

Date: 2021-03-04

Subject: Terms of Reference for the Procedure By-law Review Sub-committee

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Report Number: Legislative Services-2021-330

Recommendations:

1. That the report titled: **Terms of Reference for the Procedure By-law Review Sub-committee**, to the City Council meeting of March 24, 2021, be received; and
2. That the terms of reference, as set out in Appendix 1 to this report, be approved; and
3. That Council appoint up to five (5) Members of Council to the Procedure By-law Review Sub-committee.

Overview:

- Council has initiated a review of its Procedure By-law, and has established a Procedure By-law Review Sub-committee, reporting to the Governance and Council Operations Committee, to lead this work.
- In accordance with the Procedure By-law, Council-approved terms of reference are required for a new committee established by Council.
- This report recommends terms of reference for the Procedure By-law Review Sub-committee, including a high-level work plan and timelines to complete the work of the Sub-committee.

Background:

On March 3, 2021, City Council passed the following Resolution:

C064-2021

That a procedural by-law review committee be established, as a sub-committee of the Governance and Council Operations Committee (GCOC), of approximately five members not limited to current GCOC members, to review the existing bylaw with a focus on:

- a) improving clarity to the public around the decision-making process;
- b) identifying potential opportunities to streamline City Council and Committee decision making;
- c) exploring best procedural practices used in other municipalities;

That City Staff be requested to provide Council with a draft terms of reference that includes a public engagement component soliciting their feedback to be incorporated into the review at large;

That the review process be designed to be concluded by the end of 2021.

This report recommends terms of reference for the proposed Procedure By-law Review Sub-committee, for Council consideration, approval and appointments to the sub-committee.

Review of the Procedure By-law was identified as a 2021 work plan activity as part of the City Clerk's Office 2021 initiatives plan.

Current Situation:

Council meeting procedures are currently within the mandate of the Governance and Council Operations Committee. As per Council Resolution, the Procedure By-law Review Sub-committee will be a sub-committee of the Governance and Council Operations Committee. However, its composition may include any interested Member of Council, up to the recommended composition limit of five Members. The sub-committee will serve as the steering committee to lead the review of meeting procedures.

Appendix 1 sets out the sub-committee terms of reference for Council approval. The Procedure By-law review will include the following objectives, subject to confirmation by the Sub-committee:

- To develop a well-constructed and clearly understood Procedure By-Law to facilitate the business of City Council
- To increase the effectiveness and efficiency of City Council and Committee meetings
- To ensure the decision-making process is accountable, transparent and accessible to and understood by our diverse population and stakeholders, and provides opportunities for participation and input
- To exercise and respect individual and collective roles and responsibilities during meetings
- To reflect legislative requirements
- To build upon municipal best practices that fit within the City's governance structure

The review process will include the following review phases and timelines:

Phase 1 – understanding existing meeting rules and identification of issues and opportunities (April 2021)

- a. Learning and scoping sessions with the Sub-committee to determine the priorities, issues and opportunities to be explored in the Procedure By-law review.

Phase 2 – Engagement and Benchmarking (May-June 2021)

- a. Member of Council engagement
 - a. clarification of existing By-law definitions/procedures/issues (see [preliminary issues/opportunities](#) slide from March 1 Governance and Council Operations Committee meeting)
 - b. what works/what does not work with meeting rules and practices
- b. Public engagement:
 - a. Open forum / Town Hall meeting(s)
 - b. Survey of previous meeting delegates and participants
 - c. Public commenting period for proposed meeting procedures during Local Government Week – 3rd week in October
- c. Municipal benchmarking
 - a. Create a searchable library and assess comparator Ontario municipal procedure by-laws to inform the review

Phase 3 – draft by-law rules and assessment (July-August 2021)

- a. Identify housekeeping/administrative amendments to By-law
- b. Identify substantive amendments to By-law
- c. Identify proposed changes now (this term) versus for consideration next term/further review

Phase 4 – Recommended Procedure By-law and associated recommendations and actions (September – October 2021)

- a. Prepare recommendation report and new draft Procedure By-law
- b. Issue public notice / public meeting
- c. City Council decision to repeal and replace by-law
- d. Implementation
 - a. Training for Members/staff
 - b. Public Town Hall(s) and/or other formats to explain new rules

During the course of the review, there will be periodic updates provided to Council through the Governance and Council Operations Committee meetings in May, September and November 2021.

A recommended new Procedure By-law is expected to be presented to Council by the end of 2021.

Corporate Implications:

Financial Implications:

The approved City Clerk's Office budget supports City Council and Committee decision-making processes and meetings. At this time, costs associated with the review of meeting procedures are expected to be minimal and absorbed with the approved divisional budget.

Other Implications:

Term of Council Priorities:

This report achieves the Term of Council Priority of a Well-run City through the establishment of effective and efficient meeting rules and procedures to enable informed Council decision-making.

Conclusion:

Council has requested a review of the Procedure By-law to improve Council and Committee meetings. A recommended terms of reference for a Procedure By-law Review Sub-committee of the Governance and Council Operations Committee is presented to Council for approval and proceeding with the review work plan, anticipated to be completed by the end of 2021.

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Attachments:

Appendix 1 – Terms of Reference – Procedure By-law Review Sub-committee