



TO: GENERAL COMMITTEE

SUBJECT: PROCEDURAL BY-LAW CHANGES

WARD: ALL

PREPARED BY AND KEY CONTACT: W. COOKE, CITY CLERK AND DIRECTOR OF LEGISLATIVE AND COURT SERVICES EXT. 4560

SUBMITTED BY: W. COOKE, CITY CLERK AND DIRECTOR OF LEGISLATIVE AND COURT SERVICES

GENERAL MANAGER APPROVAL: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That the City Clerk be authorized to make the following amendments to the City's Procedural By-law 2019-100 as amended.
 - a) To formalize matters related to Items for Discussion including the timelines for submission of items by members of Council, consideration of the items at reference committees and addressing items that may be urgent in nature; and
 - b) To provide that individuals in attendance at in camera sessions provide the Clerk or designate with their cell phones to store during in camera sessions.

PURPOSE & BACKGROUND

Purpose

2. The purpose of this Staff Report is to recommend changes to the Procedural By-law 2019-100 as amended including:
 - a) formalizing the process for members of Council to submit their items for discussion, the consideration of the items for discussion occurring at reference committees instead of General Committee, and addressing items for discussion that may be urgent; and
 - b) require all persons present at an in-camera meeting to provide their cell phone to the Clerk during in-camera/closed session meetings.

BACKGROUND

Items for Discussion

3. During the 2018-2022 Term of Council, the number of Items for Discussion increased substantially, with a number of last-minute items being requested. This resulted in members of Council being concerned about lack of time to obtain information and research these items, as the majority of them were being presented on the agenda with little to no background information or rationale to why the item was being put forward in advance of the meeting.

4. In addition, the sheer volume of the items for discussion made it difficult for staff to balance existing priorities, legislative requirements and the high volume of additional items approved by Council.
5. A pilot project was introduced in January 2022, where members of Council were asked to complete a form (Attached as Appendix "A" Staff Report LCS006-22) to detail their request for an item for discussion and their rationale for introducing the item as well as the requested meeting date. This form was required to be submitted to the Clerk 10 days prior to the meeting date. These forms were then circulated to members of Council in advance of the agenda, so the members had more time to seek clarification of the wording or ask questions of staff or to the Councillor initiating the item, prior to the finalization of the wording on the agenda.
6. Further changes are being recommended to have items for discussion considered by Reference Committees, once these committees are established, to provide for a less formal process for discussion prior to being considered by General Committee.

Cell Phone Use during Closed Session Meetings

7. As each new term of Council starts, the Clerk meets with the Mayor to discuss existing meeting processes and ways they may wish to enhance or improve upon them. In discussions with Mayor Nuttall, he has requested that Clerk put forward a recommendation to Council to add a section in the Procedural By-law to prohibit the use of cell phones during the Closed Session/ in camera Meetings as a way to enhance confidentiality of discussions during these meetings.

ANALYSIS

Items for Discussion

8. The results of the pilot project resulted in reduction in items during the last term of Council between January and June, as follows:

<u>Year (January – June)</u>	<u>Number</u>
2019	49
2020	32 (significantly reduced meeting schedule in March and April due to pandemic)
2021	57
2022	38

9. Staff reviewed how other municipalities have matters introduced by members of Council on agendas. The responses varied, however there were no municipalities that were experiencing the volume of items being put forward that was generated during Barrie City Council's 2019 to 2021 portion of the term.

10. Staff reviewed and modified an approach used by the City of Burlington that required their members of Council to present items to Committee for consideration as a pilot project between January 2022 to June 2022. The procedure is as follows:

Week 1	
Tuesday at noon	Items for Discussion provided to Clerk
Thursday before 4:30	Items distributed to Council to allow for questions and/or further clarification of the wording
Week 2	
Wednesday/Thursday	Agenda distributed with requested items for discussion
Week 3	
Wednesday/Thursday	Item discussed at Committee meeting

11. In consultation with Mayor Nuttall, staff are recommending that items for discussion be considered by a Reference Committee once they are established. This will allow more time for discussion on these matters than at a Standing Committee and through the additional discussions, potentially reduce the number of items requesting reports and investigations by staff.
12. If Council approves items for discussion to be considered at a Reference Committee, it will add at least an extra week onto the final approval timelines for these matters. As many of the past items for discussion have required staff to undertake reviews of significant changes to policies, procedures or by-laws, this additional week is not anticipated to impact the timelines for reports or memorandums in response. However, staff are recommending that a provision be included in the Procedural By-law to permit the Clerk to bring any urgent matters forward to the Mayor to discuss and decide if matters can be considered directly at General Committee. Examples of what could be deemed urgent is if there is a deadline to apply for a grant application, a specific date for an event, or a summer meeting schedule where a Reference Committee may not be meeting.

Cell Phone Use During Closed Session Meetings

13. The Council and Committee Code of Conduct provides that members of Council are required to keep confidential information they are privy to confidential. Staff have a similar provision in the staff Code of Conduct. Staff are recommending on behalf of Mayor Nuttall, that cell phone use in closed meetings be prohibited to add another layer of maintaining the confidentiality of discussions during these meetings.

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

14. There are no environmental and/or climate change impact matters directly related to the recommendation.

ALTERNATIVES

15. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could recommend that Items for Discussion still be considered at General Committee.

This alternative is available but in keeping with Mayor Nuttall's recommendation, this alternative is not being recommended. Staff will include options in the Procedural By-law to deal with urgent matters as noted in the Staff Report.



FINANCIAL

16. There are no direct financial implications for the Corporation resulting from the proposed recommendations.

LINKAGE TO 2022-2026 STRATEGIC PLAN

17. The 2022-2026 Strategic Plan has not been finalized at the time this Report was prepared.