

Bylaw 21-2021 Meeting Procedures Bylaw**Report Purpose**

To seek three readings of Bylaw 21-2021, Meeting Procedures Bylaw

Recommendation

THAT Bylaw 21-2021, Meeting Procedures Bylaw, be given first reading.

THAT Bylaw 21-2021 be given second reading.

THAT Bylaw 21-2021 be considered for third reading.

THAT Bylaw 21-2021 be given third reading.

Our Prioritized Strategic Goals

Continuously improving the way we work, as one organization, in an agile and sustainable manner

Governance Requirement

Report

The Meeting Procedures Bylaw, set out in enclosure 1, has been through several reviews and drafting stages. At the April 20, 2021 Priorities Committee meeting, the Committee received a comprehensive overview of the complete bylaw. While there was general support for the bylaw, the Committee requested information on options for mandatory adjournment times and time limits for debate. A councillor request for information on seconding was also received. This report will provide information on these matters as well as some considerations and options for potential changes to the bylaw.

If Council does not wish to see further changes to the Bylaw 21-2021, then Council may give the bylaw readings.

If Council wishes to incorporate options presented in this report or other changes, then it would be advisable to refer the bylaw back to Administration with instructions. Administration could then review the desired amendments holistically and address any consequential changes before bringing the bylaw to Council at the next available meeting.

Mandatory Adjournment Times for Council Meetings

Mandatory adjournment times could be added to the bylaw. Some municipalities, including Calgary and Edmonton, have such provisions in their respective Procedures Bylaws.

The benefits to this approach include greater certainty for meeting participants on adjournment time, encouraging time efficiency, and providing some protection against decision fatigue.

Some potential drawbacks include increased complexity for meeting management and planning the annual Council schedule (e.g., would need to hold a half-day on Wednesday to address unfinished Council business); potential impacts to the scheduling and holding of public hearings; and less booking availability for Council Chamber.

Option 1

Add new sections to Part II General Meeting Matters as follows:

Unless otherwise specified at the organizational meeting or changed in accordance with the provisions of this bylaw, regularly scheduled Council and Priorities Committee meetings will begin at 9:00 am, recess from noon to 1:00 pm, and end no later than 9:00 pm.

Councillors may vote to extend the end time of any meeting by a Two-thirds vote.

If all agenda items are not completed by the scheduled or extended end time, the Council or Priorities Committee meeting will continue the next business day unless a motion is passed specifying an alternate date.

Considerations for Option 1

Option 1 as presented above would have a less significant impact on the current approach to meeting management but would require that time be held on Wednesdays to accommodate unfinished business. The most significant impact would be on public hearings scheduled for 7 pm. In situations where there are many public speakers, Council could decide to extend the meeting time so that the public hearing is closed after all speakers are heard and then reconvene the following day to continue debate on the resolution or bylaw that was the subject of the public hearing.

However, if the desire is to have an earlier adjournment time (e.g. 5:00 pm or 5:30 pm), then the impacts to public hearings and open house are more significant (e.g. public hearings could be held as a separate meeting type and the start time for open house could be changed).

Limiting the Time for Debate

The proposed bylaw does not include time limits on debate but does require that each Councillor has the opportunity to speak once before moving to a second round (NB: this is the current practice). Some municipalities have more stringent limits on debate. Typically, such provisions are common in large municipalities, such as Edmonton, Calgary, Toronto, etc.

The benefits to time limits may include greater time efficiency and encouragement for Councillors to be prepared and succinct during debate.

The potential drawbacks include increased complexity for meeting management (e.g., impacts to the Chair and some process changes) and potential impacts to the quality of debate (e.g. some councillors may find the time constraint oppressive or limiting).

Option 2

Add a new section to Part IV Rules of Debate and Limits to Speaking:

Each Councillor may speak for up to five (5) minutes in debate.

Additional Considerations for Option 2

It would also be possible to limit the number of times a Councillor is permitted to speak in debate. Making these changes would have the most impact on Councillors since they may need to adjust their approach to meeting preparation to accommodate these changes and the Chair may need additional support to track and manage the time limits.

Seconding

The proposed bylaw does not require that motions be seconded.

Requiring that a motion be seconded may be useful at times since it provides a graceful opportunity to prevent a motion from being debated when Council has little interest in considering the motion. There are other options for dispensing with a motion such as an objection to the question or a motion to postpone indefinitely.

The drawback to seconding is that in practice it is unlikely that a proposed motion will fail to be seconded. Further, seconding is often misunderstood as endorsement or agreement with a pending motion when it simply is a way to indicate support to have the motion considered by the body. Finally, requiring a second adds an additional step to moving a motion (e.g. impact to meeting management).

Option 3

Change proposed section 59 so that it reads:

A recommendation or proposed motion is not a motion and debate will not commence until it is moved and seconded.

Additional Considerations for Option 3

This change would not have significant impacts, other than by requiring an extra step to put a motion on the floor.

Council and Committee History

June 15, 2021	Council postponed the report on the Meeting Procedures Bylaw to the June 29, 2021 Council meeting.
April 20, 2021	Priorities Committee reviewed a complete draft of the bylaw and received a presentation on the changes.
March 10, 2021	Governance Advisory Committee received a presentation on the draft Meeting Procedures Bylaw.
February 17, 2021	Governance Advisory Committee received a presentation on draft sections of the Meeting Procedures Bylaw.
September 29, 2020	Council approved THAT the new proposed Meeting Procedures Bylaw be brought back to Council on the revised date of Q2 2021.
July 21, 2020	Council gave three readings to Bylaw 44-2020, a bylaw to amend Bylaw 17-2020 (i.e. changes to Meeting Procedures related to COVID).

April 28, 2020	Priorities Committee was provided with an update on the rewrite of the Meeting Procedures Bylaw.
April 22, 2020	Governance Advisory Committee received a presentation on draft sections of the Meeting Procedures Bylaw.
April 21, 2020	Council gave three readings to Bylaw 17-2020, a bylaw to address procedural changes as a result of the response to the COVID-19 Pandemic.
April 21, 2020	Council approved a Status of Report to extend the deadline for the redraft of the Meeting Procedures Bylaw from Q1 of 2020 to Q4 of 2020.
January 22, 2020	Governance Advisory Committee received a presentation on draft sections of the Meeting Procedures Bylaw.
September 18, 2019	Governance Advisory Committee received a presentation on draft sections of the Meeting Procedures Bylaw.
December 11, 2018	Council approved "THAT Administration, in consultation with the Governance Advisory Committee, undertake a comprehensive review and update of the Meeting Procedures Bylaw; and that a new proposed Meeting Procedures Bylaw be presented to Council for consideration by the first quarter of 2020."
March 28, 2017	Council gave third reading to Bylaw 7-2017, a bylaw to amend the Meeting Procedures Bylaw.
May 26, 2015	Council gave third reading to the Meeting Procedures Bylaw.

Other Impacts**Policy:** n/a**Legislative/Legal:** Section 145 of the Municipal Government Act, RSA 2000, c M-26 provides that a council may pass a bylaw to establish procedures to be followed by council, council committees and other bodies established by the council.**Interdepartmental:** Office of the Chief Commissioner**Master Plan/Framework:** n/a**Communication Plan**

Once the bylaw is passed, it will be accessible through the County's public website.

Enclosure

1. Bylaw 21-2021 Meeting Procedures Bylaw