

Governance Working Group

Report

6th Meeting of the Governance Working Group
September 25, 2023

PRESENT: Councillors S. Lewis (Chair), H. McAlister, P. Cuddy, J. Pribil, S. Trosow, C. Rahman, A. Hopkins, S. Franke, D. Ferreira, S. Hillier

ABSENT: S. Stevenson

ALSO PRESENT: S. Corman, K. Huckabone, B. Westlake-Power

Remote Attendance: L. Livingstone, A. Bush, M. Schulthess, J. Raycroft

The meeting is called to order at 1:01 PM; it being noted that the following were in remote attendance: Councillors C. Rahman, S. Hillier

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent Items

None.

3. Items for Discussion

3.1 Draft Council Policy - Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings

Moved by: S. Franke

Seconded by: S. Trosow

That the following actions be taken with respect to the draft Electronic Meeting Participation Policy:

a) the above-noted draft policy, as appended to the Governance Working Group agenda, BE APPROVED; and,

b) the attached proposed by-law to enact the aforementioned policy BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2023.

Motion Passed

4. Deferred Matters/Additional Business

4.1 2023 GWG Deferred List

That the following actions be taken with respect to the 2023 Governance Working Group Deferred Matters List:

a) the Civic Administration BE DIRECTED to bring forward to the Strategic Priorities and Policy Committee revisions to the Selection Process Policy for Appointing Members to Committee, Civic Boards and Commissions and the Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy to enact the following:

i) the requirement to fully complete the selections for appointments of Council Members to standing committees during the selection voting process; and,

ii) the requirement for members to fully complete the submission form(s) for consideration of appointments to standing committees;

b) the above-noted Deferred Matters List BE RECEIVED.

Motion Passed

Additional Votes:

Moved by: A. Hopkins

Seconded by: H. McAlister

That the Civic Administration BE DIRECTED to bring forward to the Strategic Priorities and Policy Committee revisions to the Selection Process Policy for Appointing Members to Committee, Civic Boards and Commissions and the Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy to enact the following:

a) the requirement to fully complete the selections for appointments of Council Members to standing committees during the selection voting process; and,

b) the requirement for members to fully complete the submission form(s) for consideration of appointments to standing committees.

Motion Passed

Moved by: S. Trosow

Seconded by: D. Ferreira

The Governance Working Group Deferred Matters List, as at September 25, 2023, BE RECEIVED.

5. Adjournment

5.1 Next Meeting Date - Monday, October 16, 2023 at 1:00 PM

Moved by: A. Hopkins

Seconded by: P. Cuddy

That the Governance Working Group meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 1:31 PM.



MEMO

To: Governance Working Group

From: Michael Schulthess, City Clerk
City Clerk's Office

Date: September 25, 2023

Re: Draft Electronic Meeting Participation Policy Update

Background

On August 28, 2023 Governance Working Group passed the following motion:

That the City Clerk BE DIRECTED to undertake the following with respect to the Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings

- a) report back to the next Governance Working Group with an additional draft policy that incorporates additional edits, including the following:
 - i) the requirement to have cameras active
 - ii) specific requirements for confidential participation including cameras and headset usage
 - iii) clarification of the expectation for voting Members to attend meetings in person, rather than remote participation; requirement for voting Members to provide advance notice to the City Clerk and Chair of the committee, including reasons for remote participation
 - iv) consideration of a threshold for in person attendance at meetings
- b) a draft administrative policy, for the information of Council, with respect to the participation of staff and the public for hybrid meetings.

Attached you will find a draft policy titled "Electronic (Remote) Participation of Members of Council and Standing Committee Meeting" with the changes marked in bold and underlined. A draft administrative policy with respect to the participation of staff and the public for hybrid meetings will follow at a later date.



London
CANADA

Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings

Policy Name: Electronic (Remote) Participation at Council and Standing Committee Meetings

Legislative History:

Last Review Date:

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 **It is the expectation for Members of Council or Committee to attend meetings in person, rather than participate remotely.** This policy sets out the parameters for the electronic (remote) participation at Council and Standing Committee meetings, for both open and closed session.
- 1.2 The Council Procedure By-law sets out the parameters for the electronic participation of Elected Officials at Council and Standing Committee meetings during a period of a declared state of emergency.

2. Definitions

- 2.1 **Closed Session** – shall mean any portion of a Council or Standing Committee meeting that is not open to the public and is held in accordance with Section 239 of the *Municipal Act, 2001*.
- 2.2 **Electronic (Remote) Participation** – shall mean the participation of a Council Member remotely, via electronic means, who shall have the same rights and responsibilities as if the Member was in physical attendance.
- 2.3 **Meeting** – shall mean a regular, special or other meeting of the Council or standing committee and shall include meetings in closed session.
- 2.4 **Member** – shall mean a member of the Council or Standing Committee.

3. Applicability

- 3.1 This policy applies to any Member participating remotely.

4. The Policy

- 4.3 Council Members

The following shall apply to Electronic (Remote) Participation by a Member:

- a) The meeting Chair shall not be permitted to participate electronically/remotely.
- b) **Members who intend to join remotely must notify the City Clerk and the Chair of the committee in advance, and their notification should include the reasons for their electronic participation.**
- c) Members joining remotely shall connect to the meeting on the required platform and be clearly identifiable with their name.
- d) It is the Member's duty to ensure that their equipment and technology are configured correctly in advance of the meeting.
- e) Members are **required** to have their camera on; it being noted that internet connectivity and bandwidth may influence the ability to keep a camera operational.

- f) Each member is responsible to ensure that there is no background noise at their location that may interfere with the meeting and for muting their device when not speaking.
 - g) Members shall indicate they wish to speak by physically raising their hand (if the camera is on) or by using the virtual 'raise the hand' feature.
 - h) Any Member participating remotely shall leave the virtual meeting if they have a requirement to step away from the meeting prior to adjournment, for a personal break, or if they need to attend to a personal matter. The Member shall rejoin the virtual meeting when they are able to do so. The Clerk shall record attendance for voting purposes.
 - i) All Members participating remotely will vote by using the electronic agenda system or by voice when the electronic agenda system is not being used. All Members of Council are to have their video on during a vote, unless otherwise permitted by the Chair pursuant to this policy.
 - j) During closed session, it is required for all participating Members to have their cameras turned on and use a headset.**
 - k) Where Members may wish to use an alternative background during a meeting, the Member shall use a background that is provided by the City of London, or a blurred background.
- 4.1 The administration of electronic meeting participation shall be at the discretion of the City Clerk, recognizing that technology and requirements will vary from time-to-time. This shall include the means by which Members shall vote.
- 4.2 Meeting record(s) shall reflect which Members and Staff attended electronically and which attended physically.

Bill No. _____
2023

By-law No. CPOL.-_401(_)-_____

A by-law to amend By-law No. CPOL.-401-173 being “Electronic Participation of Council Members at Council and Standing Committee Meetings” to repeal and replace Schedule “A”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-401-173 being “Electronic Participation of Council Members at Council and Standing Committee Meetings” to repeal and replace Schedule “A”;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-401-173 being “Electronic Participation of Council Members at Council and Standing Committee Meetings” is hereby amended by deleting Schedule “A” in its entirety and replacing it with the attached new Schedule “A”.
2. This by-law comes into force and effect on the day it is passed subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

PASSED in Open Council on October 17, 2023, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

Schedule "A"



London
CANADA

Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings

Policy Name: Electronic (Remote) Participation at Council and Standing Committee Meetings

Legislative History: Enacted August 25, 2020 (By-law No. CPOL.-401-173), Amended October 17, 2023 (By-law No.- 401(____) - ____)

Last Review Date: October 17, 2023

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 It is the expectation for Members of Council or Committee to attend meetings in person, rather than participate remotely. This policy sets out the parameters for the electronic (remote) participation at Council and Standing Committee meetings, for both open and closed session.
- 1.2 The Council Procedure By-law sets out the parameters for the electronic participation of Elected Officials at Council and Standing Committee meetings during a period of a declared state of emergency.

2. Definitions

- 2.1 **Closed Session** – shall mean any portion of a Council or Standing Committee meeting that is not open to the public and is held in accordance with Section 239 of the *Municipal Act, 2001*.
- 2.2 **Electronic (Remote) Participation** – shall mean the participation of a Council Member remotely, via electronic means, who shall have the same rights and responsibilities as if the Member was in physical attendance.
- 2.3 **Meeting** – shall mean a regular, special or other meeting of the Council or standing committee and shall include meetings in closed session.
- 2.4 **Member** – shall mean a member of the Council or Standing Committee.

3. Applicability

- 3.1 This policy applies to any Member participating remotely.

4. The Policy

- 4.3 Council Members

The following shall apply to Electronic (Remote) Participation by a Member:

- a) The meeting Chair shall not be permitted to participate electronically/remotely.
- b) Members who intend to join remotely must notify the City Clerk and the Chair of the committee in advance, and their notification should include the reasons for their electronic participation.
- c) Members joining remotely shall connect to the meeting on the required platform and be clearly identifiable with their name.
- d) It is the Member's duty to ensure that their equipment and technology are configured correctly in advance of the meeting.

- e) Members are required to have their camera on; it being noted that internet connectivity and bandwidth may influence the ability to keep a camera operational.
 - f) Each member is responsible to ensure that there is no background noise at their location that may interfere with the meeting and for muting their device when not speaking.
 - g) Members shall indicate they wish to speak by physically raising their hand (if the camera is on) or by using the virtual 'raise the hand' feature.
 - h) Any Member participating remotely shall leave the virtual meeting if they have a requirement to step away from the meeting prior to adjournment, for a personal break, or if they need to attend to a personal matter. The Member shall rejoin the virtual meeting when they are able to do so. The Clerk shall record attendance for voting purposes.
 - i) All Members participating remotely will vote by using the electronic agenda system or by voice when the electronic agenda system is not being used. All Members of Council are to have their video on during a vote, unless otherwise permitted by the Chair pursuant to this policy.
 - j) During closed session, it is required for all participating Members to have their cameras turned on and use a headset.
 - k) Where Members may wish to use an alternative background during a meeting, the Member shall use a background that is provided by the City of London, or a blurred background.
- 4.1 The administration of electronic meeting participation shall be at the discretion of the City Clerk, recognizing that technology and requirements will vary from time-to-time. This shall include the means by which Members shall vote.
- 4.2 Meeting record(s) shall reflect which Members and Staff attended electronically and which attended physically.

GOVERNANCE WORKING GROUP DEFERRED MATTERS

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
1	April 25, 2023 (2.9/7/CSC)(A02-2023)	Meeting Calendar: That the 2024 Standing Committee Meetings and Annual Meeting Calendar Report BE REFERRED to the Governance Working Group for consideration of moving standing committee meetings to regular City Hall business hours for all standing committees, effective December 1, 2023. - Draft calendar to SLT, feedback to next meeting of GWG	Clerks	Complete
		That the following matters BE REFERRED to the Governance Working Group for discussion and for potential recommendation(s) back to the Strategic Priorities and Policy Committee:		
2	April 25, 2023 (5.2/14/SPPC) (2023-C12)	a) Management of In Camera items at Municipal Council meetings; it being noted that the current practice requires that the Council Chambers be vacated by the public immediately following the Call to Order of the Council meeting;	Clerks	Complete
3	April 25, 2023 (5.2/14/SPPC) (2023-C12)	b) Council Members' Expense Account Policy, specifically related (but not necessarily limited) to permitting a Councillor to host community engagement and/or community building events that include recreational and/or social components at City-owned and operated facilities and other civic spaces;	Clerks	Complete
3(a)	GWG May 17, 2023	Council Members' Expense Account Policy That the Civic Administration BE DIRECTED to report back to the Governance Working Group with respect to the following potential changes to the Council Members' Expense Account Policy: a) changes to part 4.2 c) vii) related to hosting ward events that will provide additional flexibility and discretion for individual council members in terms of facility use and locations; b) incorporation of permissive language with respect to opportunities for partnerships for council members related to engagement opportunities; and, c) a review and recommendations related to updating existing expenditure annual limits and specific expense amounts that currently exist within the policy.	Clerks	Complete
3(b)	GWG July 27, 2023	Council Members' Expense Account Policy c) the balance of the draft Council Member's Expense Account Policy BE REFERRED to the next meeting of Governance Working Group for further discussion;	Clerks	16-Oct-23
3(c)	GWG July 27, 2023	Council Members' Expense Account Policy an update to the transportation allowance in 4.2c) ix A. will come forward at a future meeting of Governance Working Group (GWG) for consideration.	Finance	Q4

GOVERNANCE WORKING GROUP DEFERRED MATTERS

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
4	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>Appointment of Council Members to Standing Committees of Council and Various Civic Board and Commissions Policy</p> <p>i) participation requirements for individual Council members related to the City’s Agencies, Boards and Commissions, and compensation incentives for ‘uneven’ workloads and standing committee participation expectations by individual Council members, including a requirement that members rank all committees in terms of preference; it being noted that any associated change may require an update to the Selection Process Policy for Appointing Members to Committees, Civic Boards and Commissions;</p>	Clerks	
4(a)	GWG May 17, 2023	<p>Appointment of Council Members</p> <p>a) the Civic Administration BE DIRECTED to report back on potential policy changes, specific to Standing Committee appointments, that would compel individual members to make complete submissions for appointment consideration, as well as compelling complete selections during any selection process; it being noted that the intention of any such changes would be to facilitate better distribution of work amongst all members;</p>	Clerks	
4(b)	GWG May 17, 2023	<p>Appointment of Council Members</p> <p>b) additional discussion related to appointments to Civic Boards and Commissions BE REFERRED to a future meeting of the GWG; it being noted that additional information with respect to the participation requirements of these boards and commissions will be compiled;</p>	Clerks	
4(c)	GWG May 17, 2023	<p>Appointment of Council Members</p> <p>c) consideration BE GIVEN to the provision of a summary document from individual Council members that would provide information related to time requirements and commitments of participating on a board/commission.</p>	GWG	
5	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>c) Potential New Council Policies - Budget Chair</p> <p>ii) establishment of an appointment of Budget Chair Policy that would include a recommended additional stipend for the role;</p>	Clerks	
6	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>c) Potential New Council Policies - Council onboarding</p> <p>iii) establishment a new Council Policy related to formalization of a training and onboarding process for new Councillors at the beginning of the term;</p>	Clerks	
7	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>d) Existing Council policies - Deputy Mayor</p> <p>i) the Appointment of Deputy Mayor Policy to add formality to certain job duties for the position and to consider additional compensation (or stipend) for the position of the Deputy Mayor;</p>	Clerks	

GOVERNANCE WORKING GROUP DEFERRED MATTERS

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
8	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>d) Existing Council policies - Remuneration ii) the Remuneration for Elected Officials and Appointed Citizen Members Policy, to provide for the establishment of a new full-time compensation model for Councillors, for the start of the 2026 Municipal Council term, as well as a draft terms of reference for an independent task force to review and consult with the public with respect to same; it being noted that this may require additional revisions to associated Council Policies, such as Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to serve on its Committee or a Local Agency, Board or Commission Policy;</p>	Clerks	
9	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>e) Selection Process for Boards, Agencies, and Commissions, with regard to the filling of vacancies during a council term including but not limited to: i) the potential for ABCs to review and identify recommended candidates based on their skill needs; ii) providing an evaluation matrix tool to assist Councillors in reviewing applications; and, iii) consideration of an interview process.</p>	Clerks	
10	GWG May 17, 2023	<p>Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings b) the Civic Administration BE DIRECTED to report back with respect to closed session meeting participation best practices that may be the subject of a Council Policy; it being noted that this may be incorporated in the report related to virtual meeting participation forthcoming to committee.</p>	Clerks	25-Sep-23
11	GWG May 17, 2023	<p>Ward Boundary Review That the matter of a ward boundary review BE REFERRED to the Governance Working Group (GWG) for consideration; it being noted that the GWG requested that the most current ward and census information be provided at the next meeting of the GWG.</p>	Clerks	
12	GWG July 27, 2023	<p>Strong Mayor Legislation That the City Clerk BE DIRECTED to bring forward a report on Strong Mayor legislation to a future meeting of Governance Working Group.</p>	Clerks	