideration of non-jurisdictional items require a majority vote of Council.

### Items Submitted by Members for the Agenda

THAT the criteria for agenda items submitted for the agenda by a member of Council be set out in the Council Procedure Bylaw;	THAT the criteria for agenda items submitted for the agenda by a member of Council be set out in a Corporate Policy;
AND THAT the criteria include the following: <ul style="list-style-type: none"> <li>• Must be submitted by a deadline;</li> <li>• Must be within Council jurisdiction;</li> <li>• Must take the form of a Report to Council and be formatted correctly; and</li> <li>• Must use appropriate language and contain no libellous remarks.</li> </ul>	AND THAT the criteria include the following: <ul style="list-style-type: none"> <li>• Must be submitted by a deadline;</li> <li>• Must be within Council jurisdiction;</li> <li>• Must take the form of a Report to Council and be formatted correctly; and</li> <li>• Must use appropriate language and contain no libellous remarks.</li> </ul>

### Late Items

THAT late items be placed on the agenda with a majority vote of Council.	THAT late items be placed on the agenda with a 2/3 vote of Council.	THAT late items be placed on the agenda with a unanimous vote of Council.
THAT any member may require a Notice of Motion for any late item, in which case the late item will be placed on the next agenda.		

### Consent Agenda

THAT items to be included in the Consent Agenda be specified as follows: <ul style="list-style-type: none"> <li>• Recommendations from Committees;</li> <li>• Reports for Information;</li> <li>• Bylaw Readings and Adoption; and</li> <li>• Items for which debate is not expected.</li> </ul>
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### Speaking Time Limit

THAT the maximum time for which a member may speak on an item be limited to five minutes.
THAT the Chair be authorized to put the question to a vote if he or she is of the opinion that sufficient debate has taken place.
THAT the Chair be authorized to advance debate by calling only for speakers of the opposing side if a majority of members have spoken for the same side.

### Consideration of Bylaws

THAT, if a Bylaw under consideration is amended before third reading, that third reading of the Bylaw be delayed to a subsequent meeting.
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### Adjournment of Meetings

THAT a 2/3 vote be required to extend the meeting past 10:00pm for an additional 15 minutes;	THAT a 2/3 vote be required to extend the meeting past 10:00pm for an additional 30 minutes;
AND THAT a unanimous vote be required to extend the meeting for an additional hour after 10:15pm, as well as every hour thereafter.	AND THAT a unanimous vote be required to extend the meeting for an additional hour after 10:30pm, as well as every hour thereafter.
THAT a unanimous vote be required to extend the meeting for an additional hour after 10:00pm, as well as every hour thereafter.	
THAT Closed meetings be automatically adjourned at 6:55pm unless extended by unanimous resolution of Council.	THAT Closed meetings be automatically adjourned at 7:00pm unless extended by unanimous resolution of Council.

### Electronic Participation in Meetings and Electronic Meetings

THAT a distinction be made between electronic participation in meetings and electronic meetings.	
THAT the maximum number of persons participating electronically at a meeting be limited to one.	THAT the maximum number of persons participating electronically at a meeting be limited to two.
THAT the maximum number of times a member of Council may participate electronically at a meeting be limited to twice per calendar year.	THAT the maximum number of times a member of Council may participate electronically at a meeting be limited to four times per calendar year.

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## Attachment 2

### Excerpt from the Minutes of the May 12, 2015 Regular Council Meeting

**Proposed Clarity to  
Council Procedure  
Bylaw No. 2988  
(2014)**

Report: Councillor Diana Dilworth, dated May 5, 2015  
File: 0550-01

RC15/205

Moved and seconded

**WHEREAS Council Procedure Bylaw No. 2988 (2014), Schedule D provides the legal guidelines for procedures for Council to follow in conducting its business;**

**AND WHEREAS Council Procedure Bylaw No. 2988 (2014), Section 14 is not entirely clear regarding the level of formality to be followed at meetings of Council and in reports of Council;**

**AND WHEREAS Council Procedure Bylaw No. 2988 (2014), Section 6 and Section 17 do not provide clarity on the specific process by which members of Council may submit items and reports for Council meetings;**

**THEREFORE BE IT RESOLVED THAT the City of Port Moody, Council Procedure Bylaw No. 2988, 2014 be amended as follows:**

- a) Section 14, Conduct and Debate to be amended to include reference to the need for Council members to adhere to the Code of Conduct for Elected Officials (Corporate Policy 7-2510); and
- b) Section 14, Conduct and Debate to be amended to note that the manner in which elected officials are addressed is to be followed at formal Council meetings and in all formal written communications; and
- c) Section 6, Agenda and Section 17(a), Addition of Agenda Items by Councillors, be amended to provide clarity on the specific process for the submission of agenda items for inclusion on a Council agenda; and,
- d) Section 17, Addition of Agenda Items by Councillors, be amended to include a request of Council members to share in advance, where possible, wording of motions that they will be bringing up at Council meetings, as amendments or as motions arising.

Separation of the four sections in the last clause was requested.

The question on section a) of the last clause was put to a vote; the motion was CARRIED.

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The question on section b) of the last clause was put to a vote; the motion was CARRIED.

(Voting Against: Councillors Glumac and Vagramov)

The question on sections c) and d) of the last clause was put to a vote; the motion was CARRIED.

## RC15/206

Moved and seconded

**THAT the following definitions be added in section 1 of schedule A of Council Procedure Bylaw No. 2988:**

**"non-jurisdictional motion" means a motion that attempts to directly amend a law or bylaw that Council has no legal authority to amend. Advocating or lobbying for the change of such a law is considered jurisdictional.**

**"untimely motion" means a motion that has already been scheduled to be considered at a specific future date.**

## RC15/207

Moved, seconded and CARRIED

**THAT the definition of "untimely motion" be separated from the foregoing motion and referred to staff to provide further explanation.**

## RC15/208

Moved, seconded and DEFEATED

**THAT the foregoing motion be amended by removing "Advocating or lobbying for the change of such a law is considered jurisdictional."**

(Voting Against: Councillors Glumac, Junker, Royer, and Vagramov)

The question on the main motion (RC15/206) was put to a vote; the motion was CARRIED.

(Voting Against: Councillors Dilworth and Lahti, and Mayor Clay)

## RC15/209

Moved and seconded

**THAT the following sections be added or amended in schedule D of Council Procedure Bylaw No. 2988:**

**Add new section 6(b): recognizing a Councillor's right to have items considered by the body of Council, agenda items (and accompanying report) added under section 17 cannot be removed by the Mayor, unless under rare circumstances as outlined in 6(c);**

**6(c) A notice of motion, like any motion, can be ruled out of**

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order by the Mayor under specific circumstances outlined in Roberts Rules. If ruled out of order, the motion must be included on the following agenda (without accompanying report) to give Council the opportunity to consider the ruling within the context of a meeting. The Mayor must explain his reasoning for calling the motion out of order, referencing Roberts Rules. The ruling of out of order can then be dealt with in 3 ways:

- (1) The ruling can be challenged. If the Mayor's ruling is not sustained, the motion and accompanying report must be placed on the following agenda; or
- (2) The motion can be amended so that it is no longer considered out of order. The question of whether the amended motion is in order must then be put before Council. If considered in order by Council, the motion and accompanying report must be placed on the following agenda; or
- (3) The motion can be withdrawn.

Section 17(d), substitute the words "at the member's discretion, may" for the word "must"

Section 18(b) be added, which clarifies: "A notice of motion implies that the motion is moved at the subsequent meeting of Council and requires a seconder at that meeting to be considered."

## RC15/209

Moved, seconded and CARRIED

**THAT the foregoing motion be supported in principle and referred to staff as direction for bringing forward a revised Council Procedure Bylaw for Council consideration.**

## RC15/210

Moved, seconded and CARRIED

**THAT staff be directed to reorder the sections of the Council Procedure Bylaw for clarity and consistency.**

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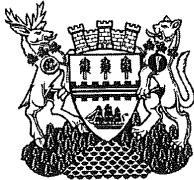
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## City of Port Moody Report/Recommendation to Council

Date: January 9, 2016

File No. 0550-00

Submitted by: Corporate Services Department – Legislative Services Division

Subject: 2016 Council Procedure Bylaw Update

### Purpose / Introduction

To present a draft Council Procedure Bylaw for Council review.

### Recommended Resolution

**THAT a draft of City of Port Moody Council Procedure Bylaw, 2016, No. 3013 and a draft of the Administrative Policy regarding Council Report Standards be forwarded to legal counsel for review as attached to and recommended in the report dated January 9, 2016 from Corporate Services Department – Legislative Services Division regarding 2016 Council Procedure Bylaw Update.**

### Background

At the Committee of the Whole Meeting of November 17, 2015, Council received a report from Corporate Services Department – Legislative Services Division dated November 8, 2015 regarding Council Procedure Bylaw Update (**Attachment 1**) and made a series of resolutions to provide guidance for the drafting of a new Council Procedure Bylaw. These resolutions made on November 17, 2016 are attached to this report as **Attachment 2**. This report also addresses resolutions made at the Regular Council Meeting of May 12, 2015, which can be found in the appendices of **Attachment 1**. A draft of City of Port Moody Council Procedure Bylaw, 2016, No. 3013 is hereby presented for Council review in **Attachment 3**. A draft Administrative Policy regarding Council Report Standards is also presented in **Attachment 4**.

### Discussion

The new Council Procedure Bylaw is based on the sample procedure bylaw developed by the Ministry of Community, Sport & Cultural Development, and is structured and indexed on the same basis as provincial statutes rather than in Schedules. A summary of key changes is provided below.

As Directed by Resolutions Made at the May 12, 2015 Regular Council Meeting

1. Addition of reference to adherence to Code of Conduct for Elected Officials.
2. Addition of Use of Formal Address.
3. Addition of direction to provide motions in writing whenever possible.

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As Directed by Resolutions made at the November 17, 2015 Committee of the Whole Meeting

4. Addition of information on the difference between delegations and presentations.
5. Delegations and presentations to be scheduled for Committee of the Whole meetings.
6. Adding that Council shall not interact with speakers during Public Input Period.
7. Public Input period to be extended by 15-minute increments by a majority vote.
8. Specifying that non-jurisdictional items can be considered with 2/3 vote of Council.
9. Specifying Consent Agenda contents.
10. Specifying that Late Items may be added to an agenda with unanimous approval of Council.
11. Changing speaking time limit to five minutes.
12. Addition of requirement to delay third reading of a Bylaw if a Bylaw is amended before third reading.
13. Requiring each reading of a Bylaw to be moved separately.
14. Extension of a Regular Council Meeting to require a unanimous vote every hour beyond 10:00pm.
15. Addition of automatic adjournment of Closed Meetings at 6:55pm unless extended by unanimous consent.
16. Addition of automatic adjournment of Committee of the Whole Meetings after three hours unless extended by unanimous consent.
17. Electronic participation at Council Meetings to be limited to two members per meeting, four meetings per member per year.
18. Specifying that Special Electronic meetings are to be held only in the event of an emergency in which Council Members are unable to meet at one location.

To ensure that the draft Bylaw is in full compliance with the *Community Charter*, staff are recommending that the draft Bylaw be forwarded to Legal Review after consideration at Committee of the Whole and prior to consideration at a Regular Council Meeting. Every effort should be made to incorporate changes into the draft bylaw prior to Legal Review in order to minimize the number of times the Bylaw undergoes Legal Review. Prior to adoption of the Council Procedure Bylaw, Public Notice of Intention to Consider the Adoption of a new Council Procedure Bylaw must be given pursuant to section 94 of the *Community Charter* by advertising in a newspaper once each week for two consecutive weeks.

Further to the changes included in the new Council Procedure Bylaw, Council also directed staff to implement policy changes related to Council Meetings. The attached draft Administrative Policy regarding Council Report Standards establishes the current practices and incorporates the changes discussed at the Regular Council Meeting of May 12, 2015 and the Committee of the Whole Meeting of November 17, 2015. A summary of key issues addressed in the Administrative Policy is provided below.

1. Addition of Report Submission Deadlines for Council Members.
2. Addition of Requirement to include rationale for holding the discussion in a Closed Meeting.

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3. Addition of guidelines on information to include in reports (i.e. previous resolutions, formatting, standardized titles).
4. Addition of requirement to use standardized formal address in report headers.
5. Clarification on the use of memos.

In addition to the issues addressed by the draft Bylaw and Policy, there are other issues discussed by Council that remain outstanding. Staff will further report on the following issues and initiatives:

- Electronic Meetings – issues will include technical and other resource requirements for holding Electronic Meetings, and justification for holding Electronic Meetings;
- Non-jurisdictional Policy – a policy update is required; and
- Quarterly Release of Closed Resolutions – an information update will be provided on this initiative along with other updates on records management and Freedom of Information and Privacy Protection issues.

### **Other Options**

Council may direct staff to provide further information on specific issues related to the Council Procedure Bylaw and make further amendments prior to forwarding the Bylaw for Legal Review.

### **Financial Implications**

The cost of a Legal Review is expected to be approximately \$400. The cost of Public Notice is expected to be approximately \$300. These costs are covered within existing budgets.

### **Communications / Civic Engagement**

Once a new Council Procedure Bylaw has received Legal Review and is ready for presentation to Council for consideration at a Regular Council Meeting, the procedure for Public Notice (newspaper advertising) will be followed.

### **Council Strategic Plan Objectives**

A Council Procedure Bylaw Update contributes to the development of responsive sustainable service excellence, community engagement, and a culture of transparency.

### **Attachments:**

1. Report from Corporate Services Department – Legislative Services Division dated November 8, 2015 regarding Council Procedure Bylaw Update.
2. Resolutions made at the Committee of the Whole Meeting Held on November 17, 2016.
3. Draft City of Port Moody Council Procedure Bylaw, 2016, No. 3013.
4. Draft Administrative Policy regarding Council Report Standards.

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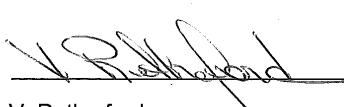
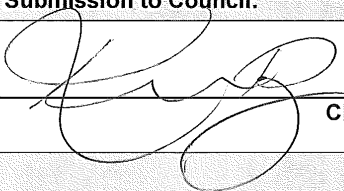

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<b>Prepared by:</b>	<b>Reviewed by:</b>
 D. Shermer Corporate Officer	 V. Rutherford General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comment/Concurrence</b>  City Manager	
<b>Corporate Review</b>	<b>Initials</b>
Corporate Communications	
<b>For Committee of the Whole Reports. To be completed by Legislative Services.</b> <input type="checkbox"/> Refer to Regular Council as recommended. <input type="checkbox"/> Refer to Regular Council with amendments as discussed. <input type="checkbox"/> Direct staff to prepare new report for Committee of the Whole. <input type="checkbox"/> Receive for information.	



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## City of Port Moody Report/Recommendation to Council

Date: November 8, 2015

File No. 0550-00

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Council Procedure Bylaw Update

### Purpose / Introduction

To present various options for an update of the Council Procedure Bylaw.

### Recommended Resolution

**THAT the report dated November 8, 2015 from Corporate Services Department – Legislative Services Division regarding Council Procedure Bylaw Update be received for information.**

*NB: recommended resolutions for the various options presented in this report are included as **Attachment 1** and will also be presented in a slide deck at the meeting.*

### Background

At the Regular Council Meeting of May 12, 2015, staff were directed to reorder the sections of the Council Procedure Bylaw for clarity and consistency, as well as to recommend amendments to the Bylaw to address issues including: reference to the Code of Conduct for Elected Officials, requirement for formal address among members, addition of agenda items by Councillors, presenting motions in advance of meetings, definitions, notices of motion, and requirement for reports to accompany notices of motion. Details of these resolutions are included in **Attachment 2**, Excerpt from the Minutes of the Regular Council Meeting held on May 12, 2015.

### Discussion

Staff conducted a review of City of Port Moody Council Procedure Bylaw No. 2988 (Bylaw No. 2988), as well as the Council Procedure Bylaws of 30 other municipalities in the Lower Mainland and the Greater Victoria Region. While these Bylaws share the common framework set out in the *Community Charter*, there are significant variations in both form and content among the Bylaws. The recommendations and options presented in this report are intended to facilitate discussions of the issues raised by members of Council, to provide information on other issues Council may wish to address in order to improve the clarity and ease of application of the Council Procedure Bylaw, to provide opportunities to increase meeting efficiency, and to ensure adherence to parliamentary principles.

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### Voting

Parliamentary principles protect the rights of the majority to rule, as well as the rights of the minority and the individual to be heard. For ease of reference, the following table sets out the number required for a majority vote, a 2/3 vote, and a unanimous vote:

Quorum	Majority	2/3	Unanimous	Large Minority
7	4	5	7	3
6	4	4	6	3
5	3	4	5	2
4	3	3	4	2

When deciding the vote required to allow an action, it is helpful to keep in mind that the requirement for a unanimous vote respects the objection of a single member; the requirement for a 2/3 vote respects the objection of a large minority; and the requirement for a majority vote respects the right of the majority to rule.

### Organization of Bylaw

The existing Council Procedure Bylaw is organized into schedules, which can create confusion for referencing, as multiple sections share the same section number. Bylaw drafting guidelines suggest that bylaws be structured and organized on the same basis as provincial statutes. As the organization of a bylaw cannot be changed through amendments, staff recommend that the existing Council Procedure Bylaw be repealed and replaced by a Bylaw structured and indexed in parts, divisions, sections, subsections, paragraphs, and subparagraphs.

### Report Submission Deadlines

Some Council Procedure Bylaws specify deadlines for the submission of reports, applications for delegations, correspondence, etc. Bylaw No. 2988 does not specify the report submission deadline for staff or Council members. Current practice sets the deadline at 9:00am on the Monday of the week preceding the meeting. This allows the Legislative Services Division to review, edit, and format reports for the City Manager's review at 3:30pm, and for the City Manager to review all reports prior to the agenda review with the Mayor on the following day at 3:30pm. While this deadline can be included in the Council Procedure Bylaw, staff recommend that report submission deadlines be included in an administrative policy rather than in the Bylaw; as the current deadline may require review and adjustments from time to time due to changes in deadline compliance, readiness for publication, and demands of the meeting cycle.

Inclusion of report submission deadlines in an administrative policy would allow flexibility for adjustments by the Executive Leadership Team. If Council wishes to exercise greater control over report submission deadlines for Council members, the preferred method of doing so would be to include it in a Corporate Policy rather than in the Bylaw, as any amendment to the Council Procedure Bylaw requires Public Notice, which carries an advertising cost.

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### Presentations and Delegations

Many Council Procedure Bylaws differentiate between presentations and delegations. Bylaw No. 2988 distinguishes presentations from delegations only in terms of the difference in time allotted to each, and allows a maximum of 30 minutes for a combination of delegations and presentations at each Regular Council Meeting. Staff recommend that presentations and delegations be defined as follows:

Presentations are for the provision of information of interest to Council and residents, and generally, though not necessarily, relate to a non-business item. Requests are not submitted as part of a presentation.

Delegations are for addressing Council on a business item on the agenda, or for submitting requests to Council.

As the times allotted to delegations and presentations do not include questions and responses from Council, the length of time spent on receiving presentations and delegations often exceed the maximum of 30 minutes. Along with Art at Council and Public Input, Council business may start well over one hour after a meeting is called to order. If this is a concern for Council, one option is to consider further limiting the number of delegations and presentations. Another option Council may wish to consider is scheduling presentations and delegations at Committee of the Whole Meetings, which are less formal and allow greater interaction between Council and presenters and delegates. Delegation requests can then be referred by resolution to a subsequent Regular Council Meeting, which would not result in delays above those under the current system.

Some municipalities require delegation requests to be referred to staff for a report that includes background information, financial implications, and staff recommendations prior to any action being taken; this provides Council with the opportunity to evaluate the request against existing strategic priorities and financial commitments. The requirement for a staff report may delay approval of delegation requests, but would facilitate informed decision making and allow for time to evaluate whether a delegation request aligns with the Council Strategic Plan. To allow urgent requests to be granted without delay, Council may include an option to waive the requirement for a staff report.

### Public Input

Currently, the Public Input Period is 15 minutes at the beginning of a Regular Council meeting and 15 minutes at the end of the meeting. This can be extended for an unlimited time by majority vote of Council. Often, the Public Input Period is exhausted by Council members interacting with speakers during Public Input Period. To keep the length of the Public Input Period reasonable, we are proposing the addition of a clause explicitly stating that Council shall not interact with the speakers during the Public Input Period, but may call speakers up for questions at the end of the Public Input Period. This will ensure that the full 15 minutes are devoted solely to Public Input rather than to Council interaction with speakers. The option to extend the Public Input Period will remain the prerogative of the majority, but will be amended to

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the addition of 15 minutes rather than an unlimited extension. The majority may extend the Public Input Period as many times as deemed appropriate.

### Definition of Non-Jurisdictional

Bylaw No. 2988 allows Council to address non-jurisdictional items with a 2/3 vote of Council. As Council has no power to regulate non-jurisdictional issues, Council is limited to advocacy whenever non-jurisdictional items are addressed. The requirement of a 2/3 vote is intended to focus Council's time and attention on matters within its jurisdiction by allowing a large minority to decline to address non-jurisdictional items. By redefining "non-jurisdictional" to exclude advocating for non-jurisdictional items, Council agrees to allow non-jurisdictional issues the same right of consideration as jurisdictional issues. If Council wishes to include this right of consideration to non-jurisdictional issues without allowing a large minority to decline to address these issues, it would be preferable to specifically exempt the submission of resolutions for Union of British Columbia Municipality and Federation of Canadian Municipality consideration as non-jurisdictional, rather than to generally allow advocacy of non-jurisdictional items.

### Definition of "Untimely" and Items Submitted by Members for the Agenda

The term "untimely" is used only once in Bylaw No. 2988 for the purpose of determining whether an item submitted by a member of Council shall be added to a Council Agenda. Staff are unable to determine the intention of the term "untimely" as it relates to criteria for exclusion of an agenda item submitted by a member of Council. Staff recommend that the criteria for exclusion of a report submitted by a member of Council be clearly determined. It is common for municipalities to set out criteria for inclusion of agenda items from Council members. Criteria may require that the item be submitted by a certain deadline, be jurisdictional, be formatted appropriately, consist of appropriate language, contain no libellous remarks, or other requirements deemed necessary.

If an item is submitted before an agreed upon deadline for inclusion on an agenda and conforms to the report format which includes the recommended resolution, a Notice of Motion should not be required as members will have had the opportunity to review the motion before the meeting. It is important to note that a majority of Council always has the prerogative of referring any agenda item to staff or committee if further information or study is required.

### Submission of Notices of Motion, Late Items, and Requiring Notices of Motions

Submitting Notices of Motion fulfils the criteria of providing previous notices as set out in Robert's Rules of Order. A Notice of Motion cannot imply that a motion is moved at the subsequent meeting, as the member who submitted the motion cannot be guaranteed to be in attendance at the subsequent meeting. Some municipalities specify that the Notice of Motion can only be moved by the member who submitted the Notice, or by a member authorized in writing by that member to do so.

Late items are items that were not published as part of the agenda. Council should decide whether late items should be allowed to be added by a member, and if so, should determine whether a majority, 2/3, or unanimous vote is required.

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Council may also allow any member to require a Notice of Motion for any late item; this would have the same effect as requiring a unanimous vote, but if implemented with a requirement for a majority or 2/3 vote, would allow the member to exercise the right to require notice at his or her discretion. Some municipalities allow any member to call for a Notice of Motion for a motion presented under New Business, and require the motion to be placed on an agenda for a future meeting to be held at least two weeks later. Depending on Council's decision on the criteria for inclusion of agenda items by members of Council, it should not be necessary to require that a report be prepared for the following Council Meeting for all Notices of Motion, as Council members should be allowed to present motions without preparing a report if that member deems it unnecessary.

### Consent Agenda

As there is no legal requirement for the citation of a bylaw to be read aloud during first three readings or adoption, it is possible to include readings and adoptions of Bylaws on the Consent Agenda. Staff recommend clearly setting out the criteria for items to be included on the Consent Agenda.

### Speaking Time Limit

Bylaw No. 2988 allows every member to speak for a maximum of 15 minutes on any item. If every member exercises this right, a single item can be debated for up to 1 hour and 45 minutes. The time limit most commonly found in other Council Procedure Bylaws is five minutes. Some Council Procedure Bylaws set the right of the chair to advance debate; this can allow the chair to advance debate if the chair is of the opinion that sufficient debate has taken place, or can take the form of the chair calling only for speakers of the opposing side if a majority of members have spoken for the same side.

### Consideration of Bylaws

Staff recommend that if a Bylaw under consideration is amended before third reading, that third reading of the Bylaw be delayed to a subsequent meeting. This will allow staff to review the amendments and ensure that the Bylaw is written as was intended by Council.

### Adjournment of Meetings

Bylaw No. 2988 requires unanimous consent to continue a meeting past 10:00pm. If the meeting is allowed to continue past 10:00pm, there are no further time limits. Staff recommend that the meeting be allowed to continue for 15 or 30 minutes past 10:00pm with a 2/3 vote, then an additional 15 or 30 minutes by unanimous consent, and every hour thereafter by unanimous consent. This allows the meeting to continue for a brief period despite objections from a small minority, providing time to wrap up the business at hand and thereby avoiding an abrupt end; unanimous consent would still be required for a lengthy continuance.

Council may also wish to consider adding an automatic adjournment time for Closed Council meetings. Closed Council Meetings would end by 7:00pm unless extended by unanimous resolution of Council. This would reduce the likelihood of a Closed Council Meeting delaying the 7:00pm public meeting, which is usually streamed live and at which members of the public may be in attendance. Other options include adjournment at 6:55pm (this would ensure a timely

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start to the 7:00pm meeting), or requiring only 2/3 resolution of Council to extend the meeting, which would allow a large majority to determine whether to continue the meeting past 7:00pm.

### Mandatory Changes to Meeting Types and Agendas

The following are changes that must be made, and should be referred to in the Council Procedure Bylaw for clarity.

*Publishing Agendas for Closed Council Meetings* – Closed Council Agendas will be published to increase organizational transparency. Currently, the only part of Closed Agendas released to the public are the sections of the *Community Charter* under which the meeting will be closed. The meeting is then closed with the first resolution. The new Closed Council Agenda will include the order of business, the name of the item, and the reasons for which the item is to be discussed in a closed meeting; this agenda will be made available to the public. A separate agenda package that includes the Closed Council Agenda, detailed item titles, recommendations, and reports will be circulated to members of Council and ELT as is current practice. This change will increase the number of agendas the Legislative Services Division is required to produce, but should only result in a nominal increase of effort from those submitting items and reports. Those submitting items for a Closed Agenda will be asked to provide a meaningful, succinct, and public title for any item to be included on a Closed Council Agenda.

*Closed Council Meetings Called as Special Council Meetings* – Closed Council Meetings will be called as Special Council meetings. We currently already post notices for these meetings as if they were Special Council Meetings, but we do not treat the meetings as such. The meeting will be open to the public until the resolution to close the meeting is passed. If any member of Council wishes to discuss the appropriateness of items on the Closed Meeting Agenda, he or she would recommend closing the meeting under section 90(1)(n). The discussion on the appropriateness of closing the discussion on an item would be closed to the public, and the Special Meeting would resume at the end of that discussion. Council can then close the meeting pursuant to all of the recommended sections (minus whatever item it was determined not suitable for a closed meeting), and resume the Special Meeting upon finishing the closed items. This change will increase the number of minutes the Legislative Services Department is required to produce, but is not expected to affect the workload of other departments. Minutes for the Closed portion of the Special Council Meeting will be adopted in the Closed portion of the next Special Council Meeting; minutes for the Open portion of the Special Council Meeting will be adopted at a Regular Council Meeting.

### Electronic Participation in Meetings and Electronic Meetings

Currently, there is no stated maximum number of participants who may participate electronically in Council meetings. As it is preferable to have members of Council physically present at as many meetings as possible, it is suggested that a maximum number of participants who may attend electronically be limited to a maximum of one per meeting, and the maximum number of times a member of Council may participate electronically be limited to twice per calendar year. Electronic participation in meetings should be differentiated in the Bylaw from meetings that are held entirely electronically because the whole of Council cannot be at the same location due to

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extenuating circumstances such as city-wide catastrophic infrastructure failure or an outbreak of highly contagious diseases.

### Committee of the Whole Meeting Format

Council may wish to reconsider the Committee of the Whole Meeting format, and hold Committee of the Whole meetings within Special Council Meetings. We currently already post notices for Committee of the Whole Meetings as if they were Special Council Meetings, but we do not treat the meetings as such. With the new structure, Council would resolve to go into Committee of the Whole at the beginning of the Special Council Meeting. At the end of the Committee of the Whole, Council would resume the Special Council Meeting, at which they can pass all of the resolutions made in Committee of the Whole. The benefits of this change are:

1. Immediacy - Committee of the Whole resolutions are ratified on the same evening and can be acted upon immediately.
2. Consistency - Having the same Council members vote to ratify the resolutions eliminates the possibility that a different quorum of Council might overturn the decision made in Committee of the Whole—possibly after lengthy debate—at the next Regular Council Meeting.
3. Opportunity to Refer - Currently, if Council deems an issue worthy of discussion in a Regular Council Meeting, they may be reluctant to delay the decision by a minimum of two weeks by referring it to Committee of the Whole. With this new structure, Council would be delaying the decision by as few as one week. Items referred from a Regular Council Meeting would be forwarded as is, and would not require the resubmission of a report; however, supplementary memos can be added until end of day Wednesday.

Council may also wish to give thought to whether Committee of the Whole meetings should continue to be held in Council Chambers. As Committee of the Whole Meetings are set up identically to Council Meetings, there is often little distinction between the two meeting types, and the goal of having more informal discussions is often not met. Council may wish to consider holding Committee of the Whole meetings in the Brovold Room to encourage informal discussion. If this option is explored, staff recommend adding cameras to the Brovold Room to facilitate live-streaming and web-casting of Committee of the Whole Meetings.

### Other Options

No other options are presented.

### Financial Implications

There are no financial implications with the receipt of this report.

### Communications / Civic Engagement

Once a new Council Procedure Bylaw is drafted and ready to present to Council for consideration at a Regular Council Meeting, the procedure for Public Notice (newspaper advertising) will be followed.

# Unfinished at January 22, 2019 Special Council (COTW) Meeting

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CoW - Agenda - 2015 11 17  
**Report/Recommendation to Council**  
Council Procedure Bylaw Update  
November 8, 2015

Item 4.3

## Council Strategic Plan Objectives

A Council Procedure Bylaw Update contributes to the development of responsive sustainable service excellence, community engagement, and a culture of transparency.

### Attachments:

1. Recommended Motions for Options Presented in the Report.
2. Excerpt from the Minutes of the May 12, 2015 Regular Council Meeting.



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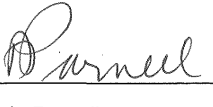
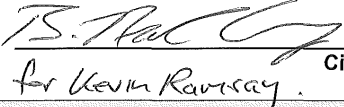

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 November 8, 2015

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<b>Prepared by:</b>	<b>Reviewed by:</b>
 Dorothy Shermer Corporate Officer	 Angela Parnell General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comment/Concurrence</b>  for Kevin Ramsay, City Manager	
<b>Corporate Review</b>	<b>Initials</b>
Corporate Communications	
<b>For Committee of the Whole Reports. To be completed by Legislative Services.</b> <input type="checkbox"/> Refer to Regular Council as recommended. <input type="checkbox"/> Refer to Regular Council with amendments as discussed. <input type="checkbox"/> Direct staff to prepare new report for Committee of the Whole. <input type="checkbox"/> Receive for information.	

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### Attachment 1

#### Recommended Motions for Options Presented in the Report

##### Report Submission Deadlines

THAT an Administrative Policy be drafted to clearly indicate the Report to Council submission deadline for staff and members of Council.
THAT a Corporate Policy be drafted to clearly indicate the Report to Council submission deadline for members of Council.
THAT the report submission deadline of 9:30am on the Monday of the week before the meeting be included in the Council Procedure Bylaw.

##### Presentation and Delegations

THAT the differentiation between delegations and presentations be included in the Council Procedure Bylaw.	
THAT delegations be scheduled for Committee of the Whole meetings.	THAT delegations and presentations be scheduled for Committee of the Whole meetings
THAT the maximum number of delegations be set at two per Regular Council Meeting (or Committee of the Whole Meeting).	
THAT the maximum number of presentations be set at one per Regular Council Meeting (or Committee of the Whole Meeting).	
THAT all delegation requests be referred to staff for a report to include background information, financial implications, and staff recommendations before any action is taken;	
AND THAT this requirement be waived only by unanimous consent of Council.	

##### Public Input

THAT a clause be added stating that Council shall not interact with the speakers during the Public Input Period, but may call speakers up for questions at the end of the Public Input Period.	
THAT public input periods be extended by 15-minute increments by a majority vote of Council.	THAT public input periods be extended by 15-minute increments by a unanimous vote of Council.

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### Non-Jurisdictional Items

THAT motions to submit resolutions for UBCM and FCM consideration not be treated as non-jurisdictional.	
THAT consideration of non-jurisdictional items require a 2/3 vote of Council.	THAT consideration of non-jurisdictional items require a majority vote of Council.

### Items Submitted by Members for the Agenda

THAT the criteria for agenda items submitted for the agenda by a member of Council be set out in the Council Procedure Bylaw;	THAT the criteria for agenda items submitted for the agenda by a member of Council be set out in a Corporate Policy;
AND THAT the criteria include the following: <ul style="list-style-type: none"> <li>• Must be submitted by a deadline;</li> <li>• Must be within Council jurisdiction;</li> <li>• Must take the form of a Report to Council and be formatted correctly; and</li> <li>• Must use appropriate language and contain no libellous remarks.</li> </ul>	AND THAT the criteria include the following: <ul style="list-style-type: none"> <li>• Must be submitted by a deadline;</li> <li>• Must be within Council jurisdiction;</li> <li>• Must take the form of a Report to Council and be formatted correctly; and</li> <li>• Must use appropriate language and contain no libellous remarks.</li> </ul>

### Late Items

THAT late items be placed on the agenda with a majority vote of Council.	THAT late items be placed on the agenda with a 2/3 vote of Council.	THAT late items be placed on the agenda with a unanimous vote of Council.
THAT any member may require a Notice of Motion for any late item, in which case the late item will be placed on the next agenda.		

### Consent Agenda

THAT items to be included in the Consent Agenda be specified as follows: <ul style="list-style-type: none"> <li>• Recommendations from Committees;</li> <li>• Reports for Information;</li> <li>• Bylaw Readings and Adoption; and</li> <li>• Items for which debate is not expected.</li> </ul>
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### Speaking Time Limit

THAT the maximum time for which a member may speak on an item be limited to five minutes.
THAT the Chair be authorized to put the question to a vote if he or she is of the opinion that sufficient debate has taken place.
THAT the Chair be authorized to advance debate by calling only for speakers of the opposing side if a majority of members have spoken for the same side.

### Consideration of Bylaws

THAT, if a Bylaw under consideration is amended before third reading, that third reading of the Bylaw be delayed to a subsequent meeting.
-------------------------------------------------------------------------------------------------------------------------------------------

### Adjournment of Meetings

THAT a 2/3 vote be required to extend the meeting past 10:00pm for an additional 15 minutes;	THAT a 2/3 vote be required to extend the meeting past 10:00pm for an additional 30 minutes;
AND THAT a unanimous vote be required to extend the meeting for an additional hour after 10:15pm, as well as every hour thereafter.	AND THAT a unanimous vote be required to extend the meeting for an additional hour after 10:30pm, as well as every hour thereafter.
THAT a unanimous vote be required to extend the meeting for an additional hour after 10:00pm, as well as every hour thereafter.	
THAT Closed meetings be automatically adjourned at 6:55pm unless extended by unanimous resolution of Council.	THAT Closed meetings be automatically adjourned at 7:00pm unless extended by unanimous resolution of Council.

### Electronic Participation in Meetings and Electronic Meetings

THAT a distinction be made between electronic participation in meetings and electronic meetings.	
THAT the maximum number of persons participating electronically at a meeting be limited to one.	THAT the maximum number of persons participating electronically at a meeting be limited to two.
THAT the maximum number of times a member of Council may participate electronically at a meeting be limited to twice per calendar year.	THAT the maximum number of times a member of Council may participate electronically at a meeting be limited to four times per calendar year.

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## Attachment 2

### Excerpt from the Minutes of the May 12, 2015 Regular Council Meeting

**Proposed Clarity to  
Council Procedure  
Bylaw No. 2988  
(2014)**

9.3 Report: Councillor Diana Dilworth, dated May 5, 2015  
File: 0550-01

RC15/205

Moved and seconded

**WHEREAS Council Procedure Bylaw No. 2988 (2014), Schedule D provides the legal guidelines for procedures for Council to follow in conducting its business;**

**AND WHEREAS Council Procedure Bylaw No. 2988 (2014), Section 14 is not entirely clear regarding the level of formality to be followed at meetings of Council and in reports of Council;**

**AND WHEREAS Council Procedure Bylaw No. 2988 (2014), Section 6 and Section 17 do not provide clarity on the specific process by which members of Council may submit items and reports for Council meetings;**

**THEREFORE BE IT RESOLVED THAT the City of Port Moody, Council Procedure Bylaw No. 2988, 2014 be amended as follows:**

- a) **Section 14, Conduct and Debate to be amended to include reference to the need for Council members to adhere to the Code of Conduct for Elected Officials (Corporate Policy 7-2510); and**
- b) **Section 14, Conduct and Debate to be amended to note that the manner in which elected officials are addressed is to be followed at formal Council meetings and in all formal written communications; and**
- c) **Section 6, Agenda and Section 17(a), Addition of Agenda Items by Councillors, be amended to provide clarity on the specific process for the submission of agenda items for inclusion on a Council agenda; and,**
- d) **Section 17, Addition of Agenda Items by Councillors, be amended to include a request of Council members to share in advance, where possible, wording of motions that they will be bringing up at Council meetings, as amendments or as motions arising.**

Separation of the four sections in the last clause was requested.

The question on section a) of the last clause was put to a vote; the motion was CARRIED.

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The question on section b) of the last clause was put to a vote; the motion was CARRIED.

(Voting Against: Councillors Glumac and Vagramov)

The question on sections c) and d) of the last clause was put to a vote; the motion was CARRIED.

## RC15/206

Moved and seconded

**THAT the following definitions be added in section 1 of schedule A of Council Procedure Bylaw No. 2988:**

**"non-jurisdictional motion" means a motion that attempts to directly amend a law or bylaw that Council has no legal authority to amend. Advocating or lobbying for the change of such a law is considered jurisdictional.**

**"untimely motion" means a motion that has already been scheduled to be considered at a specific future date.**

## RC15/207

Moved, seconded and CARRIED

**THAT the definition of "untimely motion" be separated from the foregoing motion and referred to staff to provide further explanation.**

## RC15/208

Moved, seconded and DEFEATED

**THAT the foregoing motion be amended by removing "Advocating or lobbying for the change of such a law is considered jurisdictional."**

(Voting Against: Councillors Glumac, Junker, Royer, and Vagramov)

The question on the main motion (RC15/206) was put to a vote; the motion was CARRIED.

(Voting Against: Councillors Dilworth and Lahti, and Mayor Clay)

## RC15/209

Moved and seconded

**THAT the following sections be added or amended in schedule D of Council Procedure Bylaw No. 2988:**

**Add new section 6(b): recognizing a Councillor's right to have items considered by the body of Council, agenda items (and accompanying report) added under section 17 cannot be removed by the Mayor, unless under rare circumstances as outlined in 6(c);**

**6(c) A notice of motion, like any motion, can be ruled out of**

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order by the Mayor under specific circumstances outlined in Roberts Rules. If ruled out of order, the motion must be included on the following agenda (without accompanying report) to give Council the opportunity to consider the ruling within the context of a meeting. The Mayor must explain his reasoning for calling the motion out of order, referencing Roberts Rules. The ruling of out of order can then be dealt with in 3 ways:

- (1) The ruling can be challenged. If the Mayor's ruling is not sustained, the motion and accompanying report must be placed on the following agenda; or
- (2) The motion can be amended so that it is no longer considered out of order. The question of whether the amended motion is in order must then be put before Council. If considered in order by Council, the motion and accompanying report must be placed on the following agenda; or
- (3) The motion can be withdrawn.

Section 17(d), substitute the words "at the member's discretion, may" for the word "must"

Section 18(b) be added, which clarifies: "A notice of motion implies that the motion is moved at the subsequent meeting of Council and requires a seconder at that meeting to be considered."

## RC15/209

Moved, seconded and CARRIED

**THAT the foregoing motion be supported in principle and referred to staff as direction for bringing forward a revised Council Procedure Bylaw for Council consideration.**

## RC15/210

Moved, seconded and CARRIED

**THAT staff be directed to reorder the sections of the Council Procedure Bylaw for clarity and consistency.**

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### **Committee of the Whole Resolutions from November 17, 2015 Regarding Council Procedure Bylaw Update Ratified at the Regular Council Meeting Held on November 24, 2015**

#### CW15/090 and 091

**THAT an Administrative Policy be drafted to clearly indicate the Report to Council submission deadline for staff and members of Council;**

**AND THAT the Administrative Policy be brought back to Council for consideration.**

#### CW15/095

**THAT the differentiation between delegations and presentations be included in the Council Procedure Bylaw;**

**AND THAT delegations and presentations be scheduled for Committee of the Whole meetings.**

#### CW15/097 (Amended at the RC Mtg of November 24, 2015)

**THAT a clause be added stating that Council shall not interact with the speakers during the Public Input Period.**

#### CW15/098 and 099

**THAT motions to submit resolutions for UBCM and FCM consideration and advocating or lobbying for the change of a law or bylaw that Council has no legal authority to amend not be treated as non-jurisdictional;**

**AND THAT consideration of non-jurisdictional items require a 2/3 vote of Council.**

#### CW15/102

**THAT late items be placed on the agenda with a unanimous vote of Council.**

#### CW15/103

**THAT items to be included in the Consent Agenda be specified as follows:**

- **Recommendations from Committees;**
- **Reports for Information; and**
- **Items for which debate is not expected.**

#### CW15/104

**THAT the maximum time for which a member may speak on an item be limited to five minutes.**

#### CW15/107 and 108

**THAT, if a Bylaw under consideration is amended before third reading, that third reading of the Bylaw be delayed to a subsequent meeting;**

**AND THAT each reading of a Bylaw be moved separately.**



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### CW15/109

**THAT a unanimous vote be required to extend the meeting for an additional hour after 10:00pm, as well as every hour thereafter.**

### CW15/110

**THAT closed meetings be automatically adjourned at 6:55pm unless extended by a unanimous resolution of Council.**

### CW15/111 and 112

**THAT Committee of the Whole meetings be automatically adjourned after three hours unless extended by a unanimous resolution of Council.**

### CW15/115

**THAT there be a maximum of two members of Council permitted to participate electronically at a meeting;**

**AND THAT the maximum number of times a member may participate electronically be limited to four times per year.**

**THAT staff report back with options regarding electronic participation at Council meetings.**

### CW15/117

**THAT electronic meetings only be held in the event of an emergency;**

**AND THAT staff report back on parameters of what would constitute an emergency.**

### CW15/118

**THAT a draft Bylaw be brought back to a Committee of the Whole meeting for Council consideration.**

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## City of Port Moody

### Bylaw No. 3013

A Bylaw to establish rules of procedure for Council Meetings.

The Council of the City of Port Moody enacts as follows:

#### PART 1 – INTRODUCTION

##### Title

1. This Bylaw may be cited as the “City of Port Moody Council Procedure Bylaw, 2016, No. 3013”.

##### Definitions

2. In this Bylaw,

“City” means the City of Port Moody;

“City Hall” means Port Moody City Hall located at 100 Newport Drive, Port Moody, British Columbia;

“City Website” means the information resource found at [www.portmoody.ca](http://www.portmoody.ca);

“Commission” means a municipal commission established under s.143 of the *Community Charter*;

“Committee” means a standing, select, or other committee of Council, but does not include COTW;

“Committee Clerk” means a Legislative Services staff member assigned to clerk a committee meeting;

“COTW” means the Committee of the Whole Council;

“Corporate Officer” means the Corporate Officer for the City;

“Council” means the Council of the City of Port Moody;

“Delegation” means an address to Council or Committee at the request of the person wishing to speak and relates to an item of business on the agenda of the Meeting at which the person wishes to appear, or includes the submission of a request;

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"Deputy Corporate Officer" means the Deputy Corporate Officer for the City;

"Mayor" means the mayor of the City;

"Member(s)" means a member of the Council of Port Moody;

"Presentation" means an address to Council or Committee for the provision of information of interest to Council and residents, and generally, though not necessarily, relates to a non-business item. Requests are not submitted as part of a presentation;

"Presiding Member" means the Member chairing the meeting; and

"Public Notice Posting Places" means the City Website and the notice board located in the breezeway at City Hall.

### Application of Rules of Procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all Standing and Select Committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council, COTW, and Council committees to the extent that those Rules are:
  - (a) applicable in the circumstances; and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

## PART 2 – COUNCIL MEETINGS

### Inaugural Meeting

4. (1) Following a general local election, the first Council meeting must be held on the first Tuesday in December in the year of the election.
- (2) If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

### Time and Location of Meetings

5. (1) All Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must:
  - (a) be held on the second and fourth Tuesday of each month;

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- (b) begin at 7:00pm or immediately following a Public Hearing to be held at 7:00pm;
  - (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 31; and
  - (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open;
- (3) Regular Council meetings may:
  - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
  - (b) be postponed to a different day, time, and place by the Mayor, provided the Corporate Officer is given at least two days' written notice.
- (4) Public Hearings may:
  - (a) be held on the second and fourth Tuesday of each month;
  - (b) begin at 7:00pm; and
  - (c) be adjourned at 9:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 31.
- (5) Closed Council Meetings must be adjourned:
  - (a) if scheduled on the same day as a Regular Council Meeting, by 6:55pm;
  - (b) if scheduled on a day other than the day on which a Regular Council Meeting is also scheduled, three hours after the time at which the meeting started; and
  - (c) unless Council resolves to proceed beyond that time in accordance with s. 31.
- (6) Committee of the Whole Meetings must be adjourned three hours after the time at which the meeting started unless Council resolves to proceed beyond that time in accordance with s. 31.
- (7) Standing Committee, Select Committee, Commission, and Board Meetings must be adjourned after two hours unless its members resolve to proceed beyond that time in accordance with s. 31.

## Notice of Council Meetings

- 6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before the second Tuesday of

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December, a schedule of the dates, times, and places of Regular Council Meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.

- (2) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must give notice annually on or before the second Tuesday of December of the availability of the annual schedule of the dates, times, and places of regular Council meetings for the following year in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time, and place, or cancellation of, a regular Council meeting.

### Notice of Special Meetings

7. (1) Except where notice of a Special Meeting is waived by unanimous vote of all Council members under section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a Special Council Meeting must be given at least 24 hours before the time of meeting, by:
  - (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) advising Members of the Special Council Meeting by electronic means.
- (2) The notice under subsection (1) must describe in general terms the purpose of the Meeting and be signed by the Mayor or the Corporate Officer.

### Electronic Participation at Meetings and Electronic Meetings

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met,
  - (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities if:
    - (i) the Mayor calls for a Meeting by electronic means; or
    - (ii) in extreme emergency situations such as when a State of Local Emergency has been declared, Members are unable to physically meet in one location together,
  - (b) a member of Council who is unable to attend at a Regular Council Meeting, Special Council Meeting, Closed Council Meeting, or Committee of the Whole Meeting, as applicable, may participate in the meeting by means of audio, or visual and audio electronic or other communication facilities.
- (2) The member presiding must not participate electronically.

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- (3) No more than two members of Council at one time may participate electronically at a meeting under section 8(1)(b).
- (4) The maximum number of times a member may participate electronically is four times per year.

## PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- 9. (1) Annually, Council must from amongst its members designate Councillors to serve on a rotating basis as the member 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.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the members designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.

## PART 4 – COUNCIL PROCEEDINGS

### **Community Charter Provisions**

- 10. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*]. The relevant extracts from the *Community Charter* are appended to this Bylaw for convenient reference.

### **Attendance of Public at Meetings**

- 11. (1) Except where the provisions of section 90 of the *Community Charter* [*meetings that may or must be closed to the public*] apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* [*requirements before Council meeting is closed*].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) Committee of the Whole;
  - (b) Standing and Select Committees;
  - (c) parcel tax review panel;



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- (d) board of variance;
  - (e) advisory bodies such as Advisory Design Panel; and
  - (f) commissions, such as the Parks and Recreation Commission.
- (4) Despite section 11(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 23(9).

### Minutes of Meetings to be Maintained and Available to Public

12. (1) Minutes of the proceedings of Council must be:
- (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer; and
  - (c) signed by the Mayor or the presiding member.
- (2) Subject to subsection 12(3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection 12(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.

### Calling Meeting to Order

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order; however, where the Mayor is absent, or where the Mayor wishes to not to preside over a Committee of the Whole Meeting, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.
- (2) If ~~a~~ a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 does not attend within 20 minutes of the scheduled time for a Council meeting:
- (a) the Corporate Officer must call to order the members present; and
  - (b) the members present must choose a member to preside at the meeting.
- (3) If neither the Chair nor Vice-Chair of a Committee, Commission, or Board meeting is able to attend a meeting, the Chair or Mayor may request that

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another Member of Council act in the place of the Chair at the Committee, Commission, or Board Meeting.

### Adjourning Meeting Where No Quorum

14. (1) If there is no quorum of Council present within 20 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
  - (a) record the names of the members present, and those absent; and
  - (b) adjourn the meeting until the next scheduled meeting.

### Agenda

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda is 9:30am on the Monday of the week prior to the meeting.
- (3) The deadline for submissions by staff and members of Council to the Corporate Officer of items for inclusion on the Council meeting Agenda is set out in an Administrative Policy on Council Report Guidelines.
- (4) Notwithstanding the requirements of sections 15(2) and 15(3), the Corporate Officer has the discretion, where practical, to include on a Council agenda prior to its publication, an item or report which is not provided by the time and date specified.
- (5) The Corporate Officer must make the agenda available to the members of Council and the public:
  - (a) for Regular Council Meetings and Public Hearings, on the Thursday afternoon prior to the meeting; and
  - (b) for Special Council Meetings, as soon as is practicable at the discretion of the Corporate Officer.
- (6) For Closed Meetings of Council, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda, and the rationale for holding discussions in a Closed Meeting. This agenda must be made available to members of Council and the public on the Thursday afternoon prior to the meeting.
- (7) Council must 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 19.

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### Order of Proceedings and Business

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) 1. Call to Order
  - (b) 2. Public Input
  - (c) 3. General Matters
  - (d) 4. Adoption of Minutes
  - (e) 5. Consent Agenda
  - (f) 6. Items Removed from the Consent Agenda
  - (g) 7. Legislative Matters
  - (h) 8. Unfinished Business
  - (i) 9. New Business
  - (j) 10. Other Business
  - (k) 11. Verbal Reports from Council and Staff
  - (l) 12. Information Items
  - (m) 13. Public Input
  - (n) 14. Adjournment
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the Agenda unless otherwise resolved by Council.

### Public Input

17. (1) One 15-minute Public Input period is available after a Regular Council Meeting is called to order, and another immediately preceding adjournment of the Meeting.
- (2) Anyone wishing to speak during a Public Input period must so indicate by registering his or her name and city of residence on a speakers' list prior to the Public Input period. The list shall determine the order of speakers.
- (3) During Public Input periods, once recognized by the presiding Member, speakers may address Council to comment on any matter coming within the competence of Council. Each speaker must state his or her name and city of residence, and will be allowed two minutes to speak. No person must speak regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) To accommodate speakers who were not given an opportunity to address Council within the 15-minute Public Input period, Council may extend Public Input periods by 15-minute increments by a majority vote.

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- (5) Members of Council shall not interact with the speakers during the Public Input Period.
- (6) Once the nomination period preceding a General Local Election or By-election begins, Public Input periods shall be suspended until the Meeting of Council following the Election.

### Consent Agenda

- 18. (1) On a Regular Council Agenda, non-controversial, routine items which do not require discussion or debate may be grouped together under a Consent Agenda and dealt with under one resolution of Council.
- (2) Items to be included in the Consent Agenda are:
  - (a) Recommendations from Committees;
  - (b) Reports for Information; and
  - (c) Items for which debate is not expected.
- (3) Any member of Council may request that an item included on the Consent Agenda be removed from the Consent Agenda and dealt with separately. The item will be considered immediately after the consideration of the Consent Agenda.
- (4) Members may vote on and adopt in one motion all recommendations appearing on the Consent Agenda. Members shall request removal of items from the Consent Agenda prior to moving adoption of recommendations listed in the Consent Agenda.
- (5) A Member may request that an item be included on the Consent Agenda, and if no one objects, it will be so listed and considered.

### Late Items

- 19. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council with a unanimous vote of all members present.
- (2) If the Council makes a resolution under section 19(1), information pertaining to late items must be distributed to the Members.

### Voting at Meetings

- 20. (1) The following procedures apply to voting at Council meetings:
  - (a) when debate on a matter is closed, the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

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"Those in favour, raise your hands," and then, "Those opposed, raise your hands."

- (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b), a member must not:
  - (i) cross or leave the room;
  - (ii) make a noise or other disturbance; or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
- (e) the presiding member's decision about whether a question has been finally put is conclusive;
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand;
- (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative; and
- (h) should any Member refrain from voting when any question is put, the Member shall be regarded as having voted in the affirmative and the Member's vote shall be counted accordingly.

### **Presentations and Delegations**

- 21. (1) Presentations and Delegations to Council shall be received at Committee of the Whole Meetings, if at least eight days prior to the date of the Meeting at which the presenter wishes to appear:
  - (a) the presenter or delegation submits his or her request to appear before Council in writing to the Corporate Officer, clearly outlining the intended subject matter to be presented and the name of the presenter and, if applicable, the organization being represented; and
  - (b) the Corporate Officer has advised the presenter or delegation of the date of the Meeting at which he or she may appear.
- (2) Presentations and Delegations shall be confined to the subject which was indicated in the written request, and limited to:
  - (a) 15 minutes for a Presentation; and
  - (b) five minutes for a delegation.

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- (3) Council may waive strict compliance with section 21(2) by a resolution passed by a two-thirds majority vote of all Members present.
- (4) Where written application has not been received by the Corporate Officer as prescribed in section 21(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (5) Council must not permit a presenter or a delegation to address a meeting of Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (6) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (7) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. Non-jurisdictional items will be dealt with in accordance with the City's Non-Jurisdictional Items Policy. A two-thirds majority vote is required when deciding to consider a non-jurisdictional item at a Council Meeting.

### Points of Order

22. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must 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 another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order:
  - (a) the presiding member must cite the applicable rule or authority if requested by another Council member;
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a); and
  - (c) the presiding member may reserve the decision until the next Council meeting.

### Conduct and debate

23. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.

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- (3) Members must address other non-presiding members by the title Councillor.
- (4) Members must adhere to the Code of Conduct for Elected Officials Corporate Policy.
- (5) No member must interrupt a member who is speaking except to raise a point of order.
- (6) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (7) Members who are called to order by the presiding member:
  - (a) must immediately stop speaking;
  - (b) may explain their position on the point of order; and
  - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.
- (8) Members speaking at a Council meeting:
  - (a) must use respectful language;
  - (b) must not use offensive gestures or signs;
  - (c) must speak only in connection with the matter being debated;
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (9) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and:
  - (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat; and
  - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (10) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (11) The following rules apply to limit speech on matters being considered at a Council meeting:

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- (a) a member may speak more than once in connection with the same question only:
  - (i) with the permission of Council; or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate; and
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of five minutes only with the permission of Council.

## Motions Generally

- 24. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) Whenever possible, Council members are encouraged to share in advance wording of motions that they intend to introduce at Council Meetings, as amendments or as motions arising.
- (3) A Council member may make only the following motions, when the Council is considering a question:
  - (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely;
  - (e) to postpone to a certain time;
  - (f) to move the previous question; and
  - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

## Motion to Commit

- 25. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

## Motion for the Main Question

- 26. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.



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- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
  - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
  - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

## **Amendments Generally**

- 27. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) A motion to amend that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive; and
  - (c) the main question.

## **Reconsideration by Council Member**

- 28. (1) Subject to subsection (5), a Council member may, at the next Council meeting:
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and

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- (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not:
  - (a) had the approval or assent of the electors and been adopted;
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*; and
  - (c) been acted on by an officer, employee, or agent of the City.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

### Privilege

- 29. (1) In this section, a matter of privilege refers to any of the following motions:
  - (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council; and
  - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

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### Reports from Committees

30. Council may take any of the following actions in connection with a resolution it receives from COTW:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to COTW; or
- (d) postpone its consideration of the resolution.

### Adjournment

31. (1) A Council may continue a Regular Council meeting for an additional hour after 10:00pm only by an affirmative unanimous vote of the Council members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (2) Council may continue a Public Hearing for an additional hour after 10:00pm only by an affirmative unanimous vote of the Council members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (3) A Council may continue a Closed Council meeting scheduled on the same day as a Regular Council Meeting for an additional specified amount of time beyond 6:55pm only by an affirmative unanimous vote of the Council members present.
- (4) A Council may continue a Committee of the Whole meeting for an additional hour beyond the first three hours only by an affirmative unanimous vote of the Council members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (5) Members of a Standing or Select Committee, Commission, or Board may continue a Committee, Commission, or Board meeting for an additional 30 minutes beyond the first two hours only by an affirmative unanimous vote of the members present. At the expiration of the additional half hour, another affirmative unanimous vote to continue the meeting for an additional half hour is required, as well as every half hour thereafter.
- (6) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (7) Subsection (6) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day; or

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- (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

### Copies of Proposed Bylaws to Council Members

- 32. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least *[option: 24 hours]* before the Council meeting, or all Council members unanimously agree to waive this requirement.

### Form of Bylaws

- 33. A bylaw introduced at a Council meeting must:
  - (a) be printed;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose; and
  - (e) be divided into sections as necessary.

### Bylaws to be Considered Separately or Jointly

- 34. Council must consider a proposed bylaw at a Council meeting either:
  - (a) separately when directed by the presiding member or requested by another Council member; or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

### Reading and Adopting Bylaws

- 35. (1) The presiding member of a Council meeting may:
  - (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

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- (4) Subject to section 882 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) In cases where a bylaw is amended prior to receiving third reading, the third reading of the bylaw must be given at a meeting subsequent to the meeting in which it received second reading.
- (7) Each reading of a bylaw must be moved separately.
- (8) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

### Bylaws Must be Signed

36. 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 and endorse upon it:
  - (a) the dates of its readings and adoption; and
  - (b) the date of Ministerial approval or approval of the electorate if applicable.

### PART 6 – RESOLUTIONS

#### Copies of Resolutions to Council Members

- [s.124\(1\)\(a\)](#) 37. A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least *[option: 24 hours]* before the Council meeting, or all Council members unanimously agree to waive this requirement.

#### Form of Resolution

38. A resolution introduced at a Council meeting must be printed and have a distinguishing number.

#### Introducing Resolutions

39. (1) The presiding member of a Council meeting may:
  - have the corporate officer read the resolution; and
  - request a motion that the resolution be introduced.

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## PART 7 – PUBLIC HEARINGS

### Presentations at Public Hearings

40. (1) All persons with an interest in a proposed bylaw which is the subject of a Public Hearing shall be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw, after first identifying themselves by stating their name and city of residence, and the name and address of the person or body they represent if applicable.
- (2) Presentations by members of the public at a Public Hearing shall be limited to a maximum of five minutes each. If a person has additional information that he or she is unable to provide within that time, he or she shall be given further opportunities to address Council after all other interested members of the public have been heard a first time. Without limiting the opportunity provided for in subsection (1), speakers shall be encouraged to confine their comments to new information.

## PART 8 – COMMITTEE OF THE WHOLE

### Going into Committee of the Whole

41. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting or a commission meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COTW.

### Notice for COTW Meetings

42. (1) Subject to subsection (2) a notice of the day, hour, and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
  - (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) advising Members of the Special Council Meeting by electronic means..
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 41, during a Council meeting for which public notice has been given under sections 6 or 7.

### Minutes of COTW Meetings to be Maintained and Available to the Public

43. (1) Minutes of the proceedings of COTW must be:

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- (a) legibly recorded;
- (b) certified by the Corporate Officer;
- (c) signed by the Mayor or member presiding at the meeting; and
- (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

## **Presiding Members at COTW Meetings and Quorum**

- (1) The Mayor shall preside over the COTW and may appoint the Acting Mayor to preside in order to participate in the discussion.
- (2) The quorum of COTW is the majority of Council members.

## **Points of Order at Meetings**

- 44. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

## **Conduct and Debate**

- 45. (1) The following rules apply to COTW meetings:
  - (a) a motion is not required to be seconded;
  - (b) a motion for adjournment is not allowed;
  - (c) a member may speak any number of times on the same question; and
  - (d) a member must not speak longer than a total of 10 minutes on any one question.

## **Voting at Meetings**

- 46. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

## **Reports**

- 47. (1) COTW may consider reports and bylaws only if:
  - (a) they are printed and the members each have a copy; or
  - (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.

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- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

## **Rising Without Reporting**

- 48. (1) A motion made at a COTW meeting to rise without reporting:
  - (a) is always in order and takes precedence over all other motions;
  - (b) may be debated; and
  - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 41(1), the Council meeting must resume and proceed to the next order of business.

## **PART 9 – COMMITTEES**

### **Duties of Standing Committees**

- 49. (1) Standing committees must consider, inquire into, report on, 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; and
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
  - (a) in accordance with the schedule of the 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) at the next Council meeting if the Council or Mayor does not specify a time.

### **Duties of Select Committees**

- 50. (1) Select committees must consider, inquire into, report on, and make recommendations to Council about the matters referred to the committee by the Council.



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- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

### Schedule of Committee Meetings

- 51. (1) At its first meeting after its establishment, a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

### Notice of Committee Meetings

- 52. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates, and places of the committee meetings, notice of the schedule must be given by:
  - (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time, and place, or cancellation of, a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time, and place of a meeting called under section 49(2) to be given to all members of the committee at least *[option: 12 hours]* before the time of the meeting.

### Attendance at Committee Meetings

- 53. Council members who are not members of a committee may attend the meetings of the committee.

### Minutes of Committee Meetings to be Maintained and Available to the Public

- 54. (1) Minutes of the proceedings of a committee must be:
  - (a) legibly recorded;
  - (b) certified by the Committee Clerk;
  - (c) signed by the chair or member presiding at the meeting; and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

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## Quorum

55. The quorum for a committee is a majority of all of its members.

## Conduct and Debate

56. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

## Voting at Meetings

57. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

## PART 10 – COMMISSIONS

### Schedule of Commission Meetings

58. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

### Notice of Commission Meetings

59. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates, and places of the Commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
- (b) providing a copy of the schedule to each member of the Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, a notice must, as soon as possible, be posted at the Public Notice Posting Places which indicates any revisions to the date, time, and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time, and place of a meeting called under section 56(2) to be given to all members of the Commission at least 24 hours before the time of the meeting.

### Minutes of Commission Meetings to be Maintained and Available to the Public

60. (1) Minutes of the proceedings of a Commission must be:

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CORPORATE OFFICER MAY OR

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## Administrative Policy

100 Newport Drive, Port Moody, BC, V3H 5C3, Canada  
Tel 604.469.4500 • Fax 604.469.4550 • www.portmoody.ca

Section: Administration	01
Sub-Section: Council – General	0550
Title: Council Report Standards	01

### Related Policies

Number	Title
[Click once and type #]	[Click and type policy]
[Click once and type #]	[Click and type policy]

### Approvals

#### Policy Approval

Approved by: \_\_\_\_\_  
City Manager

Date: [Click once and type date  
in this format: July 22, 2011]

#### Amendment Approval

Approved by: \_\_\_\_\_  
City Manager

Date: [Click once and type date  
in this format: July 22, 2011]

#### Section Amended

[Click and type the section amended]

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### **Administrative Policy Manual**

Council Report Standards

### **Policy**

This administrative policy establishes guidelines for the content and submission of Council reports. This policy sets out the required content in each section of a Report to Council, and establishes report submission and approval processes.

### **Definitions**

"Memorandum to Council" means a document composed on the City's official Memorandum template to be included on a Council Meeting Agenda.

"Report to Council" means a document composed on the City's official Report to Council template to be included on a Council Meeting Agenda.

### **Procedures**

The following guidelines are to be followed when composing and submitting Reports to Council.

#### **Report Submission Deadline**

Reports to Council for Agendas to be published on Thursdays must be submitted to the Corporate Officer or Deputy Corporate Officer by 9:30am on the preceding Monday. Reports must:

- Be submitted on the Council Report Template;
- Include and clearly identify all attachments; and
- Be signed by all applicable reviewers and approvers (except the City Manager).

For Agendas to be published on days other than Thursdays, the report submission deadline will be at 9:30am, three working days preceding the date the Agenda is to be published.

#### **Required Content in Council Reports**

All Reports to Council must contain the following information:

- Date – this field should indicate the date on which the report was composed; it should not indicate the date of the meeting at which the report will be considered;
- File Number – the file number should be identical to the RPM folder into which the Report to Council is saved;
- Submitted by – for reports from staff, this field should indicate the name of the originating department and division in the following format "[insert name] Department – [insert name] Division"; for reports from Committees, this field should indicate the name of the originating committee; and for reports from members of Council, this field should indicate the title and first and last name of the member;
- Subject – the subject of the report should be succinct and, whenever possible, not exceed eight words;
- Purpose/Introduction – this section provides information on why the report is being presented;

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## **Administrative Policy Manual**

### **Council Report Standards**

- Recommended Resolutions – resolutions to Council should be phrased as adoption ready (in the subjunctive mode), must stand alone, and contain reference to the report in which the resolution is presented;
- Executive Summary (if the Report to Council is more than four pages);
- Background – if previous Council resolutions have been made on the subject of this report, these resolutions should be included in this section, or placed in an Attachment and referred to in this section;
- Discussion;
- Other Options;
- Financial Implications;
- Communications/Civic Engagement – this section outlines the Communication and Civic Engagement activities that are required;
- Council Strategic Plan Objectives;
- List of Attachments (if applicable) – Attachments should be presented in the order in which they are referred to in the body of the report.

### **Required Content in Closed Council Report**

For Reports to Council to be presented at a meeting that is closed to the public, a rationale for holding the discussion in a closed meeting should be included. The appropriate section of the *Community Charter* should be referenced, and a short sentence describing its application to the particular case included. It is necessary not only to identify the general reason for holding discussions in a closed meeting, but also to explain how it applies specifically to the topic being discussed.

### **Adherence to the City of Port Moody Style Guide**

The City of Port Moody Style Guide sets the standards for writing documents within the City of Port Moody. For issues not covered by the City of Port Moody Style Guide, the Canadian Oxford Dictionary published by the Oxford University Press will serve as the reference for spelling, and Garner's Modern American Usage will serve as the reference for grammar, usage, and style.

### **Use of Memorandums**

Memorandums are to be used to provide background information on documents forwarded from other meetings of Council, or for the provision of information that does not require official receipt of Council.

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## Council Agenda Information

☒ Regular Council April 12, 2016

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## City of Port Moody Report/Recommendation to Council

Date: April 1, 2016

File No. 04-1345-01-01

Submitted by: Corporate Services Department – Information Services Division

Subject: Electronic Participation at Council Meetings

### Purpose / Introduction

To provide information on technology to support electronic participation at Council meetings.

### Recommended Resolution

**THAT the report dated April 1, 2016 from Corporate Services Department – Information Services Division regarding Electronic Participation at Council Meetings be received for information.**

### Background

At the November 17, 2015 Committee of the Whole meeting, Council passed the following resolution:

THAT staff report back with options regarding electronic participation at Council meetings.

At the February 9, 2016 Regular Council Meeting, Council passed the following resolutions:

THAT City of Port Moody Council Procedure Bylaw, 2016, No. 3013 be amended by removing sections 8(1)(b), 8(3), and 8(4) regarding electronic participation at meetings;

AND THAT electronic participation at meetings be deferred until such time as City staff can implement an electronic participation system that is effective, reliable, and does not distract or detract from the formal proceedings of Council meetings.

### Discussion

In the past, if a member of Council was unable to attend a meeting in person, he/she had the opportunity to participate electronically. This participation was facilitated using consumer-level software, such as Skype, for video conferencing. This simple level of electronic participation required a staff member to manage the communication session at the meeting, to ensure the remote member of Council could speak within the context of the speaking order system.

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Electronic Participation at Council Meetings

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This consumer technology (consumer Skype as the example), is intended for personal use and provides basic functionality for electronic participation. Recently, Council and staff have expressed frustration using Skype as the audio and video feed is not reliable, and the audio and video streams are not integrated with the video streaming system used in Council chambers. In addition, the consumer video conferencing tools do not provide a reliable online voting mechanism. The process used was a raised hand as a signal to the Chair or to the staff representative managing the Councillor's participation. This was also problematic as an internet delay often resulted in a timing problem when visually understanding the way in which the Councillor was voting.

### Staff Committee

In response to Council's request to report back with options regarding electronic participation, a committee was formed in November 2015. The Committee included representatives from Cultural Services, Legislative Services, and Information Services. The Committee first contacted neighbouring municipalities to see if a solution was already available. None of the respondents were using video conferencing for Council meetings. Municipalities contacted included Coquitlam, Port Coquitlam, and Vancouver.

Four audiovisual technology suppliers were invited to visit Council Chambers and propose solutions to provide the technology for electronic meeting participation. Key requirements included:

- Ability to conference in up to two (2) remote participants;
- Integration (or replacement) of the existing speaking order system;
- Remote participant be able to vote and have the results seen by the Chair; and
- Ability to connect to the City's live webcast stream.

### Responses

Two of the four suppliers responded with written quotes. The other two suppliers chose not to respond.

	Quoted Cost
<b>Supplier A</b>	\$42,269.83
<b>Supplier B</b>	\$20,574.33

Both suppliers delivered on key requirements; however, only Supplier A delivered a solution that is easy to use for the remote participant, would work on a wide array of devices, uses professional grade hardware, and has future scalability for meetings to be held outside of Council Chambers. A summary of Supplier A's system includes:

- Dedicated professional-grade Skype hardware and software;
- A monitor located where the remote participant would normally sit for the public to view;
- A monitor setup on either side of the podium to allow Council and staff to see the remote participant;
- Seamless integration into the speaking order system for the meeting chair to control;



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- Ability for the remote Councillor to Skype in via numerous devices, including but not limited to: Windows, Mac OS, iOS, Android, and Linux;
- Audio and video from the existing stream would be sent back to the remote Councillor within the conferencing solution;
- Ability for the remote Councillor to request to speak and cast their vote;
- A monitor to allow the chair to see the results of the remote Councillor voting; and
- Potential for portable setup with additional equipment purchases.

Costs included \$30,349.83 for equipment and \$11,920.00 of contractor labour.

Staff time from Information Services and Cultural Services would also be required for implementation. The estimated staff time cost is \$1,500.

### Risk

There is an uncontrollable risk to any solution, whether it be enterprise- or consumer-grade. The video and sound quality is 100% dependent on the strength of internet connection at the remote participant's end. Even with an enterprise solution provided by Supplier A, B, or otherwise, if the remote internet connection is poor, the end result will be poor. There is no way to mitigate this risk. Council should also consider procedures in the event the remote participant's connection is lost.

### Other Options

1. If Council wishes to proceed with an enterprise solution, Information Services' recommendation is to proceed with Supplier A's solution with a total contractor, equipment, and staff time cost of \$44,000.
2. Council may opt to use the system as we have used in the past with a consumer level Skype program. The recommendation is to not use senior level staff as this detracts from their normal duties. Our recommendation is to use Auxiliary staff to control the speaker order system at a cost of approximately \$30.00 per hour.
3. Council may also choose to limit the remote participants to one, which would lower the equipment costs by approximately \$10,000.00.

### Financial Implications

As discussed above. If Council chooses to proceed, a funding source would need to be determined by the Finance Committee.

### Communications / Civic Engagement

Not applicable.

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### **Council Strategic Plan Objectives**

If Council wishes to facilitate members of Council who are unable to attend meetings in person and allow electronic participation, implementing this system is essential to meeting the Council Strategic Plan's objective of Service Excellence – Developing responsive and sustainable service excellence, community engagement, and a culture of transparency.

Electronic participation without suitable technology to support it would be detrimental to community engagement and transparency.

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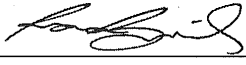

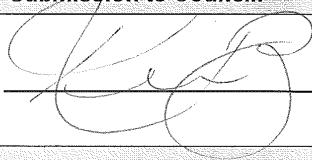


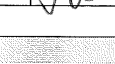
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**Report/Recommendation to Council**

Electronic Participation at Council Meetings

April 1, 2016

Prepared by:	Reviewed by:
 Raman Braich Manager of Information Services	 Supervisor (initials):  Department Head (initials): Angela Parnell General Manager, Corporate Services
Reviewed for Form and Content / Approved for Submission to Council:	
City Manager's Comment/Concurrence  City Manager	
Corporate Review	Initials
Community Services (Cultural Services)	
Corporate Services (Legislative Services)	
Financial Services	
<b>For Committee of the Whole Reports. To be completed by Legislative Services.</b> <input type="checkbox"/> Refer to Regular Council as recommended. <input type="checkbox"/> Refer to Regular Council with amendments as discussed. <input type="checkbox"/> Direct staff to prepare new report for Committee of the Whole. <input type="checkbox"/> Receive for information.	

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☒ COW September 20, 2016

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## City of Port Moody Report/Recommendation to Council

Date: June 27, 2016

File No. 01-0550-01/2016

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Electronic Participation in Council Meetings

### Purpose / Introduction

To provide further information on Electronic Participation in Council Meetings for discussion.

### Recommended Resolution

**THAT the report dated June 27, 2016 from Corporate Services Department – Legislative Services Division regarding Electronic Participation in Council Meetings be received for information.**

### Background

The Information Services Division presented a report on Electronic Participation at Council Meetings at the Regular Council Meeting held on April 12, 2016, which provided the following three options for Electronic Participation:

1. Acquire an enterprise solution that allows for two remote participants at a cost of \$44,000;
2. Use auxiliary staff to control existing consumer-level Skype program at the cost of approximately \$30 per hour; and
3. Acquire an enterprise solution that allows for one remote participant at a cost of \$34,000.

Council received the report for information and passed the following resolution:

THAT options #1 and #3 as presented by the Manager of Information Services at the Regular Council Meeting of April 12, 2016 be brought back for discussion at a future Committee of the Whole Meeting.

This report provides further information on the risks and benefits of introducing the option of Electronic Participation in Council Meetings, and outlines the procedures and policies required for allowing for Electronic Participation in Council Meetings.

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### Report/Recommendation to Council

Electronic Participation in Council Meetings

June 27, 2016

### Discussion

It should be noted that the electronic participation referred to in this report does not include electronic meetings, in which all meeting attendees participate through electronic means, such as by conference call, or through an online meeting platform (e.g. WebEX, GoToMeeting). Electronic meetings are held in cases when urgent Council business must be conducted, but it is not possible to achieve quorum at a physical location due to extenuating circumstances, such as during emergencies, pandemics, or natural disasters. The option of holding Electronic Meetings aligns with the Council Strategic priority of Service Excellence, and is already provided for in the existing Council Procedure Bylaw.

Electronic participation refers to a member's participation in a meeting that is being held at a specific location at which other members are physically present. At the Regular Council Meeting held on February 9, 2016, Council made the following resolution:

THAT electronic participation at meetings be deferred until such time as City staff can implement an electronic participation system that is effective, reliable, and does not distract or detract from the formal proceedings of Council meetings.

As the Manager of Information Services pointed out at the April 12, 2016 Regular Council meeting, the quality and reliability of the remote participant's feed is limited by the quality of the connection at the remote participant's end. As such, the performance of the proposed enterprise solution is affected by factors outside of the City's control, and cannot be guaranteed. To ensure that Council Meetings are not disrupted by the technological challenges inherent in Electronic Participation, such as loss of connection or intelligibility, Electronic Participation should only be allowed when a quorum of members are physically present, and policies should dictate that, if connection or intelligibility is lost, the remote participant will be deemed to have left the meeting. This requirement makes it possible to continue Council Meetings without disruptions should technological issues arise.

Since Electronic Participation should only be allowed when a quorum of Council is physically present and business can be conducted without the attendance of the remote participant, adding the option for Electronic Participation should be considered a teleworking initiative, as its purpose is to facilitate attendance by members while they are away. Teleworking is increasingly considered a feature of the modern workplace, and has the benefit of reducing travel costs, reducing environmental cost to society by eliminating the need to travel, and reducing real estate costs by eliminating the need to physically accommodate workers.

Balancing the benefits of teleworking are some of the following challenges with Electronic Participation in Council Meetings:

- Loss of real human contact – the lack of physical presence of the remote participant results in a loss of real human contact; eye contact and sharing a direction of gaze are an important part of gathering information from communication partners;

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## Considered at November 27, 2018 Special Council (COTW) Meeting

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### Report/Recommendation to Council

Electronic Participation in Council Meetings

June 27, 2016

- Loss of control of the setting – the remote participant may be attending in a location that is unsuitable for a Council meeting, or that has persons who may interrupt the meeting whether intentionally or unintentionally. Aside from the undesirability of introducing outside environments into the Council Chambers, it is also inappropriate to introduce Closed Council meetings into uncontrolled environments, which include both the physical location of the remote participant, as well as the potential for unauthorized interception of the feed;
- Community expectations – the *Community Charter* sets out attendance requirements for members of Council, and the community has expectations that members of Council will physically attend Council Meetings;
- Creation of expectations – the availability of the option to participate remotely may create expectations that all members will attend all meetings regardless of the fact that they cannot physically attend; and
- Telework divide – conflict may arise when there is greater demand than capacity for Electronic Participation. Those who are barred from remote participation due either to qualification for Electronic Participation or to the maximum capacity having been reached may feel excluded.

Should Council wish to proceed with the introduction of Electronic Participation, it is recommended that a Council Procedure Bylaw Amendment and a Corporate Policy be drafted to include the following:

- Requiring that a minimum of four participants physically attend the meeting. This allows the meeting to continue uninterrupted in cases where connection or intelligibility is lost;
- Restricting the maximum number of meetings in which a member may participate electronically each year. This ensures that the expectations of the community regarding physical attendance at meetings are met;
- Including criteria for determining eligibility for electronic participation. This allows for a fair determination of priority for electronic participation in situations in which demand outstrip capacity;
- Restricting Electronic Participation to meetings that are open to the public. This ensures that Closed Council meetings are securely closed to the public;
- Specifying requirements for the physical location of the remote participant. This ensures that undesirable environments and interruptions are not introduced into the Council Chambers;
- Specifying that, once connection is lost, the remote participant is deemed to have left the meeting and will be recorded as such in the minutes. This allows meetings to continue with minimal disruption; and
- Specifying the minimum level of intelligibility (e.g. speech must be clearly heard without time lag) for a member to continue participating remotely. This will allow the Presiding Member to determine when it would be appropriate to disconnect a remote participant to allow the meeting to continue without disruption.

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During the discussion on the enterprise system, Council requested information on whether there are other purposes that the system could serve, such as bringing in remote presenters for staff training, or conducting other meetings with remote participants. As the enterprise system is designed specifically to allow for remote participation in Council Meeting context, and is location-specific in its set-up, there are limited uses outside of Electronic Participation in Council Meetings. Other remote videoconferencing solutions are likely to be more suitable for business meetings. It is also unlikely that the system could be used by other similar public bodies as part of facility rentals, as the use of the system would have to be included in their procedure bylaws.

## Other Options

THAT staff be directed to introduce policies and bylaw amendments to allow Electronic Participation in Council meetings, and acquire an enterprise system at a cost of \$45,000, with the cost referred to the Finance Committee to determine an appropriate funding source.

## Financial Implications

Should Council opt to introduce Electronic Participation in Council meetings, a budget will have to be approved for implementation. The cost of the enterprise system has since increased as the promotion at the time of the initial proposal has ended. The updated costs are \$45,000 for Option 1 and \$35,000 for Option 3.

## Communications / Civic Engagement

Should Council choose to introduce the option of allowing Electronic Participation at Council Meetings, it may be advantageous to issue a media release outlining the rationale for doing so.

## Council Strategic Plan Objectives

The introduction of teleworking initiatives align with the Council Strategic Plan Value of being responsive and adaptive to change.

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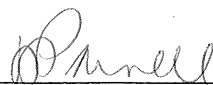

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Prepared by:	Reviewed by:
 D. Shermer Corporate Officer	 A. Parnell General Manager of Corporate Services
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>	
<b>City Manager's Comment/Concurrence</b>  Acting City Manager	
<b>Corporate Review</b>	<b>Initials</b>
Corporate Services – Information Services	R.R.
Corporate Services – Communications and Engagement	AKK
Financial Services	P.R.



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## **Recommended Resolutions for Amendments**

### *Increasing Speaking Time Limit*

THAT the Council Member speaking time limit be increased to 10 minutes for Regular and Closed Council meetings.

### *Electronic Participation*

THAT the Council Procedure Bylaw be amended to include authorization for electronic participation in open Council meetings with the following conditions:

- electronic participation is only available when a quorum of Council is physically present at the meeting;
- only one Member may participate electronically in each meeting;
- a Member may participate electronically for a maximum of four days per calendar year; and
- electronic participation will be made available once the technological infrastructure is in place to support it;

AND THAT staff report back on the extent to which the forthcoming electronic meeting management system will facilitate electronic participation and on its associated costs;

AND THAT staff be directed to draft a Corporate Policy to set out the connection and remote space requirements for electronic participation, as well as the criteria for determining eligibility for electronic participation in situations where demand outstrips capacity.

### *Additional Council Verbal Reports*

THAT the Order of Proceedings and Business be amended to include an additional Council Verbal Reports section after Call to Order.

### *Increasing Public Input Time Limit*

THAT Public Input Speaking Time Limits be increased to 30 minutes.

### *Reducing Late Item Approval Requirements*

THAT late items be added to the agenda with the approval of two-thirds of all Members.

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## *Annual Review*

THAT the Council Procedure Bylaw be brought forward for review in the first quarter of any year following a General Local Election.

## *Removal of Second Public Input*

THAT the second Public Input opportunity at Regular Council meetings be removed.

## *References to Electronic Meeting Management System*

THAT references to electronic voting through the electronic meeting management system be included in the Council Procedure Bylaw.

## *Delegations and Presentations*

THAT presentations and Delegations to Council be received at Regular Council meetings;

AND THAT the Corporate Policy on Delegations be amended to impose a two-delegation limit per meeting.

## *References for Council Code of Conduct*

THAT references to the Council Code of Conduct be updated to include the Council Code of Conduct Bylaw.

## *Bylaw Reading Requirements*

THAT the requirements to give each Bylaw reading separately and to separate third reading with an additional meeting be removed.