



SUBJECT: Procedure By-law amendments

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Clerks Department

Report Number: CL-18-20

Wards Affected: All

File Numbers: 110-04-1

Date to Committee: November 10, 2020

Date to Council: November 23, 2020

Recommendation:

Enact amendments to the Procedure By-law as outlined in clerks department report CL-18-20 with respect to the following; special meetings, addendum issuance timelines, correspondence, petitions and various housekeeping matters.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture

Background and Discussion:

In response to the committee review, the Clerks department has been working on expanding tools which enable residents to better interact with Council and in the Council process. The proposed amendments stem from an analysis of the committee review survey feedback, conducted in 2019. The survey comments indicated that the processes for communicating with Council were not apparent and that not having that information was a barrier to participation. Staff anticipate that these amendments will help to enhance communication for residents and Council, in creating rules and standards for Council correspondence, and petitions.

Additional amendments are proposed to align the By-law with legislation, and to create a timeline for when the public can reasonably expect when additional information is provided to Council and made available to public.

Addendum Timelines

At present, there is no timeline for how additional information is provided to Council or made available to the public. Staff are proposing to create a timeline for the release of additional meeting materials to ensure that both the Council and public have a reasonable expectation of when they will receive additional information. Staff will ensure that the addendum is posted not less than 24 hours before the hour for holding the meeting.

Should Council approve the proposed amendments, the additional items package will be renamed the revised addendum and that it be posted to the website for the public. Staff will ensure that the updated revised addendum is distributed to Council and posted to the City's website not less than 12 hours before the meeting, to ensure that information is provided to the public.

Special Meetings

Current practice affords the Mayor or the City Manager to call a special meeting, the Clerk is then directed to petition Council to determine if there will be a quorum of Council present at the meeting. In review of the *Municipal Act*, S.O. 2001, c. 25 (the Act) section 240 the current procedure by-law provisions are incongruent with the Act.

The staff are recommending that the Procedure By-law be amended to align with the provisions outlined in the Act. This would allow the Mayor to call a special meeting, and they may be requested by a Council resolution to call a special meeting. In advance staff will poll Council to ensure that a quorum of Council is available before the meeting is called.

In addition, a proposed second clause to the special meeting section aligns with section 240 (b) of the Act. This would allow for the majority of members of Council to request a special meeting by petition. Upon receipt of the petition, the Clerk shall call the special Council meeting. This would allow for a majority of members of Council to request a special meeting.

Correspondence and Petitions

Currently, there are no provisions in the Procedure By-law that address how official correspondence, or a civic petition is received. According to the By-law, the only way to participate at a Council or at a standing committee is to do so as a delegation, this is echoed on the City's website. The Clerks department currently allows for

correspondence and has a provisional process in place for petitions but there are no resources that are publicly available. The proposed amendments set forth a detailed process and timelines which have been included in the accompanying amending by-law (Appendix A).

In drafting the new sections, 42. Correspondence and 43. Petitions, staff have reviewed other procedural by-laws to better understand how other jurisdictions process these documents. Both correspondence and petitions will be handled in a similar fashion, with aligning deadlines. Staff have proposed that only petitions will be received at Council, as they will be ceremonially read into the record. If there are no additional motions regarding a petition or a piece of correspondence it will be received and filed.

Correspondence providing commentary on a matter that has been dealt with by Council will be received, circulated to members of Council, and filed, but will not appear on a minute record.

Correspondence that does not correspond to an agenda item, that is addressed to Council and received by the Clerk will be circulated. Petitions that does not correspond with an agenda item will be directed by the website to be sent to a member of Council, as it will require a sponsor. The member of Council who sponsors an item must submit a Municipal Officer's report, outlining why the item was sponsored and the remedy sought. These items must abide by the deadlines regarding adding items of business on the agenda, the Wednesday, the week the agenda is published.

Administrative Changes

Staff are recommending the following administrative/housekeeping changes to the by-law.

Section	Change
1.2	Italicize Name of Act
14.1 (c)	Delete reference to "Citizen" in connection with citizen advisory committees
20.2	Capitalize the word Chair
27.3	Italicize Act name
41	Addition of Header – Public Participation
41.7	Deletion of incorrect references in Planning Act and correction
41.13	Deletion of incorrect section for delegations and correction

Strategy/process

The proposed amendments realign the Procedure By-law closer to legislation and with common meeting practices.

Options Considered

There are other areas in the current Procedure By-law that need review, these will be done over time and be brought back through subsequent amendment packages.

Financial Matters:

Not applicable.

Total Financial Impact

Not applicable.

Source of Funding

Not applicable.

Other Resource Impacts

Staff time will be spent on creating materials for information. Staff will work with Corporate Communications to ensure that the website is updated and public materials are reviewed to ensure they are in plain language.

Climate Implications

Not applicable.

Engagement Matters:

A public survey, hosted on the GetInvolvedBurlington.ca webpage open from April 30, 2019, through to June 7, 2019 received 385 respondents. The public survey posed questions to determine barriers to participation, advisory committee experience, and asked for suggestions to improve the system. This information was helpful in determining what services needed to be approved to enhance the overall experience for residents working with Council.

Should Council approve the procedure by-law amendments, supplemental materials will be created to help individuals navigate processes such as webpages and tip sheets. Staff will work with Corporate Communications to ensure that public materials are reviewed to ensure that they are in plain language.

Conclusion:

Creating rules with respect to correspondence and petitions will help residents to understand what is involved and what they can expect. Rules and additional information will also work towards breaking down barriers, which will allow residents to more freely communicate and comment on agenda items that are before Council.

Respectfully submitted,

Kevin Arjoon

City Clerk

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Appendices:

A. Procedure By-law Amendments

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.