

Amendment to The Meeting Procedures Bylaw**Report Purpose**

To request withdrawal of the November 29, 2016 motion (2016/398) on the floor regarding Bylaw 49-2016, which is a bylaw to amend The Meeting Procedures Bylaw, and to give three readings to Bylaw 7-2017, a bylaw to amend The Meeting Procedures Bylaw so that each individual vote is audibly called by the Chair in the event that electronic voting is not available.

Motion on the Floor

Motion 2016/398

Moved by Councillor Bidzinski:

That Bylaw 49-2016, a bylaw to amend 20-2015, The Meeting Procedures Bylaw, be given first reading.

Recommendation

1. That motion 2016/398 be withdrawn.
2. That Bylaw 7-2017, a bylaw to amend The Meeting Procedures Bylaw, Bylaw 20-2015, be given first reading;
3. That Bylaw 7-2017 be given second reading;
4. That Bylaw 7-2017 be considered for third reading; and
5. That Bylaw 7-2017 be given third reading.

Council History

May 26, 2015 – Council gave third reading to Bylaw 20-2015 (The Meeting Procedures Bylaw)

October 11, 2016 – Council approved: THAT Administration prepare, for Council's consideration, an amendment to Bylaw 20-2015 The Meeting Procedures Bylaw, to require that all votes taken by Council at a Council Meeting (Regular or Special) be recorded electronically; and that if electronic voting is not available, then voting will be by hand, with each individual vote audibly called out by the chair as either 'for' or 'against', including when a unanimous vote occurs.

November 29, 2016 – Council approved: THAT motion 2016/ 398 on Bylaw 49-2016 Amendment to The Meeting Procedures Bylaw 20-2015 be referred to Administration to prepare potential amendments to section 10.1.

Strategic Plan Priority Areas

Economy: n/a

Governance: Sound governance practices ensure that Strathcona County has inclusive engagement that builds the public's confidence in the community's leadership.

Social: n/a

Culture: n/a

Environment: n/a

Other Impacts

Policy: n/a

Legislative/Legal: The Municipal Government Act (MGA) provides that Council may pass bylaws in relation to the procedure and conduct of council and council committees.

Interdepartmental: n/a

Summary

In October 2016, Council directed Administration to prepare an amendment to The Meeting Procedures Bylaw (20-2015) that would ensure, in case of a vote by show of hands, that the Chair would audibly call out the vote of each Councillor as either 'for' or 'against', including when a unanimous vote occurs.

In November 2016, Administration presented Council with a proposed amendment to The Meeting Procedures Bylaw (49-2016) which is included as enclosure 1 of this report. A motion for first reading of this bylaw was put on the floor. However, after further discussion, the report was ultimately referred back to Administration for further work.

Council requested that Administration make the following amendments to the bylaw:

- Address issues around clarity, especially as it relates to the recording of the vote in the minutes and the process for objecting to a vote.
- Ensure that the current practice (i.e. the practice of the Chair to call out each vote and declare the result of the vote) is reflected in the bylaw.
- Exempt procedural motions from the process to ensure that the process is efficient.
- Provide additional options, including having each Councillor state their own vote verbally and different confirmation of unanimous votes.

As noted above, the original amending Bylaw (49-2016) that was presented in November 2016 is included as enclosure 1.

A new amending Bylaw 7-2017, reflecting Council’s concerns, is included as enclosure 2.

The additional optional amendments requested are provided in enclosure 3.

A summary of the changes to The Meeting Procedures Bylaw proposed in Bylaw 7-2017 is provided below:

Current State	Proposed Change	Rationale
<i>New definition added.</i>	2.32 “Substantive Motion” is a motion put on the floor to deal with Council’s business matters but does not include motions relating to procedural matters such as motions to recess, points of procedure, points of privilege of other purely procedural issues.	Housekeeping change required by the use of the term “substantive motion” in 10.1(e.1).
10.1(b)(iii) Vote verbally if participating by a communication facility.	10.1(b)(iii) Vote verbally by stating “for” or “against” the motion if participating by a communication facility.	Housekeeping change to improve clarity of bylaw.

<i>New section added.</i>	10.1(e.1) When a vote is taken on a Substantive Motion by the raising of hands, the Chair will: (i) call for those in favour of the motion, verbally stating the name of each Councillor voting in favour; (ii) call for those opposed to the motion, verbally stating the name of each Councillor voting in opposition to the motion; and (iii) then declare the result of the vote.	Section added to entrench the current voting practice in bylaw.
Section 10.2(c) addresses objections to the result of the vote; however, this detail is more appropriately included in section 10.1.	10.1(e.2) A Councillor who disagrees with the Chair's declaration of the vote must immediately object to the declaration and the vote will be retaken.	Housekeeping change to ensure that all voting procedures are addressed together.
10.1(f) Every vote taken at a Meeting shall be recorded by noting the names of the Councillors voting for and against all motions and of those who are absent for or abstaining from the vote.	10.1(f) Every vote taken at a Meeting shall be recorded in the minutes by noting the names of the Councillors voting in favour of, and the names of those opposed to, all motions, and of those who are absent for or abstaining from the vote.	Housekeeping change to improve clarity of bylaw.
10.2(c) A Councillor who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.	Deleted.	Objections to votes are addressed in new section 10.1(e.2).

Enclosures

- 1 Bylaw 49-2016 - A Bylaw to Amend The Meeting Procedures Bylaw, Bylaw 20-2015
- 2 Bylaw 7-2017 – A Bylaw to Amend The Meeting Procedures Bylaw, Bylaw 20-2015
- 3 Summary of optional amendments to Bylaw 7-2017
- 4 PowerPoint Presentation for Amendment to Meeting Procedures Bylaw