

CITY OF
Burlington
Corporate Policy

Council, Boards, Committees

Closed Meeting Protocol

Approved by Council on: MMMM d, yyyy

Report Number:

Effective: MMMM d, yyyy

Reviewed on: MMMM d, yyyy

Amended: MMMM d, yyyy

Next Review: MMMM d, yyyy

Note:

Policy Statement:

This Closed Meeting Protocol is intended to assist The Corporation of the City of Burlington (the “City”) ensure compliance with the statutory requirements for holding Closed Meetings as well as to enhance the transparency of the City decision-making process.

This Protocol is based upon the following principles:

- Mature, responsible local government is fostered by an informed electorate;
- A decision-making process which is open and transparent to the public enhances the democratic legitimacy of local government;
- To the greatest extent possible, the public should be able to observe municipal government in process;
- In some circumstances, the public interest is best served by maintaining the confidentiality and privacy of certain information and decisions;
- The law recognizes that there are legitimate reasons for various enumerated subject matters to be discussed and debated in the absence of the public.

Closed Meeting Protocol

This Protocol is intended to support and enhance the provisions of the *Municipal Act, 2001* and Council's Procedure By-law, as amended from time to time, and is not intended to be separately enforceable.

Statutory Framework:

D The "Open Meeting Rule" is enshrined in section 239 of the *Municipal Act, 2001*. It provides that, unless otherwise permitted, all meetings of Council (and committees of Council) must be open to the public. There are fourteen (14) subject matter exceptions which permit a Closed Meeting to be held, as set out in subsections 239(2), (3) and (3.1) of the *Municipal Act, 2001*. Section 239 of the *Municipal Act, 2001* also contains certain procedural requirements for holding and conducting Closed Meetings.

R The Open Meeting Rule seeks to increase public confidence in local government, and prevent secrecy in decision-making. The Open Meeting Rule also seeks to balance the public interest in open and transparent municipal decision-making, while also recognizing that in certain circumstances, meetings in the absence of the public are required to protect municipal interests.

Definitions:

A For the purpose of this Protocol, unless otherwise stated, the following terms shall have the following meanings:

"**Chair**" means the Member presiding over a meeting.

F "**City Manager**" means the City Manager of The Corporation of the City of Burlington.

"**City Solicitor**" means the Executive Director of Legal Services & Corporation Counsel of The Corporation of the City of Burlington.

"**Clerk**" means the City Clerk of The Corporation of the City of Burlington.

T "**Closed Meeting**" means a meeting, or part of a meeting, that is closed to the public.

"**Confidential Report**" means a Staff Report intended to be considered in a Closed Meeting.

"**Council**" means the Council of The Corporation of the City of Burlington, and includes committees of Council.

"**Department Head**" means the member of City staff responsible for one of the City's departments.

Closed Meeting Protocol

“Member” means a member of Council, and includes a member of a committee of Council.

“Open Session” means a meeting, or part of a meeting, that is open to the public.

Any reference to a member of City staff shall include their designate or successor position.

Roles and Responsibilities:

D

Council as a whole is responsible for making decisions that affect the City, the electorate, and those having business with the City. While Council will consider the recommendations of City staff in making its decisions, Council bears ultimate responsibility and accountability for those decisions. This includes decisions in relation to Closed Meetings, such as whether it is appropriate to convene a Closed Meeting, which exception should be relied upon, and the appropriate level of public disclosure following a Closed Meeting.

R

A

City staff carry out the decisions and policies of Council, and provide professional advice and recommendations to Council on a range of matters affecting the City. In the course of performing these duties, City staff will also make recommendations regarding the conduct of Closed Meetings. City staff are responsible to provide reasoned advice on such matters as the application of closed meeting exceptions, the practices and procedures of Council, and whether information should be kept confidential on account of various municipal interests.

F

T

Individual Members are guardians of the public trust, and the individual decision-makers who, when acting together as a quorum of Council, make decisions that bind the City. In performing these duties, Members will receive confidential information during Closed Meetings. Members bear ethical obligations to preserve the confidentiality of such information. Inadvertence or indiscretion in relation to Closed Meeting matters may significantly harm the City’s interests – financial, legal and reputational – and the overall public interest.

Closed Meeting Protocol

Closed Meeting Protocol:

A. Before a Closed Meeting

1. Selecting a Closed Meeting Exception

Council's business is often initiated by City staff, who report their professional recommendations on various municipal matters. The City recognizes that staff reports and the agenda review process will play an integral role in ensuring compliance with the Open Meeting Rule and fostering a transparent decision-making process.

The relevant Department Head shall be responsible for identifying whether a matter should be considered in a Closed Meeting. In making such a determination, the Department Head should, when necessary, consult with the Clerk, the City Manager, and/or the City Solicitor as appropriate.

The Department Head shall consider the following two questions in determining whether a matter should be considered in a Closed Meeting:

1. Does the matter qualify for one of the closed meeting exceptions enumerated in subsections 239(2), (3) or (3.1) of the *Municipal Act, 2001*? In other words, can the subject matter be considered and discussed in a Closed Meeting?
2. If the matter is permitted to be discussed in a Closed Meeting, is there a compelling reason why the matter should be considered in a Closed Meeting? What is the corporate, municipal or other interest that is to be protected by holding a Closed Meeting?

In considering the above questions, the Department Head shall have regard for, among other matters, whether full transparency and disclosure in the immediate term would in any way serve to compromise the municipal interests engaged by the matter.

The initial determination as to whether a matter should be considered in a Closed Meeting is the primary responsibility of the Department Head. When necessary, the Department Head should consult with the Clerk, the City Manager and/or the City Solicitor.

2. Naming of Confidential Reports, Agenda Resolution to Convene a Closed Meeting

Before holding a Closed Meeting, Council must pass a resolution stating the fact that it is holding a Closed Meeting, and the general nature of the matter(s) to be considered at the Closed Meeting. Such a resolution should maximize the information available to the public, while at the same time not undermining the reason for excluding the public in the first place. This resolution should not simply restate the applicable closed meeting exception listed in subsections 239(2), (3) or (3.1) of the *Municipal Act, 2001*.

Closed Meeting Protocol

In some limited circumstance, the need for confidentiality may encompass the very fact of considering a matter in a Closed Meeting. This may include, but is in no way limited to, circumstances where the identification of a specific party, property or matter in a resolution to convene a Closed Meeting would, in and of itself, reveal the interest sought to be protected by the Closed Meeting. The City recognizes that these circumstances would be limited.

To assist in ensuring compliance with the *Municipal Act, 2001*, the following standard naming convention shall be used for all Confidential Reports, unless to do so would undermine the very reason for excluding the public in the first place:

D Confidential Report of the **[Department Head]** with respect to **[Subject Matter / Property / Party / Appeal Reference Number] [Corporate Report Number (X-00-00)] – [Reference to Closed Meeting Exception]**

For example:

R Confidential Report of the City Manager with respect to the Lease of 426 Brant Street to Burlington Corp. (CM-01-22) – s. 239(2)(c) “proposed or pending acquisition or disposition of land”

A The title of a Confidential Report must cite the relevant closed meeting exception from the *Municipal Act, 2001*. Where appropriate, City staff may cite multiple closed meeting exceptions if more than one exception is applicable.

The titles of all Confidential Reports to be considered at a Closed Meeting will be listed on the Open Meeting agenda for the purpose of providing notice to the public, and shall also form the content of the resolution to convene a Closed Meeting.

F 3. Staff Recommendations

T Confidential Reports provide Council with professional advice and recommendations to take action on municipal business and matters. When preparing recommendations that will be considered in a Closed Meeting, City staff must take into consideration the limitations on what matters can be voted on during a Closed Meeting, and what matters must be voted on in Open Session.

A vote may only be taken during a duly-constituted Closed Meeting if it is for one of two purposes:

- Procedural matters (e.g., to receive and file information, to refer a matter, to defer consideration); or
- Giving direction or instruction to City staff or agents or representatives of the City (e.g., the City Manager, the Clerk, external legal counsel, consultants retained by the City).

Closed Meeting Protocol

Recommendations in a Confidential Report may entail a decision which is not permitted to be voted upon in a Closed Meeting (e.g., a decision to adopt a policy, a decision to appoint an individual to a committee). City staff should indicate in Confidential Reports which portions of the recommendations can be voted upon and adopted during the Closed Meeting, and which portions must be voted on in Open Session. Recommendations from City staff should generally follow the following format:

Recommendation:

For Closed Session:

THAT Report CM-00-22 be received and filed.

For Open Session:

THAT Council appoint Mr. Alan Appleby as City Clerk.

4. Written Reports Preferred over Verbal Updates

Written reports from City staff will generally be preferred over verbal presentations or updates. Written reports circulated ahead of a Closed Meeting provide clarity on the subject matter to be discussed, and help justify the reasoning for holding a Closed Meeting. However, in some circumstance, a verbal presentation or update may be permissible, or practically necessary given other constraints or in recognition of the sensitivity of the specific matter.

For the purpose of this Protocol, the relevant Department Head shall treat a request to make a verbal presentation or update during a Closed Meeting as though it were a written Confidential Report. The Department Head shall submit a verbal presentation form to the Clerk, in the form prescribed by the Clerk, as soon as possible in advance of the Closed Meeting for inclusion on the relevant meeting agenda. Where any presentation materials will be relied upon, the Department Head shall provide same to the Clerk for review and to ensure the subject matter of the presentation forms a subject matter that is permitted to be discussed in a Closed Meeting.

Requests to provide a verbal presentation or update will generally not be considered once a Closed Meeting has already commenced and is underway. In the event of a time-sensitive matter or in extenuating circumstances, at the discretion of the Clerk, a verbal presentation or update may be added to the Closed Meeting agenda as an item of "New Business" so long as Council adjourns its Closed Meeting, reconvenes in Open Session, and passes a resolution in accordance with subsection 239(4) of the *Municipal Act, 2001* in respect of the verbal presentation or update.

Closed Meeting Protocol

B. Closed Meeting Materials

Members will require access to highly sensitive, confidential, and privileged materials and information in order to make informed decisions on matters during a Closed Meeting. It is imperative that Members recognize the importance of confidential information, and that they must take every precaution against the unauthorized disclosure of such confidential information. Members shall observe strict compliance with their ethical obligations regarding confidential information outlined in the City's Code of Good Governance.

D

Closed Meeting documents and records, including Confidential Reports, correspondence from external legal counsel, and other confidential information, will be provided to Members through the City's e-Agenda Software. City staff will ensure that the appropriate technical security specifications are applied to confidential information, including time-limited access and limitations on permissions to download or print documents.

R

In certain circumstances, City staff may circulate hard copies of confidential information to Members during a Closed Meeting, with such copies to be returned to the Clerk immediately upon the conclusion of the Closed Meeting. The Clerk shall be responsible to ensure the shredding or destruction of hard copies of confidential information, and to track whether any hard copies remain in circulation. Members are not to take notes or photographs of any documents or materials.

A

F

T

Closed Meeting Protocol

C. During a Closed Meeting

1. Resolution to Convene in Closed Session

Pursuant to subsection 239(4) of the *Municipal Act, 2001*, before holding a Closed Meeting, Council must pass a resolution stating the fact of holding a Closed Meeting, and the general nature of the matter(s) to be considered at the Closed Meeting. The resolution to convene in a Closed Meeting should maximize the information available to the public, while at the same time not undermining the reason for excluding the public in the first place. This resolution should not simply recite the applicable closed meeting exception.

In some limited circumstances, the need for confidentiality may encompass the very fact that Council is considering a matter in a Closed Meeting. This may include, but is in no way limited to, circumstances where the identification of a specific party, property or matter in a resolution to convene a Closed Meeting would, in and of itself, reveal the interest sought to be protected by the Closed Meeting.

In order to ensure compliance with subsection 239(4) of the *Municipal Act, 2001*, Council shall adopt a resolution in the following standard format, with a list of the descriptive titles of the Confidential Reports and agenda items Council will consider during the Closed Meeting:

6. Procedural Motions

6.1 Motion to proceed into closed session

Moved by Councillor **[name]**

That **[Council/Committee]** move into closed session to consider the following matters:

1. Confidential Report of the **[Department Head]** with respect to **[Subject Matter / Property / Party / Appeal Reference Number] [Corporate Report Number (X-00-00)] – [Reference to Closed Meeting Exception]**
2. Confidential Report of the **[Department Head]** with respect to **[Subject Matter / Property / Party / Appeal Reference Number] [Corporate Report Number (X-00-00)] – [Reference to Closed Meeting Exception]**
3. Confidential Verbal Update of the **[Department Head]** with respect to **[Subject Matter / Property / Party / Appeal Reference Number] [Corporate Report Number (X-00-00)] – [Reference to Closed Meeting Exception]**

Closed Meeting Protocol

The resolution to convene in a Closed Meeting shall be prepared in advance of the Closed Meeting by the Clerk and shall generally form part of the relevant meeting agenda. Where items are added to the agenda for a Closed Meeting as addenda items, the resolution shall be updated to reflect those new items.

2. Individuals Entitled to Attend a Closed Meeting

Attendance at a Closed Meeting shall generally be limited to those individuals required to ensure the Closed Meeting matters are fully and properly considered. This includes the Members who are not otherwise prohibited from attending the Closed Meeting and generally includes the Clerk, the City Manager, and the responsible Department Head for the matter under consideration.

Other individuals may be requested to attend a Closed Meeting where their attendance may become necessary in the course of Council business. Where appropriate, other individuals shall only be permitted to attend the portion of the Closed Meeting to which their presence is relevant or necessary.

3. Virtual Participation at Closed Meetings

Council's Procedure By-law allows for "Hybrid Meetings" whereby some Members attend a Closed Meeting in-person at Council Chambers, while others participate remotely through electronic means.

Closed Meetings may be conducted as a Hybrid Meeting. Members participating in a Closed Meeting remotely shall be responsible for ensuring they are in a physically and technologically secure location, and for taking precaution against authorized viewing or listening to the proceedings of a Closed Meeting.

At the commencement of the Closed Meeting, the Chair shall provide the following instruction:

"A reminder for those joining us in closed session, both committee members and staff, please ensure that you are alone in the room. If you cannot be alone, please use headphones to ensure that the conversations held in closed session are kept confidential."

Whether participating in a Closed Meeting virtually or in person, Members shall not use any other form of electronic communication (e.g., email, text messaging, instant messaging, cell phone) to communicate with any other person during a Closed Meeting, including other Members.

Where a Hybrid Meeting is used to conduct a Closed Meeting, the Clerk shall ensure that a separate virtual meeting event is created for the Closed Meeting, which is separate and distinct from the meeting event which the public and other individuals may have access to.

Closed Meeting Protocol

4. Chair to Preside over Closed Meetings

In addition to their responsibilities under the Procedure By-law, the Chair shall be responsible for presiding over a Closed Meeting. It is incumbent on the Chair to educate themselves on the statutory requirements that govern a Closed Meeting, including the subject matters which may be permitted to be discussed in a Closed Meeting and the procedural requirements for conducting a Closed Meeting, including voting.

The Chair shall preside over deliberations in a Closed Meeting to ensure that Members do not inadvertently discuss matters which are not permitted to be discussed in a Closed Session, or matters which are not necessarily incidental to the main topic of discussion. Where a Member begins to stray from an appropriate Closed Meeting topic, the Chair shall promptly advise the Member of their obligation to remain on topic and to refrain from discussing unrelated or unpermitted topics.

5. Voting During Closed Session

Except where otherwise permitted, no voting shall take place during a Closed Meeting. Voting during a Closed Meeting may only occur if the rules in subsection 239(6) of the *Municipal Act, 2001* are satisfied.

First, the Closed Meeting must be permitted under subsection 239(2) or required under subsection 239(3) of the *Municipal Act, 2001*.

Second, the vote can only be taken for one of two purposes:

- Procedural matters (e.g., to receive and file information, to refer a matter, to defer consideration); or
- Giving direction or instruction to City Staff or agents or representatives of the City (e.g., the City Manager, the Clerk, external legal counsel, consultants retained by the City).

During a Closed Meeting, Council shall not make an “informal decision” where no formal vote of the Members is taken. Council is not permitted to make an informal decision by consensus, “head nodding,” or to take a “straw poll” during a Closed Meeting. Such decisions constitute a “vote” on the matter, and where not taken for a permitted purpose, such decisions do not comply with the *Municipal Act, 2001*.

The Chair will ensure that any vote taken during a Closed Meeting complies with subsection 239(6) of the *Municipal Act, 2001*. The Chair may rule a vote out of order where it does not comply with the requirements of subsection 239(6) of the *Municipal Act, 2001*.

Closed Meeting Protocol

D. After a Closed Meeting

1. Reporting Out of Closed Session

“Reporting out” or “reporting back” immediately following a Closed Meeting is not a requirement in the *Municipal Act, 2001*. However, it is recognized as a best practice for enhancing the transparency of municipal decision-making. The extent of Council’s obligation to report out will be enshrined in the Procedure By-law, as amended from time to time. Further, the content of or details contained in a resolution to “report out”, not being statutorily prescribed, is within Council’s purview.

D

While the City is committed to enhancing the transparency of its decision-making process, it also recognizes that, in certain circumstances, full or substantial disclosure of the deliberations of Council in a Closed Meeting in the immediate term is simply not appropriate.

R

Council’s resolutions to report out will be based on the recommendation of City staff as presented in the corresponding Confidential Report. Where appropriate, City staff may also recommend the release of any appendices to a Confidential Report following Council’s final consideration of the matter.

City staff will generally base a recommendation as to the content of the resolution to report out on the following options:

A

Option A: A recommendation that Council report out as much general context and substance of the Closed Meeting matter as possible.

Application: This option aims to provide the public with the most amount of general information from a Closed Meeting, while refraining from disclosing the sensitive confidential details. Examples may include where Council is provided a general update about ongoing labour negotiations, or where Council considers and reviews a draft agreement with a known entity. Confidential details about advice or recommendations provided to Council need not be disclosed. However, where there would be no harm to the corporate interests in advising the public that the specific matter was considered, those details should be disclosed.

F

T

Option B: A recommendation that Council make a substantive decision in relation to the Confidential Report in Open Session, based upon the discussion and consideration in the Closed Meeting.

Application: This option is appropriate where an immediate Council decision is required to give effect to a recommendation in a Confidential Report, but entails a substantive decision that is not permitted to be voted on in a Closed Meeting. Examples may include the appointment of individuals to fill various positions in the City or on committees or local

Closed Meeting Protocol

boards, or a decision to declare municipal lands surplus and authorize the sale of those lands.

Option C: A recommendation that Council report out that the Confidential Report was received for information, and/or direction was given to City Staff, and providing general details about the information received and the direction given.

Application: This option is reserved for matters where sensitive and non-sensitive information can be separated. For example, Council may report out the fact of having considered and given direction on the sale of City property, but without disclosing precisely what direction was given.

Option D: A recommendation that Council only report out that the Confidential Report was received for information, and/or direction was given to City Staff, without providing any specific details.

Application: This option is reserved for matters which are highly sensitive in nature and where full disclosure in the immediate term is not appropriate. This could include receiving legal advice on a highly sensitive or confidential matter, or considering highly confidential information from another level of government.

In making a determination on the content of the resolution to report out, the Department Head responsible for the Confidential Report shall consider whether full or substantial disclosure of the of the deliberations of Council or the matters considered in the Closed Meeting in the immediate term would be prejudicial to the interest considered at the Closed Meeting.

2. Waiving Privilege, Confidentiality

Council will often seek and be provided with legal advice during a Closed Meeting. Such advice is protected by solicitor-client privilege, which is itself enshrined as a closed meeting exception in clause 239(2)(f) of the *Municipal Act, 2001*. Solicitor-client privilege is designed to protect the interests of the client in seeking or receiving legal advice, but may be waived where prudent to do so. However, as the City (i.e., the client) can only act through Council, privilege can only be waived through an express resolution of Council, voted on by a majority of Members present at a meeting. Solicitor-client privilege cannot be waived by any single Member of Council, even if purporting to be acting in the public interest.

Similarly, the City, through Council, may also wish waive the confidentiality of materials and information distributed or discussed at a Closed Meeting.

Closed Meeting Protocol

In general, Council will not waive solicitor-client privilege or confidentiality unless advised by the City Solicitor that doing so would not prejudice the interests of the City.

Should Council wish to waive solicitor-client privilege or confidentiality and release information from a Closed Meeting, Council may do so by adopting a resolution in the following general format during the Closed Meeting:

Report #000-00

Moved by Councillor [Name]

Seconded by Councillor [Name]

That Council waive [solicitor-client privilege / confidentiality] in and authorize the release of [Document / Staff Report], [in its entirety / in part], but only insofar as [extent of waiver].

Any such waiver of privilege or confidentiality shall not include such confidential information which the City is required by law not to disclose or release. For example, the *Municipal Freedom of Information and Protection of Privacy Act* generally prohibits the City from disclosing the personal information of an identifiable individual. The Clerk will review all documents to be disclosed and apply any redactions as may be necessary.

Members should acknowledge that the waiver of privilege or confidentiality in a matter does not automatically authorize the public release or discussion of *all* information from the Closed Meeting which is not otherwise authorized to be disclosed. For example, if Council authorizes the release of a legal opinion considered at a Closed Meeting, Members are not automatically entitled to publicly release or discuss the substance of Council's deliberations at the Closed Meeting on that item.

3. Closed Session Minutes

The Clerk shall be responsible for recording, without note or comment, all resolutions, decisions and proceedings in a Closed Meeting in the form of meeting minutes. Generally, the minutes of a Closed Meeting will be action- or decision-oriented, recording both the procedural and substantive resolutions and motions of a Closed Meeting. The minutes of a Closed Meeting shall be maintained by the Clerk in a highly confidential manner.

Closed Meeting Protocol

Appendix “A”

Closed Meeting Investigation Protocol

PURPOSE

This Closed Meeting Investigation Protocol (the “Investigation Protocol”) applies to the conduct of all closed meeting investigations pursuant to section 239.2 of the *Municipal Act, 2001* in respect of Council, committees of Council, and local boards to which section 239 of the *Municipal Act, 2001* applies.

INVESTIGATOR

The City has appointed Local Authority Services Inc. (“LAS”) as its Closed Meeting Investigator (the “Investigator”) pursuant to subsection 239.2(1) of the *Municipal Act, 2001*. LAS has delegated its authority to Aird & Berlis LLP to act as Investigator for the City.

In conducting a closed meeting investigation, the Investigator shall have all the powers and authority as set out in section 239.2 of the *Municipal Act, 2001*.

INVESTIGATION PROCESS

1. Any person may submit a request pursuant to section 239.1 of the *Municipal Act, 2001* to the Investigator relating to compliance with section 239 of the *Municipal Act, 2001* or the applicable procedure by-law for meetings or part of meetings that are closed to the public. The request must contain the following information:
 - a. contact information of the person making the request;
 - b. the date and time of the meeting under consideration;
 - c. the nature and background of the occurrence;
 - d. reasonable and probable grounds of the alleged contravention(s);
 - e. any other relevant or information or evidence; and
 - f. a direction with respect to the release of the requestor’s identity.

Closed Meeting Protocol

2. A request for an investigation must be submitted in writing in the Request Form attached to this Investigation Protocol and directly forwarded by email or mail to the Investigator at the following address:

John Mascarin
c/o Aird & Berlis LLP
Brookfield Place, 181 Bay Street, Suite 1800
Toronto, Ontario M5J 2T9
Email: jmascarin@airdberlis.com

- D**
3. A request for an investigation will be treated as confidential. Unless authorization is given by the person making the request, the identity of the requestor will be considered confidential.
4. Upon receipt of a request, the Investigator shall:
- a. assign a file number and record a file number on the envelope or email;
 - b. log the file number together with the date and time received; and
 - c. confirm receipt of the request to the requester.
- R**
5. The Investigator may, but is under no obligation to, seek additional information to supplement or augment the request for an investigation, or to clarify the matters set out therein, either from the requester or otherwise.
6. If a request, on its face, does not deal with non-compliance with section 239 of the *Municipal Act, 2001* or a procedure by-law, the Investigator will advise the person making the request of same and shall decline to investigate.
- A**
7. The Investigator will conduct a preliminary review of the request for an investigation to ascertain the substance of the allegations. If, after considering the information set out in the request and making any other inquiries it deems appropriate, the Investigator determines that the request:
- a. is frivolous or vexatious,
 - b. is not made in good faith,
 - c. constitutes an abuse of process, or
 - d. discloses no reasonable or probable grounds to warrant a full investigation, including raising a matter outside the jurisdiction of the Investigator to consider,

T

the Investigator will not be required to conduct an investigation. The Investigator is authorized, in its sole discretion, to terminate the inquiry and summarily dismiss the request for an investigation by providing written notice to the person making

Closed Meeting Protocol

the request. The Investigator may also exercise its discretion to terminate and inquiry and summarily dismiss the request where this becomes apparent during the course of an investigation.

- D**
- R**
- A**
8. For all requests, the City or its local board shall supply forthwith to the Investigator any information and documentation as may be requested by the Investigation, including:
 - a. a certified copy of the Notice of Meeting;
 - b. a certified copy of the Meeting Agenda, both open and closed session, including all reports and attachments;
 - c. a certified copy of the Meeting Minutes, both open and closed session;
 - d. any relevant resolutions;
 - e. a municipal or local board contact list;
 - f. any audio or video records or a transcript of a closed meeting, and
 - g. any other relevant information as requested by the Investigator.
 9. The City and its local boards and all members of Council, local boards and the committees of each shall commit to full cooperation, including the provision of all information requested by the Investigator, either written or through interviews, to assist the Investigator in an investigation.

The Investigator will commence an investigation within two (2) weeks of having made a determination that the request warrants a full investigation.

F

T

48835857.1