

Amendments to Council's Procedure Bylaw and Council Committee Governance

RECOMMENDATIONS:

That the Priorities and Finance Committee forward this Report as an Item of Urgent Business to the 2021 July 26 Combined Meeting of Council and recommend that Council direct Administration to return to the 2021 September 13 Combined Meeting of Council with a Bylaw amending the Procedure Bylaw 35M2017 as amended, to incorporate:

- 1) The procedural/administrative amendments outlined in Attachment 1; and
- 2) The proposed structure and mandates for the Standing Policy Committees and Standing Specialized Committees as outlined in Attachment 2.

HIGHLIGHTS

- The Procedure Bylaw establishes rules and provisions to regulate the conduct of business in Council meetings and establishes Council Committees. Updating these rules and provisions to reflect current best practices is important to ensuring Council and Council Committee meetings are conducted in an effective and efficient manner.
- The Procedure Bylaw also contains the mandates of Council's Standing Policy Committees and Standing Specialized Committees. Updating the structure and mandates for these Council Committees is intended to streamline governance, enhance policy and functional alignment, and retain flexibility and responsiveness.
- What does this mean to Calgarians? The proposed amendments will provide greater clarity with respect to meeting conduct, update language to allow for continued remote participation for members of the public and establish new areas of accountability and governance for select Council Committees.
 Why does it matter? Rules and provisions regulating the conduct of Council meetings provides certainty to Members of Council and the public that Council meetings are accessible, transparent, and fair. Effective Council Committee governance leads to timely decision making and facilitates effective service delivery
- Strategic Alignment to Council's Citizen Priorities: A well-run city
- Previous Council Direction is included as Attachment 3.

DISCUSSION

Attachments 1 and 2 set out two categories of proposed amendments to the Procedure Bylaw:

1) Procedural / Administrative:

The City Clerk's Office began examining potential updates to the Procedure Bylaw in early 2020 to streamline language, ensure consistency with the *Municipal Government Act (MGA)* and fix several procedural inconsistencies. As this review was underway, the impacts to the conduct of meetings due to Covid-19 became known, which generated a renewed review to capture the ongoing procedural changes required by the pandemic. The proposed amendments can be summarized as follows:

- a. Accuracy/Improvement:
 - i. Refining language to reflect current practice (e.g. agendas are no longer physically posted within the Municipal Complex);

Amendments to Council's Procedure Bylaw and Council Committee Governance

- ii. Eliminating unnecessary clauses (e.g. eliminating the Bylaw requirement to provide one or more Calendar proposals, practically speaking Council is only required to adopt a calendar); and
 - iii. Eliminating use of roll call votes in the event three or more Members are opposed (the electronic vote is the final vote result).
- b. Administrative:
- i. Eliminating wording that no longer applies or is unnecessary (e.g. eliminating the reference to 'presentations');
 - ii. Applying consistent use of wording throughout the document (e.g. replacing 'table' with 'postpone'); and
 - iii. Applying consistent use of gender-neutral language (e.g. replacing 'he/she' with 'they').
- c. Legislative (alignment to the MGA):
- i. Removing wording that substantially duplicates provisions of the MGA, instead referring to the MGA as the legislative authority (e.g. references to calling special meetings); and
 - ii. Correcting the applicable sections of the MGA (e.g. where section numbers may have changed).
- d. Remote participation:
- i. Streamlining / removing restrictions to remote participation (e.g. eliminating the need to confirm a week in advance whether a Member will use remote participation);
 - ii. Removing wording that did not reflect the processes in place for both Members of Council and the public to participate remotely (e.g. removing wording referring to locations in the Chamber); and
 - iii. Providing a clear statement by Council supporting the continued use of remote participation by the public.

2) Council Committee Governance:

The City Clerk, at the direction of the City Manager, has reviewed the current Council Committee structure for alignment to the forthcoming organization realignment, as well as with a citizen-focused lens. The proposed amendments to the Council Committee governance included in the Procedure Bylaw aim to streamline the number Committees of Council, reduce complexity, and enhance policy alignment by creating two Standing Policy Committees (SPC) and two Standing Specialized Committees (SSC):

- a. **Planning and Infrastructure (SPC):** will deal with all aspects of urban planning, including planning, development, transportation, real estate, environmental and climate management, oversight over Green Line and gas, power and telecommunications issues. **Membership:** 7 Members of Council
- b. **Community and Economic Development (SPC):** will deal with all aspects of community and neighbourhood services, community safety and protective services, economic development, local business economy, and operational services related to community and economic development. **Membership:** 7 Members of Council

Amendments to Council's Procedure Bylaw and Council Committee Governance

- c. **Executive Committee (SSC):** will deal with all financial planning and budgeting items, notices of motion, City Manager items, council services and governance, integrity and ethics, and any items aligning to People, Innovation and Collaboration. **Membership:** Mayor, Chairs the two SPCs, Chair of Audit, and 3 Councillors-at-large
- d. **Intergovernmental Affairs Committee (SSC):** will continue to deal with items relating to the impact of other orders of governments' policies on the City, coordinating long-term growth for the region, affordable housing strategies. It will now also include items related to the Indigenous Relations Office. **Membership:** Mayor, Alberta Urban Municipalities Association (AUMA) Representative, Calgary Metropolitan Regional Board (CMRB) Representative, Federation of Canadian Municipalities (FCM) Representative, and 3 Councillors-at-large.

The above SPCs and SSCs would be complemented with current Boards, Commissions, and Committees that remain unchanged, including: Audit Committee, Calgary Planning Commission, and the Emergency Management Committee. With the proposed mandates (above), the following Council Committees discontinue in their current form: Green Line Committee, Gas, Power and Telecommunications Committee, and Coordinating Committee of the Councillor's Office.

The mandates outlined above provide overall guidance for which Council Committee would consider specific items and topics. However, Administration may use discretion and flexibility to determine which Council Committee may be the best fit for a specific item.

The proposed Council Committee structure offers several benefits:

- Aligns mandates to functional service delivery to facilitate timely decision making and provide effective mechanisms to strategically collaborate and coordinate on policy issues;
- Provides a streamlined governance model that simplifies the complexity of Council Committees and addresses the underutilization of some existing Council Committees;
- Retains the ability for any Council Committee to create a sub-Committee or working group to deal with specific issues as needed;
- Achieves an equal distribution in membership and a relatively equal distribution of workload amongst Members of Council on Standing Policy Committees,
- Will reduce scheduling overlaps, and reduce multiple meetings occurring on the same day (i.e., a morning and afternoon meetings)

Taken together, the proposed Procedure Bylaw amendments are intended to bring accuracy to the procedure bylaw and functional alignment and best practices to Council governance to facilitate effective decision making.

Internal Discussion/What We Heard

The City Clerk's Office held consultation sessions with Members of Council on separate occasions, first to cover the procedural and administrative amendments, and second to discuss changes to Council's Committee governance structures. This included a review of the Notice of Motion process and checklist, as directed in PFC2019-0913. That review demonstrated that no significant changes were desired and/or required. Notices of Motion will continue to undergo a technical review by the Executive Committee (proposed) prior to being discussed at Council. Several

Amendments to Council's Procedure Bylaw and Council Committee Governance

engagement sessions were held with the Executive Leadership Team to specifically address the proposed changes to the Council Committee structure.

As directed by Council, the Coordinating Committee of the Councillor's Office was consulted on the future role and mandate of that Committee and provided direction to incorporate any governance functions of the Committee into the broader Council Committee realignment structure being proposed. Council services and governance is included in the mandate of the proposed Executive Committee.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed
- Stakeholder dialogue/relations were undertaken

IMPLICATIONS

Social

Facilitating the ongoing ability for Members of Council and the public to participate remotely in Council or Committee meetings reduces barriers to participation that may have been imposed, prior to the Covid-19 pandemic, by the Procedure Bylaw language that was oriented towards in-person participation. The amendments would allow for innovative and accessible solutions for remote participation to be put in place, notably in relation to public hearing processes.

Environmental

Not applicable.

Economic

Not applicable.

Service and Financial Implications

No anticipated financial impact

RISK

There are no risks identified with proceeding with the procedural / administrative bylaw amendments as proposed. If Council does not proceed with the amendments, there is a risk that the rules and processes for the conduct of Council and Council Committee meetings do not align with practice, may not be sufficiently broad enough to allow for innovation and greater use of technology, and errors in the current text remain. No risks are identified with proceeding with the changes to the Council Committee structure and mandates.

ATTACHMENT(S)

1. Proposed procedural and administrative amendments
2. Proposed Council Committee Governance

**City Manager's Office Report to
Priorities and Finance Committee
2021 July 21**

**ISC: UNRESTRICTED
PFC2021-0888
Page 5 of 5**

Amendments to Council's Procedure Bylaw and Council Committee Governance

3. Previous Council Direction

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Jill Floen	City Solicitor and General Counsel	Approve