

COMPARISON AND EXPLANATION OF CHANGE

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
1	<u>Location of Definitions</u> Section 2	<u>Location of Definitions</u> Relocated definitions from the front, to Appendix E at the end.	Increase clarity or flexibility As the intent of the proposed bylaw is to provide rules to regulate meeting proceedings, moving supporting material such as definitions to the end of the document reduces distraction and improves clarity.
2	<u>Authority</u> Section 4(1) "When a matter arises related to proceedings in a Meeting which is not covered by a provision of this Bylaw or the <u>MGA</u> , the matter shall be decided by reference to <u>Robert's Rules of Order Newly Revised</u> , current edition.	<u>Authority</u> Section 4 "(1) If neither the <i>Municipal Government Act</i> nor this procedure bylaw resolves a question about procedure, the most recently published edition of Robert's Rules of Order Newly Revised (RONR) is to apply, but only to the extent that RONR is applicable to the situation. (2) Where the relevance or applicability of RONR is disputed, the <i>Chair</i> shall determine the issue, subject to appeal by a <i>Member</i> ." Section 5, "The rules contained in this Bylaw shall be used to facilitate progress and shall be applied in the spirit of fairness, equality and common sense."	Increase clarity or flexibility Addition of text which indicates the hierarchy of authority of meeting procedures, and acknowledges that RONR may not contain advice relevant to the situation. Includes text which not only recognizes that procedure is a matter of interpretation by the Chair, but that acknowledges that such rulings are subject to appeal. Section 5 explains the underlying outcomes that the provisions are attempting to achieve.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
3	<u>Suspending the rules</u> Section 4(3) "In the absence of a statutory obligation, provisions of this Bylaw, as listed in Appendix Two, may be temporarily altered or suspended by a Two-Thirds Vote. This motion to alter or suspend cannot be amended and may only be made by Council."	<u>Suspending the rules</u> Section 6 "(1) The rules contained in this Bylaw or RONR may be suspended by Council, a Council Committee or a City BCC on a case-by-case basis, by a <i>majority vote</i> or by <i>general consent</i>. (2) In a case where a suspend-able procedural provision is inadvertently not adhered to, and no one's rights are being infringed upon nor is any discernible harm done to the proper transaction of business, the procedural provision shall be deemed to have been suspended for that specific case." Section 7 "Provisions of this Bylaw which contain a reference in square brackets, <i>for example: [MGA, S. 12],</i> originate in the <i>Municipal Government Act</i> or other governing legislation and these provisions <u>may not be altered or suspended.</u>"	More efficient meetings, Other practical issues Clarity on which rules may not be suspended assists Council to recognize provisions which they are obligated to follow. Expands what may be suspended to increase flexibility in unique situations. Explains what happens if a procedure is inadvertently not followed.
4	<u>Presiding at Council Meetings</u> Sections 5-7	<u>Presiding at Council Meetings</u> Section 8: "The Mayor, when present, presides as Chair over all meetings of Council. [MGA S. 154(1)(a)]" Section 9: "(1) Council, at its Organizational meeting, shall adopt a roster of Deputy Mayors for the following year. (2) If the <i>Mayor</i> is absent from a meeting of <i>Council</i>, the <i>Deputy Mayor</i> assigned on the roster shall preside. If the assigned <i>Deputy Mayor</i> is also absent, the next <i>Deputy Mayor</i> in the adopted rotation shall preside, and so on.	Increase clarity or flexibility, Other practical issues Relocated the references to the Mayor presiding at PFC and IGA to the section on Committee Establishment. Removes the existing ability to appoint an Acting Mayor. If the Mayor cannot preside, a Deputy Mayor is the preferred alternate.
5	<u>Establishment of SPCs, Specials and PFC</u> Section 9(2) does not list which Committees are SPCs and which are Specials. Does not acknowledge that the Audit Committee is established by a separate Bylaw.	<u>Establishment of SPCs, Specials and PFC</u> Section 10. Lists the four SPCs by name, removing any uncertainty as to which Committees are SPCs. Section 11. Lists the Standing Specialized Committees by name, removing any uncertainty as to which Committees are SSCs. Indicates that Audit Committee, although designated by the Procedure Bylaw as an SSC, is established by a separate bylaw.	Increase clarity or flexibility The membership, chairing, rights of Committee members and full powers and mandates of each Committee have been relocated to Appendices A & B.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
6	<u>Restrictions on Chairing and Membership</u> Section 12 “Council shall appoint seven (7) Councillors to each SPC ensuring that each Councillor sits on two (2) SPCs.” Section 13 (1.1) “A Councillor may not serve as Chair of Audit and Chair of an SPC at the same time.” “A Councillor may not serve as Chair of more than one SPC at the same time.” Section 13(2) & 26(1) “The Chair presides at all Meetings and votes on all motions.”	<u>Restrictions on Chairing and Membership</u> Section 12 requirement for every Councillor to sit on two SPCs removed. Section 13 (1.1) restrictions removed Section 13 (2) restriction removed	Increase clarity or flexibility, Other practical issues Provisions which attempt to anticipate and fully address every eventuality have been removed in order to remain focused on substantive meeting issues. Placing requirements or limitations on the workload of Members of Council presumes that individuals do not have unique capacities or challenges. Council Members are in the best position to determine their individual capacity. The proposed bylaw also provides additional tools to assist in adjusting workload. (e.g.: stepping down, removal of a Chair.) Requiring the Chair to preside whenever present at the meeting does not allow opportunity for Vice-Chairs to gain presiding experience unless the Chair is not present at the meeting. Proposed wording does not fetter the ability of the Chair to allow the Vice-Chair to preside.
7	<u>Time and day of Council Meetings</u> Section 30 (1) and (2) restrict Council to meeting on Mondays, at 9:30 a.m.	<u>Time and day of Council Meetings</u> Section 16 removes the tie to Mondays only, and indicates that meetings occur on the dates and times which are adopted in the Council Calendar.	Increase clarity or flexibility Should the will of Council change over time with respect to Council meetings on Monday, SPC meetings on Wednesday, etc. a Bylaw amendment will not be necessary.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
8	<u>Committees may amend their own meeting dates</u> While 44M2006 is silent on this, by practice, when a Committee meeting date is adopted on the Council calendar, the meeting can only be later changed by Council.	<u>Committees may amend their own meeting dates</u> Section 17 (2) “<i>Council and Council Committees may cancel or revise their respective meetings, or schedule additional meeting dates or times as required, by a vote of the body, in consultation with the City Clerk.</i>” 17 (3) “A scheduled meeting may be cancelled by the <i>Chair</i> in consultation with the <i>City Clerk</i>, if the deadline for agenda submissions has passed, and there is no time-sensitive business to bring to that meeting.”	Other practical issues, Increase clarity or flexibility Committees are granted the power to revise or cancel their own meeting dates without having to seek a reconsideration of the Council Calendar. Allows the Chair the authority to cancel a meeting which may only contain reports such as Outstanding Motions/Directions, without the need to gather a majority of Member signatures. (The requirement for 24 hours’ notice to the public remains)
9	<u>Committee of the Whole (COTW)</u> Section 34 “Council may adopt a resolution to go into Committee of the Whole to discuss a matter.” Section 120 (2) “When Council meets In Camera, it is a meeting as the Committee of the Whole. This is implicit in the motion to move In Camera” Section 147, Special procedures of the Committee of the Whole which are different from the rules of Council	<u>Committee of the Whole (COTW)</u> Removed all related sections and definition	Increase clarity or flexibility, The original intent of Council moving into Committee of the Whole was to allow Council to take advantage of the following relaxations: -there is no limit to the number of times a Member may ask questions of clarification in COTW, -Members need not stand to address Council while in COTW, -COTW allowed Council to discuss an issue or several related reports at greater length, since COTW does not debate, does not vote on motions and only rises and reports on its proceedings to Council. Removal of COTW is recommended since the proposed Bylaw does not require Councillors to stand while speaking, and limits on questions of clarification and debate are suspendable rules.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
10	<u>In Camera Meetings</u> Sections 39 – 42	<u>Closed Meetings</u> Sections 80 – 84 Name change and also a recommendation that Council do not move into Committee of the Whole for Closed meetings.	Incorporate plain language The change in terminology to Closed meeting is recommended to move towards use of plain language. See item #9 for rationale on removing COTW.
11	<u>Deferral Powers on Council Agenda Setting</u> Section 48 “(1.1) For all Regular Business Meetings, the Mayor may defer Executive Reports and SPC Reports for a period of up to four weeks, or until the next Regular Business Meeting, whichever is later. (1.2) If an Executive Report or SPC Report is to be deferred pursuant to subsection (1.1), the City Clerk must be notified in writing of the deferral no later than 4:00 p.m. on the Friday two (2) Fridays before the Meeting.”	<u>Deferral Powers on Council Agenda Setting</u> Section 37 “(2) For Regular meetings of Council excluding Public Hearing meetings, the Mayor may defer Officer of Council reports, Administration reports and Committee reports (contained in the ‘Items from Officers, Administration and Committees’ agenda category), for a period of up to four weeks, or until the next meeting. (3) If a report is to be deferred in accordance with subsection (2), the City Clerk must be notified by the Mayor in writing of the deferral no later than 24 hours after the deadline contained in section 42. (4) The Mayor may request that a report whose only recommendation is that “Council receive for information”, be removed from the Council consent agenda.”	Increase clarity or flexibility Mayor’s deferral authority is maintained, but includes anew power related to Council Consent agendas. This Bylaw indicates that report to Council which are “Receive For Information” only, will automatically be placed in consent by the City Clerk. The Mayor is granted the ability to request that a FYI report be moved from Consent to the Committee section of agenda. <u>This does not replace Members’ ability to pull any desired item from consent at the meeting.</u>

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
12	<u>Submission deadlines for reports</u> Section 50 Council Notice of Motions: Title due – 10 a.m. two Thursdays prior to meeting Material due – Noon, Tuesday prior to meeting. Public Submissions on advertised P.H. bylaws – 10 a.m. two Thursdays prior to meeting	<u>Submission deadlines for reports</u> Deadlines for making submissions to an agenda have been simplified and standardized. Council Notices of Motion – 11:59 p.m., one week prior to meeting date. All Administration deadlines have been removed from proposed bylaw, but match the Notice of Motion new single deadline. Public Submissions on advertised P.H. bylaws - 12:00 Noon, one week prior to meeting date.	Increase clarity or flexibility, Other practical issues Due dates and deadlines pertaining to how and when the Administration should submit material for a Council or Committee agenda has little impact on the rules to regulate the proceedings of Council. The City Clerk's Office recommends they be addressed through an administrative mechanism. Submission deadlines for material which has touch-points with Members of Council and the public should remain within the Bylaw (Notice of Motion, Administrative Inquiries, public submissions). Condensing the submission process from a two-stage submission to a single deadline is expected to give Members of Council and Administration more time to determine readiness of items for an agenda, and thus reduce the frequency of Urgent Business.
13	<u>Role of the Mayor, Conduct of public, Conduct of Members</u> Covered in Sections 60-70 and contains an illogical flow, leaves many gaps and does not provide clarity on whether individual provisions apply to Council only, and whether the rules for the Mayor are the rules for Committee Chairs.	<u>Role of the Chair, Conduct of public, Conduct of Members</u> Sections 24 – 26 list all rules on the role, rights and enforcing rules which pertain to Chairs of Council and Committees. Sections 27-29 list all rules on conduct, role, rights and enforcement which pertain to Council and Committee members. Sections 31-35 list all rules pertaining to conduct and participation by members of the public at Council and Committee meetings.	Improve readability, Increase clarity or flexibility The proposed bylaw includes a new section on which highlights that all Members have an obligation to ensure meeting rules are enforced, and play a role in efficient and effective conduct of meetings.

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
14	Point of Information, Point of Procedure, Point of Privilege "Point of Information" is a request to a Member or the Administration, for information relevant to the business at hand, but not related to a Point of Procedure or the provision of information from a Member, which is not in the possession of other Members, which would terminate debate; "Point of Procedure" is a question to obtain information on the procedures of Council or Committee to assist a Member to; (a) make an appropriate motion, (b) raise a Point of Order, (c) understand the procedure, or (d) understand the effect of a motion;	Point of Information, Point of Procedure, Point of Privilege Points of Information and Procedure have been removed from the proposed bylaw, including their definitions. Point of Privilege becomes Question of Privilege. Whether characterized as a 'Point' or a 'Question', this Secondary motion is still privileged. It is a request or a motion, usually relating to the rights and immunities of the assembly collectively (e.g.: a complaint about noise or other distractions), or of an individual Member (eg.: being misquoted).	Incorporate plain language, Increase clarity or flexibility Both a Point of Information and a Point of Procedure motion are historical remnants that have no function in the proposed Procedure Bylaw. The proposed bylaw clearly sets out that the role of a Chair includes ensuring that Members understand the motion before them, and all leadership functions required for efficient and effective conduct of the meeting. Should questions as described above arise, a Member can be recognized in turn to seek or provide such information. The name change to "Question of Privilege" simply illustrates the streamlining for clarity that has been performed on the numerous "Points" contained in the existing bylaw. Now there is only one "Point" and one "Question".
15	Challenge the Ruling of the Mayor Sections 80 - 82	Appeal the Ruling of the Chair Section D.3 (2), table of Incidental Motions.	Other practical issues, Increase clarity or flexibility "Challenge" focuses on a person. "Appeal" focuses on the issue or ruling. Also, the motion asked when an appeal occurs will be "Shall the ruling of the Chair be upheld?" In this case, 'yes' means 'yes' and 'no' means 'no', eliminating a confusing reverse question of the past.

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
16	<u>Quorum for meetings</u> Council no grace provided to achieve quorum at the start of a meeting, and 5 minutes' grace following a recess. Committees are given 5 minutes' grace at start of meeting and after recess. Sections 82 – 84, 93, 152(5)	<u>Quorum for meetings</u> Both Council and Committees will have 15 minutes' grace for the start of the meeting, 5 minutes' grace following a recess. Sections 54 – 56.	Increase clarity or flexibility, Improve readability The added flexibility is preferable to losing a meeting, as the lost meeting impacts the public as well as Council or Committee. The sections involving quorum were scattered, and have now been gathered into one provision.
17	<u>Questions Period</u> Definition, Section 2 "(45) "Question Period" is the time set aside at the beginning of a Regular Business Meeting or Combined Meeting for Members to ask specific questions on urgent issues;" Section 87 "(1) Question Period is allowed only at a Regular Business Meeting. (2) Question Period is open to Members only. (3) Question Period shall not exceed fifteen (15) minutes in duration. (4) No more than three (3) questions shall be allowed. (5) No Member shall be allowed to ask more than one (1) question. (6) Notwithstanding sub-section (5), a Member may ask a supplementary question to clarify	<u>Questions on Urgent Issues</u> Change definition to: "Questions on Urgent Issues" is the time set aside at a Council meeting for Members to ask <i>Administration</i> questions on issues requiring the urgent attention of Council with respect to public health or safety, a financial or legal matter of significance to The City or other urgent issue of wide-spread significance;" Replace Section 87 with: "59 (1) At Council meetings only, the period identified in the Order of Business as 'Questions on Urgent Issues' is the time set aside for Members to ask the <i>Administration</i> questions; (2) 'Questions on Urgent Issues' must be restricted to issues requiring the urgent attention of Council with respect to public health or safety, a financial or legal matter of significance to The City or other urgent issue of wide-spread significance. The <i>Councillor</i> must advise the Mayor and <i>Administration</i> of the question in advance of the meeting wherever possible. (3) The <i>Chair</i> may rule that a particular question does not require the urgent attention of Council. If a Question is	Improve quality of decisions, reduce exposure to risk Question Period is an informal channel of inquiry with no 'Notice' to Members or the public. When Question Period is noted in the Minutes of the meeting, the questions and answers may give the appearance that they represent formal direction rather than inquiries. The verbal question and answer are often phrased casually. Since the Questions and answers are documented in the Minutes and verbatim Minutes are not possible, the questions are editorialized after the meeting concludes, to improve readability. The proposed bylaw is seeking to minimize notation in the minutes. (Only the fact that a question was asked and answered would be documented) The City Clerk's Office recommends the following changes: • Restrict Question Period to urgent health/safety issues and urgent issues of city wide interest. • Direct non-urgent Member questions through the more formal channel of inquiry – the Administrative Inquiry process.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
	the original question. (7) No motion to extend Question Period shall be made. Where a question has been asked prior to the expiry of the fifteen (15) minute period, that matter may be concluded."	deemed not to be urgent: (a) it must not be responded to; and (b) the <i>Councillor</i> who asked the question may submit an <i>Administrative Inquiry</i> prior to the conclusion of the meeting. (4) <i>Administration</i> must respond to <i>Questions on Urgent Issues</i> verbally at the meeting at which the questions are asked. (5) A <i>Question on Urgent Issues</i> must not introduce a motion for consideration. (6) <i>Questions on Urgent Issues</i> shall be limited to: (a) A maximum of three wuestions per meeting; and (b) A maximum of 15 minutes in total per meeting. (7) The name of the Councillor asking the question and the topic of the question is noted in the Minutes of the meeting."	(Improvements to the Administrative Inquiry process are recommended in the following row of this table.)

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
18	<u>Administrative Inquiries</u> Sections 16, 50, 101 – 104	<u>Administrative Inquiries</u> Sections 74 - 75 74(1) A <i>Member</i> may make an <i>Administrative Inquiry</i> at a <i>Council</i> meeting. The <i>Administrative Inquiry</i> must be submitted electronically to the <i>City Clerk</i> prior to or during a <i>Regular</i> or <i>Combined</i> meeting of <i>Council</i>, for answer by the <i>Administration</i> at a subsequent meeting. (2) The <i>City Clerk</i> must display the <i>Administrative Inquiry</i> to <i>Members</i> and those seated in the <i>Council Chamber</i> prior to adjournment of the meeting. 75 (1) <i>Administration</i> must respond to an <i>Administrative Inquiry</i> by submitting a written response to the <i>City Clerk</i> for inclusion on a future <i>Council</i> meeting agenda for which the submission deadline has not passed. (2) The response from <i>Administration</i> is not debatable. (3) Despite subsection (1), if <i>Administration</i> determines that responding to an <i>Administrative Inquiry</i> would require a budget allocation or re-allocation, <i>Administration</i> must provide such a statement to the <i>City Clerk</i> for inclusion in a future agenda of <i>Council</i> for which the submission deadline has not passed. (4) Upon receiving a statement from <i>Administration</i> conforming to subsection (3), <i>Council</i> may: (a) direct the <i>Administration</i> to proceed with the investigation necessary to answer the <i>Administrative Inquiry</i> and provide for the payment of the costs; or (b) instruct the <i>Administration</i> to abandon the <i>Administrative Inquiry</i>.	Other practical issues, Increase clarity or flexibility Currently, an Administrative Inquiry submitted at Council is read aloud at the end of the meeting. However, Council often opts to “waive” the reading aloud, and many attendees of the meeting are unaware of the Inquiry details. When Administration responds, they have multiple options for responding – to the requesting Councilor, to some or all of Council, through a report to PFC or to Council. The proposed bylaw recommends that Inquiries are displayed in the Council Chamber at the end of the meeting, and that a single path for Administration’s response be adopted. This improves awareness of the Inquiry, certainty as to its disposition, retention in the Corporate Record for future information and ease of tracking for any interested parties, including citizens. Bill 20, the MGAA, was passed in March 2015. Section 18 clarifies a duty of the Chief Administrative Officer to provide the same information to all Members of Council on the operation or administration of the municipality. This MGA amendment will be in force as soon as it is proclaimed. The proposed change to how Administrative Inquiries are handled improves transparency and ensures we are in compliance once section 18 is proclaimed in force.

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
19	<u>Scheduled Recess</u> Section 91	<u>Scheduled Recess</u> Section 78 Proposes the existing scheduled Committee recess times be applied to SPCs and Standing Specialized Committees uniformly. (1) "Every Council meeting shall recess without a motion for: (a) seventy-five (75) minutes at 12:00 noon; (b) for thirty (30) minutes at 3:15 p.m.; and (c) for seventy-five (75) minutes at 6:00 p.m. (2) Every SPC meeting and SSC meeting shall recess without a motion for: (a) sixty (60) minutes at 12:00 noon; (b) for thirty (30) minutes at 3:15 p.m.; and (c) for sixty minutes (60) minutes at 6:00 p.m."	Increase clarity or flexibility Scheduled recesses currently exist for Regular and Special Council, Regular SPCs and PFC. They do not exist for meetings of Audit, IGA, GPT, or for Special Purpose meetings of Council, PFC or SPCs. The City Clerk's Office recommends recesses be scheduled for all Council Committee meeting types. The standardization offers predictability in meeting proceedings but does not hamper the Committee, as this provision may be suspended at any time by general consent of the Members or by a majority vote.
20	<u>Unfinished Business</u> Section 94 "Unfinished Business remaining at the time of the adjournment due to loss of Quorum shall be considered at the next Regular Meeting or at a Special Meeting called for the purpose of the unfinished business."	<u>Unfinished Business</u> Section 57 "Unfinished Business which was not concluded when a meeting did not achieve quorum, or when quorum was lost, is forwarded as follows: (a) to the next Regular meeting of the body; (b) to a Special meeting of the body, called to dispose of the Unfinished Business; or (c) in the case of a Council Committee, directly to Council."	More efficient meetings Options for how to dispose of Unfinished business are expanded for flexibility.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
21	<u>Flow of Agenda Items</u> The current Procedure Bylaw has no provision listing the order of proceedings to handle an item except at a public hearing. Section 157: “(3) The order of business for each item of a Public Hearing shall be: (a) Presentations from the Administration and questions of clarification; (b) Public Hearing presentations by: (i) those speaking in favour, (ii) those speaking against, and (iii) follow up questions from Members; (c) Questions of the Administration from Members; and (d) Motions.”	<u>Flow of Agenda Items</u> Section 77 “The flow of each <i>Council</i> and <i>Council Committee</i> agenda item is ordinarily: (1) <i>Administration</i> introduction of the item, if required; (2) submissions from the public, if applicable; (3) questions of clarification from <i>Members</i> to the <i>Administration</i> (to a combined maximum of ten minutes per agenda item); (4) a motion being put on the floor; (5) debate (once per <i>Member</i>); (6) mover responds to questions raised in debate; and (7) vote.” Section 90 – Public Hearings “(1) The flow of each public hearing item must be the same as for <i>Council</i> and <i>Council Committee</i> meetings, except that public presenters will be called upon by the <i>Chair</i> in the following sequence: (a) the development proponent or applicant, (b) those in favour, and (c) those against.” (2) The <i>Chair</i> may recall the proponent in order to allow <i>Council</i> to ask additional questions of clarification, if required.”	Other practical issues These additions are recommended as aids to Members who chair meetings, as well as to Members in attendance, all of whom have an interest in ensuring rules are used to facilitate progress, in the spirit of fairness, equality and common sense. Engagement with the Law Department also resulted in the recommendation that the speaker at a public hearing who is the applicant should be denoted separately from other public speakers who are in support of the application. Section 90(2) was developed in consultation with the Law Department to specifically address the desire for a mechanism to ask additional questions of clarification.
22	<u>Adoption by General Consent</u> No existing provisions.	<u>Adoption by General Consent</u> Appendix D contains a list of the most common Secondary Motions to a main motion, and many of these motions may be adopted by general consent (without a vote).	More efficient meetings Many non-substantive issues can be decided without a vote by general consent if they are non-controversial. A mechanism to allow them to be dispatched quickly will improve efficiency.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
23	<u>Motions Requiring Two- Thirds Vote</u> Appendix Three provides a list of motions requiring Two-Thirds vote to adopt.	<u>Motions Requiring Two-Thirds Vote</u> Remove provision	Increase clarity or flexibility, More efficient meetings Most substantive motions can be adopted by a democratic majority vote. A requirement for a two-thirds vote can have the opposite effect of democratic decisions. If something needs 10 votes for Council to act, it only needs 5 votes or 5 absent people to prevent Council from acting. In the few remaining areas requiring a Two-Thirds vote, it is changed to mean Two-Thirds of Members present at the meeting (not 10).
24	<u>Notice of Motion</u> Section 119 “(1) A Member, wishing to introduce a new matter for consideration, shall submit the motion in writing to the City Clerk in accordance with Section 50(2) of this Bylaw. A Notice of Motion must stand on its own and cannot have attachments. Supporting documents may be distributed at the Meeting with the approval of the Mayor. (2) On a Two-Thirds Vote, the requirement for Notice contained in subsection (1) may be waived. However, the matter would then be considered as urgent business. (3) Subject to subsection 50(2), all Notices of Motion received by the City Clerk shall be added to the Agenda of the next Regular	<u>Notice of Motion</u> Section 113 “(1) A Member, wishing to introduce a motion for consideration, must provide <i>notice of motion</i> electronically to the City Clerk. (2) The City Clerk must place the <i>notice of motion</i> on the next Priorities and Finance Committee agenda for which the submission deadline has not passed. Section 114 PFC shall consider a <i>notice of motion</i>’s financial and policy implications, and shall refer it to Council or to the appropriate <i>Council Committee</i>.” Section 115 “Waiving Notice of Motion When a Member introduces a motion at a Council meeting without notice, the motion must meet the conditions for adding an item of <i>urgent business</i>, as contained in section 65.	More efficient meetings Routing Notices of Motion through the Priorities and Finance Committee is intended to increase the efficiency of Council meetings, by applying the first layer of discussion through Committee. PFC would be empowered to determine where the appropriate authority for the Motion rests (Council, Council Committee or Administration) PFC would not be empowered to file a Member’s motion. Waiving Notice of Motion to bring an item to Council as Urgent Business remains in the proposed bylaw, provided the item meets the conditions for Urgent Business.

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
	Business Meeting."		
25	<u>Motions Arising</u> Section 111 "(1) A Motion Arising must: (a) be directly related to and arise from an item which has just been considered; and (b) be made before another item is in front of the Meeting. (2) A motion arising at a Committee cannot be forwarded to Council as a motion arising. On the report to Council, it must go forward as an amendment to the Administration recommendation(s)."	<u>Motions Arising</u> Section 116 "(1) A <i>motion arising</i> is not in order at <i>City BCC</i> meetings. (2) A <i>motion arising</i> is in order at <i>Council</i> meetings, provided that the <i>Chair</i>, in consultation with <i>Administration</i>, determines that the required administrative effort to respond to the <i>motion arising</i> is inconsequential. (3) A <i>motion arising</i> which requires significant <i>Administration</i> resources, requires reconsideration of a motion adopted at an earlier meeting or requires professional, legal, or financial input must be submitted by <i>notice of motion</i>."	More efficient meetings, Other practical issues The Chair (in consultation with Administration) determines if a Motion Arising is 'simple' and will be considered on the same day as presented; or if 'complex', and will be re-directed to the Notice of Motion process. The driving principle of this ruling is that the input of <i>Administration</i> is incorporated into motions, so as to ensure that any legal, financial and operational impacts are professionally addressed.
26	<u>Reconsiderations</u> Section 124	<u>Reconsiderations</u> Sections 117 – 118 Descriptive table to assist in determining requirements for a reconsideration. There is one path for reconsiderations at the same meeting as the original motion, another path for reconsiderations at a subsequent meeting to the original motion. There is a requirement for notice if bringing a reconsideration of a motion from a previous meeting.	Improve readability, Increase clarity or flexibility, More efficient meetings Existing reconsideration provisions are unnecessarily restrictive, and do not acknowledge there may be a need to respond to changing situations by re-visiting a past decision. Council may now reconsider bylaw readings. (A bylaw that has received three readings and has been signed in accordance with Section 213 of the <i>MGA</i>, may not be reconsidered, however a reading of a proposed bylaw which has not been signed may be reconsidered.)

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
27	<u>Appointment of Chair and Vice-Chair of SPCs during Organizational Meeting.</u> Section 150(3) “When the Councillors have been named to the SPCs, each Committee shall withdraw, in turn, and, with the City Clerk acting as temporary Chair, choose, by secret ballot, one of its Members as Chair, and one as Vice-Chair.”	<u>Appointment of Chair and Vice-Chair of SPCs during Organizational Meeting.</u> Provision removed	Other practical issues This section no longer provides for Council, at the Organizational meeting, to recess and allow each SPC in turn to hold a short meeting to elect their Chair and Vice-Chair. The existing method of electing the SPC chairs/vice-chairs are ‘meetings’ of those SPCs. While no substantive business is held at those ‘meetings’, the process inadvertently does not give appropriate notice to the public. The proposed bylaw will allow for an alternate method of achieving the same chair and vice-chair elections, still on the same day as the Organizational meeting, but will include appropriate notice of the meetings of the four SPCs.
27	<u>Non-Member Councillors attending Meetings</u> Section 14 (for SPCs) and Section 17 (for PFC) and Section 28 (for IGA and GPT) Currently, Councillors who are not appointed Members of an SPC may attend, declare an interest and vote on items, but must do so while the meeting is in open session. Councillors who are not appointed Members of PFC, IGA and GPT but may attend, declare an interest and vote on items, but must do so while the meeting is in open session.	<u>Non-Members attending Meetings (SPCs and SSCs)</u> Participation of Non-Member Councillors has been standardized for all Council Committees (SPCs, SSCs), and provisions are relocated to Appendix A, Section A.13 A.13 “(1) Meetings of <i>Council Committees</i> are open to all <i>Councillors</i>, and they may join the meeting at any time, including during <i>closed meetings</i>. (2) A <i>non-Member Councillor</i> may take part in discussion or debate of agenda item(s), including items discussed in <i>closed meetings</i>, and has the same obligation as <i>Members</i> to hold confidential discussions in confidence. (3) A <i>non-Member Councillor</i> may not: a) place nominations for the <i>Chair</i> or <i>Vice-Chair</i>, b) make motions or vote, or	Meeting efficiency, Other practical issues Strong and effective Council Committees operate in an environment where the Committee knows the powers and limits conferred upon it, the membership gains subject matter expertise through consistent exposure to relevant issues, and the expertise of Committee members is not diluted at the Committee level (by allowing sporadic input from non-Members) or at the Council level (by Council re-investigating the work of Committee).

PROPOSED CHANGES AND REASONING

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
	Councillors who are not Members of Audit Committee, Sub-Committees or other City BCCs may <u>not</u> attend, declare an interest or vote on items.	c) count towards meeting <i>quorum</i>." <u>Non-Members attending Meetings (other City BCCs)</u> Standardized and relocated to Appendix C, Section C.7 "(1) Unless otherwise stated in a Committee's <i>governance documents</i>, meetings of <i>City BCCs</i> are open to all <i>Councillors</i>, and they may join the meeting at any time, including during <i>closed meetings</i>. (2) A <i>non-Member Councillor</i> may take part in discussion or debate of agenda item(s), including items discussed in <i>closed meetings</i>, and has the same obligation as <i>Members</i> to hold confidential discussions in confidence. (3) A <i>non-Member Councillor</i> may not: a) place nominations for the <i>Chair</i> or Vice-Chair, b) make motions or vote; or c) count towards meeting <i>quorum</i>."	
28	<u>Calculation of Quorum</u> Section 2(46)	Change to: "<i>Quorum</i>" means the number of Members who must be present to conduct a meeting, and is a majority (greater than fifty percent) of the membership of the voting body, unless Council provides otherwise by Bylaw or Terms of Reference;"	The new definition will remove any calculation resulting in a fraction.

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
29	<u>Order of Business Changes</u> “Opening” “Presentations and Recognitions” “Excusing Absence of Members”	<u>Order of Business Changes</u> “Call to order”; and Opening Remarks” Relocated so as to occur after the meeting Agenda is confirmed. Excuse for Absence removed.	Improve readability, Other practical issues Recommended changes include a refresh of terminology and more logical categories in which to group like items. A motion to excuse an absence can be made ad-hoc prior to the conclusion of any Council meeting.
30	<u>Changes to Definitions</u> “Agenda”, “Meeting”, “Minutes” “Bar of Council”. “Chair” and “Vice-Chair” “Consent Agenda – Council” and “Consent Agenda – SPCs” merged. New definition	<u>Changes to Definitions</u> Definitions removed Changed to “Floor of Council” and means the area separated by a barrier in the Council Chamber where Members of Council, Council Committees and Officers of Council are seated. Definitions removed “Consent Agenda” means a group of items which are not expected to require discussion and/or debate. A consent agenda may be adopted by a single (omnibus) motion “General Consent” means an informal way of asking for consensus, used only for routine and non-controversial decisions, usually of a procedural nature, e.g.: The Chair asks: “Is there any objection to extending the time for this speaker by two minutes?”, pauses, and if no Member objects, says: “There being no objections, the time is so extended.” If a Member does object, the Chair takes a voice vote: “There are objections and we’ll take a vote on the matter. Those in favour of extending the speaker’s time by two minutes? Those opposed? Thank you. The two minute extension has been granted (or not granted)”.	Improve readability Incorporate plain language Increase clarity or flexibility

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
	Motion to 'Table' an item to a later meeting.	Motion to "Postpone" an item to a later meeting.	
	Motion to "Table" retained with a lesser meaning.	Motion to "Table" sets a pending main motion aside temporarily, within the course of the meeting, to accommodate something else of immediate urgency.	
	New definitions	"Majority" with respect to quorum means more than half of the appointed Members; "Majority vote" means the vote of more than half of the Members present and voting at a properly called meeting at which a quorum is present. "Two-thirds vote" means the vote of more than two-thirds of the <i>Members</i> present and voting at a properly called meeting at which a <i>quorum</i> is present. "Motion Arising" is a motion moved by a Member of Council, and is directly related to or "arises" from an item or motion which has just been considered. A submission made by one or more Members of Council, intended to provide notice of a resolution for Council or Committee's consideration. Expanded to refer to the City Manager, City Solicitor, City Clerk, Chief Financial Officer, General Managers or their assigned delegates, and also the Integrity Commissioner, the Ethics Advisor and the City Auditor.	
	New definition		
	"Notice of Motion"		
	"Officer of Council"		
	"Point of Information"	Definition removed	
	"Point of Privilege" And "Privilege"	"Question of Privilege". Name has changed, but concept has not.	
	"Point of Procedure"	Definition removed	
	"Precedence"	Definition removed, explained in Appendix D table of Motions.	

PROPOSED CHANGES AND REASONING

PFC2017-0433
ATTACHMENT 2

#	CURRENT PRACTICE - BYLAW 44M2006	PROPOSED REVISIONS	ALIGNMENT TO INTENDED OUTCOMES & REASONING
	"Question Period"	"Questions on Urgent Issues" The time set aside at a Council meeting for Members to ask the Administration questions on issues requiring the urgent attention of Council with respect to public health or safety, a financial or legal matter of significance to The City or other urgent issue of wide-spread significance;	
	"Quorum"	Means the number of Members entitled to vote who must be present in order to conduct a meeting, and is a majority (greater than fifty percent) of the membership of the voting body, unless Council provides otherwise in a governance document;	
	"Terms of Reference"	"Governance Document" means a document that outlines a BCC's structure and includes items such as eligibility criteria, composition, mandate, and term lengths. A <i>governance document</i> may include a bylaw, a policy, or Terms of Reference.	
	"Urgent Business"	Those matters added by a vote of Council to a meeting agenda once the meeting has commenced.	