

## Procedure Bylaw Amendments – Closed Meetings

### RECOMMENDATION(S):

That Council give three readings to proposed Bylaw 57M2022 in Attachment 1 to amend Procedure Bylaw 35M2017 and remove the standing authorization for Council Members' staff to attend Closed Meetings of Council and Council Committees.

### HIGHLIGHTS

- This report implements Council's direction for Administration to present amendments to Procedure Bylaw 35M2017 to remove the standing authorization for Council Members' staff to attend Closed Meetings of Council.
- What does this mean to Calgarians? The proposed change to the Procedure Bylaw improves alignment between Council's procedures and the general duty that Council Members have under section 153(e) of the *Municipal Government Act* ("MGA") to maintain the confidentiality of Closed Meeting discussions and materials.
- Why does this matter? Eliminating the ability of Council Members' staff to attend Closed Meetings of Council reinforces Council's duty under the MGA to keep matters that are discussed in private confidential.
- Procedure Bylaw 35M2017 currently provides standing authorization for Council Members' staff to attend Closed Meetings of Council.
- Background and Previous Council Direction is included as Attachment 2.

### DISCUSSION

Section 153(e) of the MGA states:

General duties of councillors

153 Councillors have the following duties:

- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;

The same principles respecting confidentiality arise with respect to the attendance of Council Members' staff at Closed Meetings of Council Committees as exist with respect to Council Meetings; therefore, the proposed Bylaw amendment eliminates the ability of Council Members' staff to attend Closed meetings of Council and Council Committees. This change does not impact the ability of Council or Council Committees to allow one or more people to attend a Closed meeting as it considers appropriate, in accordance with section 197(6) of the MGA.

Further, since Council Members' staff will no longer have standing authorization to attend Closed Meetings, they will also no longer have access to confidential Closed Meeting materials for Council and Council Committees in eScribe.

**Law, Legislative Services and Security Report to  
Combined Meeting of Council  
2022 December 20**

**ISC: UNRESTRICTED  
C2022-1367  
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**EXTERNAL ENGAGEMENT AND COMMUNICATION**

- |  |   |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken        | <input type="checkbox"/> Dialogue with interested parties was undertaken                |
| <input type="checkbox"/> Public/interested parties were informed | <input checked="" type="checkbox"/> Public communication or engagement was not required |

**IMPLICATIONS**

**Social**

Not Applicable

**Environmental**

Not Applicable

**Economic**

Not Applicable

**Service and Financial Implications**

**No anticipated financial impact**

**RISK**

Eliminating the ability of Council Members' staff to attend Closed Meetings of Council and Council Committees improves procedural protections for the confidentiality of Closed Meeting discussions and materials, and demonstrates Council's commitment to protect the confidentiality of matters discussed in Closed Meetings.

**ATTACHMENT(S)**

- Proposed Bylaw 57M2022**
- Background and Previous Council Direction

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Jill Floen, City Solicitor and General Counsel	Law, Legislative Services and Security	Approve
Kate Martin, City Clerk	Law, Legislative Services and Security	Approve