

**Law and Legislative Services Report to
Strategic Meeting of Council
2018 July 04**

**ISC: UNRESTRICTED
C2018-0788
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Remote Participation in Council and Committees

EXECUTIVE SUMMARY

This report presents considerations for establishing remote participation in Council and Council Committee meetings by Members of Council.

ADMINISTRATION RECOMMENDATIONS:

That Council:

1. Adopt the remote participation process outlined in Attachment 2 for immediate use by Members of Council; and
2. Direct Administration to include this process in upcoming amendments to Procedure Bylaw 35M2017 and return to Council with those amendments no later than Q4 2018.

PREVIOUS COUNCIL DIRECTION / POLICY

At the Regular Meeting of Council on 2018 May 28, Council approved the resolution in Notice of Motion C2018-0692 directing "Administration to continue with the work already underway on these initiatives, as follows: Participation-focused improvements for meeting attendance, including but not limited to remote participation, or electronic voting, etc."

BACKGROUND

Legislation

Section 199 of the *Municipal Government Act* (MGA) permits meeting through electronic communications.

199(1) A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities if

- (a) notice is given to the public of the meeting, including the way in which it is to be conducted,
 - (b) the facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place, and
 - (c) the facilities enable all the meeting's participants to watch or hear each other.
- (2) Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

1994 cM-26.1 s199

The opportunity to use remote participation as a contingency for Members who are unable to be present at Council or Council Committee meetings has been informally discussed for several years by Council. As it is permitted in the MGA, there is no requirement to amend the Procedure Bylaw 35M2017. However, with the forthcoming amendments to the Procedure Bylaw, there is an opportunity to include the recommended procedures for ease of reference and transparency for members of the public, Administration or Council who wish to understand the process. Even without amending the Procedure Bylaw though, adopting recommendation 1 will allow Members of Council to immediately benefit from the process outlined in Attachment 2.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

Municipal Scan

A municipal scan, included as Attachment 1, was conducted with eight Canadian municipalities to learn if and how remote participation is administered. The scan includes:

- City of Edmonton
- Strathcona County
- City of St. Albert
- City of Toronto
- City of Regina
- City of Victoria
- City of Hamilton
- City of Vancouver

Key findings on matters such as the type of communication facility used, quorum, speaking queue, voting, procedures, and standards of practice have informed the list of process considerations below.

Identified Best Practices from Municipal Scan

- Councillors are considered present at the meeting, but do not count towards quorum.
- Quorum must be met by those Members physically present at the meeting location to avoid quorum being contingent on remote members that may be lost in the event of technological issues.
- Headsets provide better audio quality than speakerphones.
- Remote participants call-in from a quiet space with a closed door.
- Remote participants are added to the speaker's queue in either the first position, or the last position.
- The Clerk ensures the remote participant's vote is recorded.
- Remote participation is used as a contingency, not as a standard method for participating in meetings.
- Participation in closed meetings: the municipal scan shows a split between municipalities that do and do not allow for remote participation in closed meetings.
 - In the municipalities that do not allow participation in closed meetings, there is concern about the logistics of a remote participant, the ability to ensure that they are in a private location, and that all information and discussions are confidential.
 - In the municipalities that allow participation in closed meetings, there is a reliance on the outlined procedures to ensure information and discussions remain confidential.

City Clerk's Observations and Recommended Process Considerations

- Remote participation should be used as an exception and should not be a regular occurrence.
- Remote participation is available in Closed Meetings.
- Remote participants must ensure they are within a secure location to avoid inadvertent disclosure of confidential discussions, this includes ensuring that no one can hear or record comments made by any Member of Council.
- Remote participation is available in Public Hearings; however voting is not. Remote Members will not have access to any public presentations or paper distributions received

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at the meeting, and this restricts the information available to the members participating remotely.

- Having more than one remote participant will make it more challenging to logistically and procedurally administer the Meeting.
- Technological failure (e.g., poor connection or poor audio) may impede the ability to participate remotely.
- Recorded votes will need to be administered by the Clerk. This could add time to determine voting results.

Encouraging Members of Council to participate using a headset and in quiet locations with a closed door will support higher quality audio. This will help ensure that the closed captioning system will record, as well as result in a better experience for the participant, Members, Administration, and the public present at the meeting and watching the live-stream/video.

Attachment 2 outlines the recommendations for Members of Council's participation in Council and Council Committee meetings.

Stakeholder Engagement, Research and Communication

Administration consulted with other municipalities for both a logistical and procedural perspective.

Strategic Alignment

This report 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."

Social, Environmental, Economic (External)

Ongoing work in refining and updating Council procedures contributes to a more efficient and well-run city, as well as improved accountability and transparency.

Financial Capacity

Current and Future Operating Budget:

There are no current and future operating budget impacts.

Current and Future Capital Budget:

Current capital budget for the design and installation of the system in Council Chambers is approximately \$4,000, and will come from existing City Clerk's budget. Smaller committee rooms, the Council Boardroom and the Council Chamber Lounge will use existing telephone/speakerphone technology.

Risk Assessment

Operational risks have been identified and will be managed by both the participant and Administration.

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REASON FOR RECOMMENDATIONS: Remote participation will allow Members of Council to participate in meeting discussions, debate and outcomes, regardless of physical location.
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ATTACHMENTS

1. Remote Participation Municipal Scan
2. Process for Members of Council's Remote Participation in Council and Council Committee Meetings