

TO:	CORPORATE SERVICES COMMITTEE MEETING ON MAY 25, 2016
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT	AMENDMENTS TO COUNCIL PROCEDURE BY-LAW

RECOMMENDATION

That, on the recommendation of the City Clerk, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on May 31, 2016 for the purpose of repealing By-law No. A-45, the Council Procedure By-law, and replacing it with a new Council Procedure By-law to incorporate changes recommended by the Governance Working Group, along with minor housekeeping changes to clarify procedures to be followed at Council and Standing Committee meetings and to enhance the openness and transparency of meetings.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

Municipal Council, at its meeting held on March 22, 2016, resolved:

"That the following actions be taken with respect to the 10th Report of the Governance Working Group from its meeting held on February 29, 2016:

- a) the draft Council Procedure By-law appended to the January 11, 2016, Governance Working Group Agenda, subject to the inclusion of a definition of the term "Point of Privilege" and a definition of the term "generally accepted parliamentary procedure" BE FORWARDED to a Public Participation Meeting before the Corporate Services Committee for consideration;"

The Governance Working Group reviewed and made a number recommendations with respect to changes to the Council Procedure By-law over the course of four meetings (April 27, 2015, May 25, 2015, January 11, 2016 and February 29, 2016). The following summarizes the changes recommended by the Governance Working Group:

- a) define the term "deferred matter" to mean any matter for which the Council has directed future debate or consideration by Council or a Standing Committee;
- b) define the term "emergent motion" to mean a motion which must be made on an emergent basis at a Council meeting, rather than being directed through the appropriate Standing Committee as any delay in bringing the motion before Council would result in irreparable harm or loss to the Corporation;
- c) define the term "point of privilege" to mean a question affecting the rights or privileges of the Council collectively or the position and conduct of Members as elected representatives where the Chair is asked to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Council Members or of Council as a whole, despite other pending business currently before Council;
- d) include additional wording to clarify what is meant by "generally accepted parliamentary procedure";

- e) amend the Annual Schedule of Meetings to require the Annual Schedule to be submitted by June 30th of each calendar year and to provide for “two successive weeks without meetings to be set aside in each of the months of July and August”;
- f) clarify that special and emergency meetings may be called by the Chair;
- g) amend the order of business on the Council Agenda to reflect current practice;
- h) include wording to clarify that the speaking limitation of 5 minutes does not include time taken by staff to respond to a Member’s question;
- i) amend the provision to rise to speak at Council Meetings to provide for flexibility to remain seated when speaking in those instances where there are health and safety concerns;
- j) clarify restrictions as to who is permitted to be on the main floor of the Council Chambers during Standing Committee and Council meetings;
- k) remove reference to Committee of the Whole; and,
- l) amend section “Consent Items – process to address” to read as follows:

“All of the items listed in the Consent part of the Agenda of a Standing Committee may be the subject of one motion and that motion shall be neither debatable nor amendable; provided however, that any member of the Standing Committee may ask for any item(s) included in the consent motion to be separated from that motion whereupon the Consent motion without the separated item(s) may, at the discretion of the Chair be immediately put, or be considered at the end of the meeting.”

Attached as Appendix “B” to this report is a “strikethrough” version of the current Council Procedure By-law A-45, as amended noting the changes being proposed.

PREPARED AND RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK