

Agenda

Governance Working Group

3rd Meeting of the Governance Working Group

May 6, 2019, 2:00 PM

Committee Room #4

Members

Councillors: J. Morgan (Chair), S. Hillier, A. Kayabaga, S. Lewis, P. Squire and M. van Holst, and C. Saunders (Secretary).

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request for any City service, please contact accessibility@london.ca or 519-661-2489 ext. 2425.

	Pages
1. Call to Order	
1.1 Disclosures of Pecuniary Interest	
2. Consent Items	
2.1 2 nd Report of the Governance Working Group	2
3. Items for Discussion	
3.1 Debate at Standing Committees – Proposed Amendments to the Council Procedure By-Law	4
3.2 Appointment Voting Demonstration and Discussion <i>(Hands-on demonstration at the meeting)</i>	
4. Deferred Matters/Additional Business	
5. Adjournment	

Next Meeting: Monday, June 24, 2019, 2:00 p.m., Committee Room #4

2ND REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on March 25, 2019, commencing at 2:00 PM, in Committee Room #4, Second Floor, London City Hall.

PRESENT: Councillors J. Morgan (Chair), M. Van Holst, S. Lewis and A. Kayabaga, and C. Saunders (Secretary).

ABSENT: Councillors P. Squire and S. Hillier.

ALSO PRESENT: G. Zhang.

1. CALL TO ORDER

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 1st Report of the Governance Working Group

That the 1st Report of the Governance Working Group from its meeting held on January 14, 2019 BE RECEIVED.

2. CONSENT ITEMS

None.

3. ITEMS FOR DISCUSSION

3.1 Council Expense Restrictions and Debate at Standing Committees

That the following actions be taken with respect to the Municipal Council resolution dated December 19, 2018 regarding a communication from Councillor M. van Holst with respect to Council expense restrictions and debate at Standing Committees:

a) the discussion regarding the Council Members' Expense Account BE REFERRED to a meeting of the Governance Working Group (GWG) to be held in the first quarter of 2020; and,

b) the City Clerk BE DIRECTED to report back to the May 6, 2019 meeting of the Governance Working Group (GWG) with proposed amendments to the Council Procedure By-law that would provide for non-members of a Standing Committee to participate in the debate regarding a matter before the Standing Committee; it being noted that the non-members would continue to not be permitted to vote on the matter at the Standing Committee meeting.

3.2 Process for Public Appointments to Boards and Commissions

That the matter regarding the process for public appointments to Boards and Commissions BE REFERRED to a future meeting of the Governance Working Group (GWG) when the Civic Administration submits a report on the processes other municipalities undertake to recruit and appoint members of the public to boards and commissions at the beginning of a Council term.

4. DEFERRED MATTER/ADDITIONAL BUSINESS

None.

5. ADJOURNMENT

The meeting adjourned at 2:49 PM.

TO:	CHAIR AND MEMBERS GOVERNANCE WORKING GROUP MEETING ON MAY 6, 2019
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT:	COUNCIL PROCEDURE BY-LAW

RECOMMENDATION

That, on the recommendation of the City Clerk, the City Clerk BE DIRECTED to make the necessary arrangement to present the attached proposed by-law (Appendix "A") at a Public Participation Meeting before the Corporate Services Committee to amend the Council Procedure By-law A-50, as amended, to clarify that Members of Council who are not a member of a standing committee may participate in the debate with respect to a matter before the standing committee.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

BACKGROUND

Municipal Council, at its meeting held on April 23, 2019, resolved that:

“b) the City Clerk BE DIRECTED to report back to the May 6, 2019 meeting of the Governance Working Group (GWG) with proposed amendments to the Council Procedure By-law that would provide for non-members of a Standing Committee to participate in the debate regarding a matter before the Standing Committee; it being noted that the non-members would continue to not be permitted to vote on the matter at the Standing Committee.”

Section 31 of the Council Procedure By-law A-50, as amended, sets out the “Rules of Debate and Conduct at Standing Committee Meetings”. The pertinent sections are as follows:

31.6 Speaking - limitation - subject - maximum 5 minutes

When a standing committee member or member is speaking to a motion, he/she shall confine his/her remarks to the motion and in speaking shall be limited to a maximum of 5 minutes, unless otherwise decided by a majority vote of the members present. A standing committee member’s or member’s speaking time shall not include any time required for staff to respond to a member’s question.

31.7 Speaking - once only - exception - vote - reply

A standing committee member shall not speak more than once to any motion until every standing committee member who desires to speak has spoken once. A standing committee member’s reply time shall not include any time required for staff to respond to that Member’s question. Members of Council who are not members of the standing committee shall speak after the standing committee members have spoken.

31.8 Speaking - under debate - motion - prohibited

A standing committee member who has already spoken to any motion under debate shall not be permitted to move any motion described in section 33.5 of this by-law, except a motion to proceed beyond the hour of 11:00 PM.

31.9 Motion - under debate - questions - before vote

When a motion is under debate, a member may ask a concisely worded question of another standing committee member, or appropriate staff, through the Chair prior to the motion being put to a vote by the Chair in accordance with section 34.4 of this by-law.”

In response to the direction given by Municipal Council, the Civic Administration is recommending the following amendments to the Council Procedure By-law:

- 1. Amend section 31.7 to read as follows

31.7 Speaking - once only - exception - ~~vote~~ - ~~reply~~

A standing committee member *or member* shall not speak more than once to any motion until every standing committee member who desires to speak has spoken once. A standing committee member’s *or member’s* reply time shall not include any time required for staff to respond to that mMember’s question. Members who are not members of the standing committee shall speak after the standing committee members have spoken.

The changes recommended above would provide Members of Council who are not members of the standing committee the opportunity to speak more than once to any motion on the floor at the standing committee meeting.

- 2. Amend section 31.9 to read as follows:

31.9 Motion - under debate - ~~questions~~ - before vote

When a motion is under debate, a *standing committee* member or member may *participate in the debate of a motion*, ask a concisely worded question of another standing committee member, *member*, or appropriate staff, through the Chair, prior to the motion being put to a vote by the Chair in accordance with section 34.4 of this by-law

The above-noted proposed amendments to section 31.9 of the Council Procedure By-law would clarify that members who are not members of the standing committee may participate in the debate regarding a motion and ask questions of standing committee members, other members or staff, prior to a vote being called on a motion.

It is recommended that the attached proposed by-law (Appendix “A:”) be presented at a future Public Participation Meeting before the Corporate Services Committee to receive input from the public with respect to the proposed above-noted amendments to the Council Procedure By-law.

RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK

APPENDIX "A"

Bill No.
2019

By-law No.

A by-law to amend By-law A-50, as amended, being a by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London to clarify that Members of Council who are not a member of a standing committee may participate in the debate with respect to a matter before the standing committee.

WHEREAS subsection 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 that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Council enacted the Council Procedure By-law (By-law No. A-50) on May 31, 2016 to provide for the rules of order and procedure for the Council of The Corporation of the City of London;

AND WHEREAS the Municipal Council wishes to amend the Council Procedure By-law (By-law No. A-50) to clarify that Members of Council who are not a member of a Standing Committee may participate in the debate with respect to a matter before the standing committee;

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

1. Section 31.7 " Speaking – once only – exception – vote – reply" is hereby amended by deleting section 31.7 in its entirety and by replacing it with the following new section 31.7:

"31.7 Speaking - once only - exception

A standing committee member or member shall not speak more than once to any motion until every standing committee member who desires to speak has spoken once. A standing committee member's or member's reply time shall not include any time required for staff to respond to that member's question. Members who are not members of the standing committee shall speak after the standing committee members have spoken."

2. Section 31.9 "Motion – under debate – questions – before vote" is hereby amended by deleting section 31.9 in its entirety and by replacing it with the following new section 31.9:

"31.9 Motion - under debate - before vote

When a motion is under debate, a standing committee member or member may participate in the debate of a motion, ask a concisely worded question of another standing committee member, member, or appropriate staff, through the Chair prior to the motion being put to a vote by the Chair in accordance with section 34.4 of this by-law."

3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on _____, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –