



City Clerk's/Law Department Report to
Council Calendar Task Force
2016 December 13

ITEM:

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CITY CLERK'S OFFICE

ISC: UNRESTRICTED
CTF2016-0954
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SPEAKER OF COUNCIL LEGISLATIVE MODEL

EXECUTIVE SUMMARY

As part of the Councillor Calendar Task Force review of the workflow and scheduling the concept of a Speaker of Council Legislative Model was raised as a possible opportunity to explore for Council Meetings. This report outlines the steps required in the evaluation of this model and considerations to be given to its relationship with existing work underway in the approved Legislative Governance Workplan.

CITY CLERK'S RECOMMENDATION

That the Council Calendar Task Force recommends that Council direct the City Clerk to report to the Priorities and Finance Committee no later than the end of 2017 May with options to consider for possible incorporation of a legislative model inclusive of a Speaker of Council along with a proposed implementation plan.

PREVIOUS COUNCIL DIRECTION / POLICY

At their 2016 November 28 Regular Meeting, Council adopted the following motion,

"...that the Council Calendar Task Force Recommendation 4, as follows, contained in Report CTF2016-0920, with respect to a Speaker for Council, be referred back to the Council Calendar Task Force for an update from the City Clerk and the City Solicitor no later than 2016 December 31:

"4. Request Administration to consult with Law and look at best practices for speakers system in conducting Council Meetings."

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In order to evaluate a speaker legislative model, the City Clerk's Office is proposing that the following work be undertaken:

- Review of best practices of existing speaker legislative models;
- Engagement with Council on objectives to be achieved under this model, input to the options for speaker and the extent of powers exercised by this position;
- Consultation with the Law Department on legal considerations and execution requirements of defined speaker model options;
- Evaluation of timing considerations with respect to other changes to the legislative process currently underway such as the major Procedure Bylaw review and the implementation of a new legislative management system; and
- Obtain a subject matter expert opinion such as that of a Registered Parliamentarian

A high level timeline proposed for this work is contained in the Attachment.

The City Clerk's Office conducted a preliminary scan of Cities where a Speaker model is in place to conduct Council Meetings. Toronto and Winnipeg were identified in this initial scan and the early review provided insight to how diverse the options for incorporating a speaker model can be. This drove the need for the City Clerk's Office to propose engagement with Council Members on the expected objectives to provide potential options. For example, some of the options to consider could include:

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- Continuing to have the Mayor preside over Council Meetings,
- Nomination of a Speaker from Members of Council; or
- Appointment of a non-member speaker to preside over Council meetings.

It will be necessary to obtain direction on the type of speaker model and the extent of the powers afforded this position through engagement with Members of Council.

Early review in consultation with the Law Department indicates that the default rule under the *Municipal Government Act* is that the Chief Elected Official presides over Council Meetings, unless the Council provides, by bylaw, that another Councillor or other person preside. The current Procedure Bylaw 44M2006, as amended ties the presiding role to the Mayor and would require amendment. Given the stage of the major procedure bylaw review project, it is recommended that work continue without consideration to the impacts of a different presiding officer while the investigation of the speaker model options is conducted.

An additional consideration that factored into the proposed timeline is Council's consideration as to whether input from a newly elected Council in 2017 is required. Through delivery of best practices and options for a speaker model to the May Priorities and Finance Committee, consideration could be given to next steps in decision making, possibly through referral to the Organizational Meeting of Council.

Stakeholder Engagement, Research and Communication

The City Clerk's Office will continue to work with the Law Department and recommends engagement with Members of Council on their expectations and objectives to be achieved through a possible change to a legislative speaker model.

Strategic Alignment

The evaluation of a speaker model aligns with Council's priority of a well-run city: "Calgary's government is open, responsive, accountable and transparent, delivering excellent services at a fair price. We work with our government partners to ensure we have the tools we need" (*Action Plan 2015-2018*).

Social, Environmental, Economic (External)

None

Financial Capacity

Current and Future Operating Budget:

Contingent on a reporting schedule of May this initiative can be completed within existing resources of the City Clerk's Office and the Law Department.

Current and Future Capital Budget:

None

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Risk Assessment

Without full analysis and engagement with Council conducted in the development of options, the result would be an uninformed decision on a key element of the legislative process.

REASON(S) FOR RECOMMENDATION(S):

When considering a shift in the presiding role of Council meetings, it is appropriate to evaluate best practices and engage the parties most impacted to gather feedback on options available and the extent of powers provided to this potential new role.

ATTACHMENT

High Level Proposed Timeline for Speaker Legislative Model Evaluation