

# Staff Report



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To	<b>City Council</b>
Service Area	Corporate Services
Date	Monday, July 20, 2020
Subject	<b>Procedural By-law Amendments to Allow for Continued Remote Meetings</b>

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## Recommendation

1. That, following the passage and royal assent of Bill 197, the City Clerk be directed to bring forward the proposed Procedural By-law, included as attachment-1 to the report titled Procedural By-law Amendments to Allow for Continued Remote Meetings, dated July 20, 2020, for approval.
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## Executive Summary

### Purpose of Report

To update the Procedural By-law to allow for continued remote meetings of City Council as well as advisory committees, local boards, agencies, commissions and associations (ABCs) after provincial and municipal declared emergencies end.

### Key Findings

On July 8, 2020 the Province of Ontario introduced [Bill 197, the COVID-19 Economic Recovery Act](#). Following royal assent, Bill 197 will amend the Municipal Act to allow for the continuation of remote City Council and ABC meetings outside of a declared provincial or municipal emergency.

Guelph City Council has been meeting remotely since March 23, 2020. The most [recent report from the Governance Table](#), presented to City Council on July 15, 2020, indicates that, consistent with advice from public health officials, all meetings of City Council and ABCs will continue to take place remotely for the foreseeable future.

Currently, the technology available in the City Council Chambers does not allow for hybrid meetings. As such, meetings will continue with all meeting participants (City Council, staff and the public) participating remotely.

### Financial Implications

None.

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## Report

### Electronic Participation in Meetings

City Council amended the City of Guelph Procedural By-law on [March 23, 2020](#) and on [April 16, 2020](#) to allow for remote meetings of City Council in accordance with

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the Municipal Act. At the time, the Municipal Act allowed for remote meetings of municipal councils only during declared emergencies made by the Province of Ontario or head of council in accordance with Section 7.0.1 and 4 (1) of the [Emergency Management and Civil Protection Act](#) respectively.

Bill 197 further amends the Municipal Act to allow municipal councils to continue to meet remotely indefinitely. In order to comply with Bill 197, the City of Guelph Procedural By-law needs to be updated to allow members of City Council and ABCs to participate remotely in meetings and be counted for the purpose of establishing quorum outside of declared emergencies. As Bill 197 has not yet received royal assent, City Clerk's Office staff are recommending that the Procedural By-law come forward at a future meeting (as soon as possible after royal assent is granted to Bill 197). Approving future changes to the Procedural By-law now ensures there will be continuity in City Council's ability to meet remotely moving forward.

A revised red-lined version of the Procedural By-law noting material changes to Sections 1, 4, 8.1 and 8.3 is included as attachment-1.

### **Summary of Changes to the Procedural By-law**

- Section 1: Definition of 'electronic meeting' deleted and merged with the definition of 'meeting'.
- Section 1: Definition of 'electronic participation' added.
- Section 4.1 (c) iv.: Additional requirement that public notices for meetings include the method of participation for Council, the public and staff (in-person, electronic or a combination of both). The method of participation will be determined by the Mayor, City Clerk and Executive Team. As noted in the [recent report from the Governance Table](#), consistent with advice from public health officials, all meetings of City Council will, for the time being, remain remote.
- Section 8.1 (e): Clause moved from Section 8.3 and a reference to declared emergencies removed. This revised clause gives City Council the ability, at a meeting called by the Mayor under Section 8.1 (d), to consider items previously considered by Committee of the Whole but not yet confirmed by City Council.
- Section 8.3: Various amendments to allow for continued remote meeting of City Council and ABCs.

### **Proxy Voting**

In addition to the changes noted above, Bill 197 also introduces new rules regarding proxy voting at City Council meetings. These changes represent a new policy direction within the Municipal Act with significant governance implications. As a result, City Clerk's Office staff will undertake a thorough review of the rules and implications of proxy voting as part of the 2020 Governance Review scheduled to come before City Council in December, 2020.

### **Financial Implications**

None.

### **Consultations**

Not applicable.

## **Strategic Plan Alignment**

This report aligns with the Working Together for our Future pillar by improving services through the greater use of technology and data by permitting members of City Council and ABCs to participate in any open or closed meeting electronically.

## **Attachments**

Attachment-1 Proposed Changes to the Procedural By-law

## **Departmental Approval**

None.

## **Report Author**

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