



Report Number: C2018-1218

Meeting: Regular Meeting of Council

Meeting Date: 2018 October 15

NOTICE OF MOTION

RE: Reforming Council's Closed-Door Meetings

Sponsoring Councillor(s): Councillor Jeromy Farkas

WHEREAS Calgary City Council (Council) is a democratically elected body, and must be accountable to the citizens of Calgary;

AND WHEREAS the Municipal Government Act requires all meetings of Council to be open to the public, with limited exceptions made such as for personnel issues, legal matters, business dealings such as land sales, or proprietary information;

AND WHEREAS as reported in the media and by academic institutions, Council's use of closed-door meetings has increased exponentially over recent years;

AND WHEREAS the public is owed as a clear line-of-sight as possible into Council's decision-making process and the use of public funds;

AND WHEREAS a new dedicated boardroom was constructed to facilitate Council's in camera and strategic sessions as part of the \$2.65 million renovation and creation of the new Calgary Power Reception Hall, but to date a public tour has not been conducted;

AND WHEREAS the practice has been that closed-door meetings may be convened through a simple "voice vote" without a clear affirmative indication of intent from every Council member present, and without a clear indication of the relevant Freedom of Information and Protection of Privacy Act legislation enabling clauses;

AND WHEREAS Calgarians have no recourse or ability to challenge the appropriateness of Council's use of closed meetings, unlike jurisdictions such as the Province of Ontario that have adopted practices enabling third-party investigation of complaints regarding the appropriateness of municipal closed meetings;

AND WHEREAS the majority of Council's confidential agenda items occur as verbal-only reports with no "paper trail";

AND WHEREAS through the adoption of C2018-0405 on April 5, 2018 Council directed administration to report on the categories of matters that have been discussed in closed meetings of Council along with information about governance best practices to assist in decreasing the amount of time Council spends in closed meetings while still ensuring that personal privacy be protected;

NOW THEREFORE BE IT RESOLVED that Council directs Administration, through its review of governance practices used by other Canadian municipalities, to also explore the viability and legality of the following potential reforms:

1. Requiring closed meetings to begin only with the roll call or recorded vote of each City Councillor being put on the record as for (or against) with a clear legal reason;
2. Requiring at least a basic paper record of every confidential Agenda item;
3. Implementing a “sunset clause” so that confidentiality must be lifted after the matter is resolved or after a certain period of time;
4. Allowing any elected Councillor to bring in assistance such as independent legal counsel, the ethics advisor, the Integrity Commissioner, or provincial oversight to a closed-door meeting;
5. Implementing an investigation process where members of the public or elected Councillors can challenge whether a closed-door meeting was properly convened; and
6. Recording audio and visual of closed-door meetings so that they can be later reviewed if necessary.

AND FURTHER BE IT RESOLVED that Council directs Administration to conduct a yearly public tour of Council’s in camera meeting spaces such as the Council Board Room and Council Lounge; to begin no later than Q4 2019.