



THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEDURAL BY-LAW REVIEW COMMITTEE
AGENDA

PBLRC 1-2019

Wednesday, April 10, 2019

3:00 p.m.

Campbell East (CE) 101

Niagara Region Headquarters, Campbell East

1815 Sir Isaac Brock Way, Thorold, ON

Pages

1. CALL TO ORDER

2. DISCLOSURES OF PECUNIARY INTEREST

3. SELECTION OF COMMITTEE CHAIR AND VICE CHAIR

3.1 Call for Nominations for Committee Chair

3.2 Motion to Close Nominations for Committee Chair

3.3 Voting for the Position of Committee Chair

3.4 Call for Nominations for Committee Vice Chair

3.5 Motion to Close Nominations for Committee Vice Chair

3.6 Voting for the Position of Committee Vice Chair

4. PRESENTATIONS

4.1 Overview and History - Procedural By-law Review Committee
Ann-Marie Norio, Regional Clerk

3 - 9

5. DELEGATIONS

None.

6. ITEMS FOR CONSIDERATION

None.

7. CONSENT ITEMS FOR INFORMATION

7.1 PBLRC-C 1-2019 10
 Procedural By-law Review Committee History

7.2 PBLRC-C 2-2019 11 - 29
 Procedural By-law Review Comparison Chart: Selections, Options and
 Considerations

8. OTHER BUSINESS

9. NEXT MEETING

The next meeting will be held at the call of the Chair.

10. ADJOURNMENT

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisory Coordinator at 905-980-6000 (office), 289-929-8376 (cellphone) or accessibility@niagararegion.ca (email).

Procedural By-law Review

April 10, 2019

History:

Procedural By-law Review Steering Committee was established in 2015 with the following goals:

- i. develop recommendations for change and a public and Councillor consultation process
- ii. conduct work in accordance with Council's approval;
- iii. submit a report to Council for policy approval; and
- iv. draft and submit by-law, processes and procedures

Work to Date:

2015: One meeting held

2016: Eight meetings

2017: Nine meetings

Review of major themes of the by-law with a goal to land on changes to the by-law to be presented to Council for consideration.

Stakeholder Engagement – public meetings at which community members delegated and special Council meeting respecting Code of Conduct

Summary of proposed changes and redlined version was prepared for Committee to consider.

Key Facts

- Subsection 238 (2) of *The Municipal Act, 2001*, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.
- There is little prescription in Section 238.
- Regional Council's Procedural By-law was enacted in 2010 and is composed of 45 pages including the Code of Conduct. It has been amended 19 times.
- The Committee was tasked to review the Procedural By-law to develop simplified and streamlined processes and procedures, easier access to documentation while recognizing legislative requirements, access and transparency.

Effect on Stakeholders

The Procedural By-law affects multiple stakeholders:

- The Public
- Regional Council
- Regional Chair
- Chief Administrative Officer
- Area Municipalities and Agencies, Boards and Commissions
- The Media

Committee Goals

1. Revised By-law which would include:

simplified provisions, plain language, reduced prescription, facilitate faster decision-making, reflect legislative requirements, support accountability and transparency

2. Develop new processes that would support the new procedural by-law as well as provide effective meeting management including:

clear processes, documented rationale for processes, simplified processes and procedures

Next Steps

- Prepare new by-law with Committee input
- Present draft by-law to Procedural By-law Review Committee for review and approval
- Present by-law at Committee of the Whole for Council's consideration

MEMORANDUM

PBLRC-C 1-2019

Subject: Procedural By-law Review Committee History

Date: April 10, 2019

To: Procedural By-law Review Committee

From: Ann-Marie Norio, Regional Clerk

The Procedural By-law Review Committee (PBLRC) was established by Council in 2015 with the following goals:

- (a) Develop recommendations for change with a public and Councillor consultation process;
- (b) Conduct work in accordance with Council's approval;
- (c) Submit a report to Council for policy approval; and
- (d) Draft and submit a by-law for Council consideration.

The Committee held 18 meetings, including public consultation, and developed a Procedural By-law Review Comparison Chart: Selection, Options and Considerations. The Chart contains 52 themes and the selected options were highlighted in yellow. Through each meeting staff were directed to undertake research and consultation to include the directions and chosen options for inclusion in a proposed Procedural By-law.

The Committee had a meeting scheduled on March 19, 2018, to review a redline version of the By-law showing the proposed changes as directed by the Committee. The intention was to have the Committee approve the by-law and then hold a Committee of the Whole meeting to allow Council to consider those suggested changes. Unfortunately the meeting on this date did not achieve quorum and the work of the Committee stalled.

Committee members will recall that there have been some recent amendments to the By-law to ensure compliance with legislative changes. In total, the By-law has been amended 19 times, creating a document that is cumbersome to manage and difficult to read. As a result, the recommendation is that a new By-law be prepared. This will allow staff the opportunity to make housekeeping and legislative changes in addition to those suggested by the Committee. If Committee is supportive of this approach, staff will begin work on a new by-law, with continued input from the Committee.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
1 Guiding Principles S. 2 - "General"	Maintain status quo - no principles articulated	James Lochrie's General Principles of Parliamentary Law Do not include in the by-law Note in the final report that the committee was guided by these principles.		When principles are included in by-laws they can be in conflict with each other or have unintended consequences Possible copyright issues to use Lochrie's principles verbatim Copyright has an expiry time which may or may not apply to Lochrie's General Principles .	
2 Parliamentary Authority S. 2 - "General"	Maintain status quo - continue to use Bourinot's Rules of Order	Change to other Parliamentary authority used by majority of area municipalities, specifically Robert's Rules of Order	Select another Parliamentary authority - James Lochrie	No single Parliamentary authority can contemplate every situation Two of the largest municipalities use Bourinot's Rules of Order It is helpful to consult with people using the same Parliamentary rules At this time, most members of Council are familiar with Bourinot's rules Implementing new parliamentary authority would raise education and training issues and may have unintended consequences	

PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
3 Chair Ex-Officio s. 4.5 in "Role of the Chair"	Maintain status quo - Chair counts in membership number and in determination of quorum	Regional Chair ex-officio on all committees with full voting and participating rights (unless otherwise stated in a committee's terms of reference) but does not count in membership number or quorum (either for or against)	Regional Chair ex-officio on standing committees only Chair would have full voting and participating rights and be included in the membership number, and count towards quorum (for and against) Alternatively, if the Chair wanted to be on a sub-committee, then he would put his name forward and it would be voted on like the other council members	Full voting / participating member when he is in attendance Could be less confusing to say he is ex-officio on all committees (including standing) but doesn't count in membership or quorum (i.e. doesn't make or break quorum) Many sub-committees seem to be short in achieving quorum by one member. Removing the Chair from counting in the membership and quorum of these sub-committees may help them achieve quorum and conduct business The Chair, in some situations, assists in gaining or maintaining quorum If the Chair assists in gaining or maintaining quorum could result in confusion when he leaves the meeting and there is no quorum; does the meeting adjourn at that point? May also put the Chair in an awkward position if he needs to leave but will cause a loss in quorum	

PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
4 Chair Voting	Maintain status quo - Sec 4.6 - The Chair shall only vote in a Council meeting to break a tie vote	Regional Chair votes during all recorded votes - including at Council	Regional Chair votes on every vote	A sense of impartiality is created with the Chair not voting Each member of Council is entitled to a vote and voting provides the opportunity to be accountable for decisions No other requirements of past legislation apply (i.e. Region of Niagara Act).	
5 Schedule and Time of Meetings S. 5 - "Regular Meetings of Council and Committee of the Whole" S. 22 - "Committees"	Maintain status quo - 3-week cycle and time of Council meetings and add wording in PBL related to 3-week cycle	Start Council meetings earlier	Change to a 2- or 4-week cycle	Changing from a 3-week cycle is problematic in that there are limited times when the area municipalities would not be meeting Starting Council earlier would allow more time for Council to do its business but may be problematic on timing for members The difficulty with starting early is there is no guarantee it will not go equally late	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
6 Reports/Agenda Items s. 22.15 and 22.16, in "Committees", Sec 11.3	Maintain status quo of 22.15 and 22.16 Provide hardcopies of addendums Add rules surrounding addendum items More rigorous with deadlines to minimize late reports Consider motion to add addendum items; amendment to agenda to add each addendum item Develop options for timing of agenda release day (i.e. Monday of week of Council meeting vs Friday week before)	Include report deadlines and addendum criteria in the By-law Vaughan s. 6.4: An item that is not on the agenda for Council as printed shall require a unanimous vote of the members present to be added to the agenda	Do not include a reference in the PBL for report deadlines or addendum criteria. Develop internal staff procedures for these matters	Adjust report deadlines so that reports are written closer to the date of a meeting. Adjust deadlines for committee items and include deadlines in the by-law to be consistent with noted deadlines for Council agenda items Requiring a motion to introduce late items would reduce flexibility	
7 Committee Rules of Procedure S. 22 - "Committees"	Maintain status quo Sec 22.14: The Rules of Procedure contained in this By-law shall be observed in Committee meetings, with necessary modifications, except that: (a) the number of times a Member may speak on any question shall not be limited; (b) the length of time a Member may speak on any question shall not be limited; (c) written Notices of Motion are not required; and (d) Members shall not be required to stand to speak	Standing Committees have the same set of rules as Council, as much as possible, and set out in the Procedural By-law 5-minute speaking limit at Council 10-minute speaking limit at committee and COTW, may only speak once unless granted leave of committee	Not all rules of Council should be applied to standing committee (i.e. speaking length and curfew, etc.). Request staff to develop committee rules that reflect this Committees other than Standing Committees have slightly different set of rules - allows for more flexibility	Not all rules of Council should be applied to committee Provide flexibility in procedural rules for the sub-committee level Need to balance flexibility with consistency Develop some consistency in rules between various meeting groups (i.e. Council, standing committee, committee of the whole, sub-committees) Another option is that Councillors be given unlimited time to gain information (i.e. questions on the report) but limited "debate time"	

PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
8 Motions, General S. 19 - "Motions"	Maintain status quo of Section 19.1 Ensure related items in Theme 28 "Notices of Motion" are addressed.	Do not require motions to be in writing	Require Councillors to provide Clerk's with motions/amendments during meeting for display when possible	Option 2 may lead to a lack of clarity of what council or committees are voting on Revise requirement that a motion can be withdrawn at the permission of Council - simplify so that a mover can withdraw motion on own accord	
9 Friendly Amendments s. 19.10 in "Motions"	Maintain status quo Procedural By-law is silent	Develop definition of friendly amendment for example: Define as: "Friendly amendment means an amendment put forward by a Member that is accepted by the mover and seconder of the motion as a change that can be incorporated into the motion as if that wording was part of the motion that was initially put on the floor for consideration" If the mover and/or seconder do not agree with a friendly amendment, then it can be put forward as a formal amendment to change the wording as desired * Ensure it does not change the spirit or intent of the motion but rather clarifies and improves the intent * Allow Clerk to make minor changes * Only allow at committee	Do not permit friendly amendments - all changes to wording would be addressed via formal amendments, moved, seconded and voted on	Friendly amendments can help business quickly proceed This whole subject area raises the question of seeking input in advance of wording motions. Not for substance, but for clarity	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
10 Curfew - Council	Maintain status quo - 10:30 p.m. unless extended to 11 p.m. by an affirmative vote of the majority of Members present Change 19.6 to have extend curfew as first priority motion Consider including curfew info in 16.5	Permit extension past 11:00 p.m. without 2/3 requirement	Set curfew at 10:30, no 1/2 hour extension, just go right to suspending rules but have the members specify the end time or what specific items are to be dealt with	The Committee is considering limiting the length of meetings through other mechanisms (i.e. speaking time, delegations, etc.) which may reduce the need to change curfew rules Consider permitting extensions to consider specific items only, deferring remaining items to the next meeting	
11 Curfew - Committee s. 5.4 in "Regular Meetings of Council and Committee of the Whole"	Maintain status quo Procedural By-law is silent	3-hour curfew with maximum extension of 30 minutes; no suspending of rules to go beyond 3.5 hrs	2.5-hour curfew with maximum extension of 30 minutes; no suspending the rules to go beyond 30 minute extension.	Curfew for all committee meetings allows members a break between meetings (especially during standing committee meetings) Curfew for committee meetings may result in more focused discussion and decision-making	
12 Informal Meetings in the event of no Quorum being achieved	Maintain Status quo Procedural By-law is silent; however, currently, any members present continue to meet informally	Explicitly preclude such informal meetings in the PBL	Allow informal meetings but provide specific rules surrounding what can and cannot take place. Include rule on how to formally adopt a presentation at a subsequent meeting (i.e. include presentation slides as correspondence item with covering memo).	Risk that these informal meetings might be construed as meetings in the event of an open meeting complaint. Informal meetings must remain open to the public. No closed session matters may be discussed informally. Consider amendments proposed by Bill 68.	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
13 Quorum - Achieved, Lost or Regained S. 8 - "Quorum"	Maintain Status quo of Sections 8.3 and 8.4 Include flexibility for meeting to continue informally (i.e. if lost during the delivery of a presentation)	No time limit if quorum is lost, Committee Chair is to determine if quorum can be found	Loosen quorum requirements at advisory committees (i.e. adjust quorum from 50% plus 1 to a different percentage of members)	If there is no fixed time for loss of quorum there may be a lack of transparency and potentially members may be waiting for much longer than 15 minutes to regain; not a valuable use of members' time Concerns about quorum lost being used during a meeting as a political tool Implement an audible sound in areas around Council Chamber when quorum is lost or when need to call back the members Consider amendments proposed by Bill 68.	
14 Speaking Length/Number of Times at Council s. 16.4 in "Rules of Debate"	Maintain status quo	Limit speaking time to five (5) minutes in Council meetings	Limit speaking time to five (5) minutes in Council meetings but permit speaking a second time with leave of a majority of Council At the Chair's discretion whether to offer the mover of a motion the opportunity to speak last.	Debate and questioning should be encouraged at Committees Limiting time may restrict or frustrate debate and information gathering Should length of time for staff to speak be limited? Members' speaking time should not include responses from staff (raises issues about tracking the time)	
15 Speaking Length/Number of Times at Committee s. 16.4 in "Rules of Debate"	Maintain status quo	Limit speaking time to five (5) minutes in Committee meetings but allow increased speaking time with leave of Committee	Limit speaking time to five (5) minutes but can speak a second time after all members who wish to speak for a first time have done so	Should length of time for staff to speak be limited? Members' speaking time should not include responses from staff (raises issues about tracking the time) Limiting time may restrict or frustrate debate and information gathering	Option 3 from Theme 14 but altered as follows: Limit speaking time to ten (10) minutes in Committee meetings but permit speaking a second time for a maximum of five (5) minutes with leave of the majority of Committee. Provide more flexibility with speaking time and number of times at subcommittee meetings. At the Chair's discretion whether to offer the mover of a motion the opportunity to speak last.

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
16 Presentations s. 13.9 in "Delegations and Presentations"	Maintain status quo	Limit presentations to 5 minutes and maintain current process of limiting the number of presentations on an agenda	Set time limits for questions to presentations at council or committee to a pre-determined time	<p>Clearly define "presentation" (i.e. presentations are for ceremonial and protocol related matters) to supplement current definition</p> <p>Require speaking notes submitted prior to issuance of agenda</p> <p>An alternative is to eliminate questions/comments entirely</p>	Use the definitions of ceremonial presentation and presentation from the City of Vaughan Procedural By-law with wording from subsection 2.4(2) be included subject to any necessary modifications, including the removal of the word "jurisdiction".
17 Delegations S. 13 - "Delegations and Presentations"	Maintain status quo	<p>Delegations permitted at Council (5 minutes).</p> <p>Delegations permitted at Committee (10 minutes).</p> <p>Max. of three delegates per topic at Council with max. of five delegates in total at one meeting.</p> <p>Council delegations are determined on a first come first served basis.</p> <p>A member is only permitted to ask questions of a delegate for five minutes.</p> <p>Not permitted to appear as a delegate on matters that Council has already decided upon.</p>	<p>No delegates permitted at Council - must go to standing committees</p> <p>Comments can be received through correspondence</p>	<p>Desire to tighten criteria that would allow delegations at Council but with greater focus and transparency</p> <p>No delegates at Council if already was a delegate at Committee, regardless of new information. Must provide new information via correspondence.</p> <p>Deadline for submitting delegation request not in alignment with the time to post the agenda.</p> <p>Require delegates to provide details about the message to be delivered; submit presentation materials (i.e. speaking notes, slide deck) at time of request or before agenda publication; create a mandatory delegation request form (electronic or hardcopy) that must be completed; online form has ability to upload attachment</p> <p>Reduce or impose a time limit for cllrs' questions to delegates</p> <p>Clearly define "delegate" and "detailed brief"</p> <p>Provide options for a person to delegate in alternate methods (i.e. video, letter, etc.)</p> <p>Could be perceived by public that council is cutting off contact</p>	<p>Prepare definitions of Presentations and Delegations</p> <p>Differentiate between ceremonial, staff, consultant, ABC, public-driven presentations</p> <p>No questions/discussion on ceremonial presentations</p> <p>Limit to five (5) minutes delegations and 10 minutes for questions</p> <p>Establish triage rules similar to other municipalities (i.e. Hamilton, Oxford)</p> <p>Establish rules of decorum for public delegating or just attending.</p>

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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
18 Reconsiderations s. 19.16 in "Motions"	Maintain status quo 2/3 members of present	Establish higher standards - 2/3 of all members of council	Establish that cannot waive notice requirement for reconsideration motions	Setting of higher standards/requirements reflects the gravity of revisiting Council's decision after its deliberations Higher standards may reduce flexibility Not waiving notice requirement allows staff to thoroughly research the matter to ensure the reconsideration is valid	Use the definition of a motion to reconsider from the County of Simcoe Procedural By-law.
19 Code of Conduct appendix to PBL S. 15 - "Code of Conduct"	Maintain status quo	Establish Code of Conduct as a separate by-law		The Code of Conduct is subject to review Including the Code of Conduct in the PBL provides ease of reference - one-stop source of Council-related policy	
20 Committees/Meetings under the Municipal Act	Maintain status quo	Amend the PBL to conform with the requirements of the Municipal Act		PBL definition for the application of open meeting requirements exceeds the legislated requirements of the Municipal Act and establishes a far higher bar (reference Ombudsman Report dated May 13, 2015) Maintaining status quo may lead to the risk that any meeting not open to the public might be construed as an illegal meeting in the event of an open meeting complaint	
21 Definition of Committee s. 1.1 (d), (e), (j), (aa) in "Interpretation"	Maintain status quo	Revise the definition of standing committee: "Standing committee means a committee composed of Members and directly aligned to a department of Niagara Region." Add reference to by-law to establish standing committees (BL 35-2014)	Definition based on York Region and City of Hamilton: Committee means any advisory or other committee, subcommittee or similar entity established by Council of which at least 50% of the members are also members of Regional Council, and including but not limited to COTW, Standing Committee, a special Committee or Task Force	Clarify definition of standing committee so that it reflects those aligned to Corporate departments Align definition of committee to the requirements of the Municipal Act, specifically: s238(1) Committee - defined "committee means any advisory of other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards"	Prepare definitions of committees, including standing committees Consider definitions that will provide some informality/flexibility in how a subcommittee conducts its meetings Consider listing the name of the standing committees in the definition or body of by-law

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
22 Mechanisms to Limit Debate S. 16 - "Rules of Debate"	<p>Calling the question: include language that will provide for a clear distinction between the mover of the motion and the "next speaker" (s. 19.15 in "Motions"); specifically, the first speaker to a motion cannot call the question or close the speakers list to limit debate.</p> <p>The mover of a motion must specify whether or not he/she wishes to speak to the motion.</p> <p>Increase the parameters for "calling the question" (s. 19.15 in "Motions")</p> <p>Clarify rules surrounding closing the speakers list</p>		<p>Include a provision on a per meeting basis to shorten amount of time for questions/debate</p>	<p>A motion to call the question can be floored when there are X number of speakers or less on the speakers list</p> <p>Combine rules to close speakers list with rules to call the question</p>	
23 Motion to Refer s. 19.11 - "Motion to Refer"	Maintain Status Quo	Permit the debate of the reasoning behind a member putting forward a motion to refer or defer	Increase education about the term "refer"	<p>Terminology of referrals/deferrals requires greater education</p> <p>Opening up debate on the reasoning behind a member putting forward a motion to refer/defer will increase meeting length</p>	Use the definition from the City of Vaughan Procedural By-law and require that a motion to defer include the word "direct".
24 Motion to Defer s. 19.13 - "Motion to Defer"	<p>Maintain Elements of Status Quo</p> <p>Align with rules surrounding a motion to refer so no or few differences (i.e. debatable for specific reasons, not amendable).</p> <p>Debatable only with respect to the rationale for or not for delaying the decision.</p>	Permit the debate of the reasoning behind a member putting forward a motion to refer or defer	Increase education about the term "defer"	<p>Terminology of referrals/deferrals requires greater education</p> <p>Opening up debate on the reasoning behind a member putting forward a motion to refer/defer will increase meeting length</p>	Use the definition from the City of Vaughan Procedural By-law and require that a motion to defer include the word "postpone".

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
<p>25</p> <p>Recorded votes</p> <p>s. 20.10, 20.11, and 20.12 in "Voting Procedures"</p>	Maintain status quo	Consider all votes at Council to be recorded votes, save for those on procedural motions	<p>Recorded votes only permitted at Council</p> <p>Peel Region: Part VI 2(a) Recorded votes may only be taken during a Regional Council meeting</p> <p>Halton Region: 1.1(ee) "Recorded Vote" means a vote taken in a Council Meeting for which the names of each Member present and whether he/she voted in favour of or against the Motion is recorded in the minutes</p> <p>York Region: s. 22.7 and 23.2 provide for no recorded votes in Committee of the Whole or any of the Committees</p>	<p>Requiring all votes at council to be recorded will slow meeting</p> <p>Staff are currently looking at shortening time to take recorded vote electronically</p> <p>Other models could be considered: not permitting recorded votes at committee but that could lead to lack of transparency and accountability</p> <p>Disallow recorded votes on procedural motions (i.e. call the question, refer, defer, etc.)</p> <p>Option 2 could be considered most appropriate for transparency</p> <p>Reduce amount of time permitted for electronic voting</p>	
<p>26</p> <p>Other Business Listed as Agenda Item</p> <p>s. 11.1 (o) in "Council Agenda"</p>	<p>Maintain status quo</p> <p>Procedural By-law is silent (not defined)</p>	Members to provide items of other business in advance of the meeting to provide staff an opportunity to gather information/response	<p>Change "Other Business" in Council to "Announcements" and require members to submit their announcements to the Clerk in advance of agenda publishing</p>	<p>Does not take into consideration emergent matters</p> <p>Puts onus on members to submit information to the Clerk</p> <p>Significant matters should be brought forward under Notices of Motion - permits greater consideration of issues and openness and transparency to the public</p> <p>Option 2 or Option 3 seem appropriate if this item is not changed to announcements only. Staff would suggest a definition of matters that are time sensitive be developed (as determined by Council vote). Anything not voted as time sensitive should be by Notice of Motion or Notice of New Business Matter both of which would be brought to the next meeting</p>	<p>Use the wording from subsection 18.3 of the Town of Lincoln Procedural By-law entitled "Councillor Enquiries" which includes a provision that no debate be permitted.</p>

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
27 Cancellation of Meetings S. 5 - "Regular Meetings of Council and Committee of the Whole"	Maintain status quo Procedural By-law is silent	Where circumstances warrant, the Chair may cancel one or more regular meetings of Council or Committee if, in the Chair's opinion, such meetings are not necessary for the proper conduct of the business of the Region. It is requested that the rationale for the cancellation be provided whenever possible. Proper notice of the cancelled meeting must be posted.		Consideration should be given to requiring notice of cancellation (i.e. 48 hours) Include wording that would permit the Members to petition to continue with a meeting the Chair is proposing to cancel A cancellation only provides greater transparency and accountability	
28 Notice of Motion S. 18 - "Notices of Motion"	Maintain current wording in addition to Options 2 and 3.	Require motions submitted under Section 18 be seconded before placed on the agenda and indicate on agenda the name of the seconder	Leave it to the discretion of the mover to read or not read the motion in its entirety	Amendments to motions made at meeting, not beforehand Clarify that members can withdraw their motion Not reading could streamline/shorten meeting	
29 Point of Order S. 17 - "Points of Privilege and Order"	Maintain status quo	Define points of order with greater detail. Create separate section in by-law for point of order. Consider using wording from James Lochrie's definitions.		Educate members on points of order through training and/or written material	

PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
30 Point of Privilege S. 17 - "Points of Privilege and Order"	Maintain status quo	Define points of order with greater detail. Create separate section in by-law for point of privilege. Consider using wording from James Lochrie's definitions.		Educate members on points of privilege through training and/or written material respecting respectable behaviour in meetings	
31 Votes Requiring 2/3 Majority s. 2.4 and 2.5 in "General" s. 16.3 in "Rules of Debate" s. 18.2 in "Notices of Motion" s. 19.16(d) in "Motions"	Maintain status quo	Change to 2/3 of all members		Require a higher standard to amend Procedural By-law (i.e. 2/3 of all members)	
32 Requirements to Amend PBL s. 2.5 in "General"	Maintain status quo	Amendments to the Procedural By-law require 2/3 majority of all members of Council	Clarify 2/3 vote must be achieved during policy debate not enactment of the by-law	Consider setting a higher standard for changing portions of the by-law	
33 Inaugural S. 24 - "Post-Election Procedure"	Eliminate prescription to allow more flexibility in planning the event but ensure it aligns to legislative requirements.	Subject to legislative requirements, conduct open vote for Regional Chair	Permit nominees to speak for 10 minutes Permit nominees to be questioned by members but with clear parameters In the event of a tie vote, clarify a new process that would include a 10-minute recess followed by the next vote In the event of a second tie, recess for 10 minutes, on 3rd tie vote the Regional Clerk to pull name from a hat Replace invocation with a moment of silence	More flexibility could allow for the event to be held over two days which would assist the newly elected Chair in making any necessary arrangements	

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Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
34 Council Minutes	Clarify that minutes are presented at Council meetings for adoption purposes of confirming omissions and/or errors. Consider wording motion respecting minutes as "BE ADOPTED" not "BE APPROVED"			Streamline debate Cannot delegate on Council minutes Cannot raise discussion on matters that were already debated as captured in the minutes	
35 Committee Recommendations/Minutes of Meetings s. 14 - "Minutes of Meetings"	Maintain status quo	Work from a summary of committee recommendations at Council as opposed to the sets of minutes (s. 14.6 in "Minutes of Meetings")		Include a consolidated version of a motion in the committee minutes Assign a numbering sequence to final recommendations in committee minutes Minute Number ineffective since there can be a lot of motions contained in one minute item Committees must put forward a recommendation to Council on a matter (i.e. defeated motions = no recommendation) or pass a motion to refer the matter to Council for consideration	
36 Economic Development BL 35-2014	Maintain status quo - report directly to Council	Align with an existing standing committee	Separate committee that would meet following one of the 4 existing standing committees on the legislative schedule	Link with Planning & Development Committee due to ability to view long term planning with an economic development lens Link with Corporate Services Committee due to the initiatives from Economic Development relate to financial matters If stand-alone committee, then schedule every six weeks with meeting dates to fall immediately after Public Health and Social Services Committee	Implement decisions per adoption of Report CLK 05-2017: Economic Development report to Planning and Economic Development Committee

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
37 Councillor Information Requests S. 19 - "Motions"	Maintain status quo	CIRs that are requests for staff to prepare information/reports must be in motion form at Committee and Council		CIRs are sometimes substantive and seems of interest to only one member or another Provide delineation between a CIR and a staff direction. Include language that will guide when a request requires a motion Consider renaming CIRs to "Tasks" to be consistent with eSCRIBE language and the way this mechanism is used	
38 Voting Procedures S. 20 - "Voting Procedures"	Maintain status quo	Permit re-voting to accommodate members who did not sign-in		Staff can lower time for electronic votes Issue of members failing to sign-in and asking to re-vote	
39 Appoint Acting Chairs/Vice Chairs following Election s. 24.6 (c) in "Post-Election Procedure"	Maintain status quo	Eliminate requirement to appoint Acting Chairs/Co-Chairs for the Standing Committees under the premise that the Regional Chair will assist with agenda management for those groups until their Chairs/Vice Chairs/Co-Chairs are selected		Selecting Acting Chairs/Vice Chairs is time consuming and unnecessary when the Regional Chair can provide any guidance to staff	
40 Budget Review Committee Chair/Vice Chair s. 5.9 in "Regular Meetings of Council and Committee of the Whole"	Maintain status quo	Appoint Chair/Vice Chair for the term of Council	Be consistent with the appointments process of Chairs/Vice Chairs for all other committees (i.e. CSC, PHSSC, PWC, PDC) by requiring the appointment of BRC Chair/Vice Chair be made at a meeting of the BRC, not at Council.		

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
41 Council Agenda S. 11 - "Council Agenda"	Maintain status quo - but replace "Invocation" with "Moment of Silence" Adjust deadlines for Council agenda and addendum items 24 hours ahead of existing deadlines	Replace Other Business at Council with Announcements Move Disclosure of Pecuniary Interest to before Adoption of the Agenda Move Adoption of Minutes after Adoption of the Agenda Move Presentations and Delegations to before Chair's remarks	Options outlined in correspondence from Councillor Baty: New Business: provides the ability to have items brought forward that may not be announcements or require notices of motion Moment of Silence: dispense with entirely or specify conditions National Anthem: display most current wording include instrumental accompaniment	Limit number of items submitted directly to Council Include a clause that will give flexibility, as necessary, for putting together the council agenda (i.e. ability to move motions to following delegations on matter) Remove ability to "add items to the agenda" since it seems to lack transparency (i.e. CWCD 429-2016)	
42 Committee Agenda S. 22 - "Committees"	Maintain status quo Order of standing committee agenda not listed in Procedural By-law	Mimic as far as possible the Council agenda i.e. add in adoption of the agenda include order of standing committee agenda in the PBL	Require Other Business items to be in writing Provide more structure for new business Require new business items moved and duly seconded	Include a clause that will give flexibility, as necessary, for putting together the committee agenda Remove next meeting section Include deadlines for items Consider including a Notice of Motion section Some members do not agree with limiting other business at committee since that is where most of their questions / issues can be addressed Continue to encourage members to contact Commissioners with questions on matters that would otherwise be raised in Other Business Perhaps consider a "Business for Future Meeting(s)" section	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
43 Closed Meetings/Recording of proceedings	Maintain status quo	Regional Clerk to audio record Closed Session meetings Legal services to retain audio recordings Staff to work with IT to ensure technology is appropriately configured to record audio from closed session		Not a legislated requirement Considered a best practise by the Ontario Ombudsman to permit easier investigations of Closed meeting complaints Potential legal implications for the corporation There would be potential legal implications to the Corporation and it would ease both investigation and the possibility of finding technical breaches which, by their nature, may be hard to avoid. If undertaken, Legal suggests additional rules, for example, regarding the structure of closed session	
44 Closed Session S. 9 - "Public Access to Meetings" S. 11 - "Council Agenda"	Maintain status quo Keep reference to legislation in the PBL for easier reference Maintain position of closed session on Council agenda	Remove reference to legislation in PBL.		Educate members on how to adopt committee recommendation related to a closed session matter should they wish to discuss the confidential item (i.e. That recommendations from the PWC meeting held on date BE ADOPTED save and except for recommendation #X related to confidential matters etc.) Consider if closed session should be earlier on the agenda which may reduce inadvertent references to matters that should perhaps be in closed session	
45 Committee Consent Agenda s. 22.21 in "Committees"	Maintain status quo Ensure appropriate rules of procedure are enforced			Clarify whether an item in consent agenda needs to be separated to be discussed. Educate members that no motion is needed to separate an item out of the consent agenda as per Sec. 19.18	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
46 Streamlining Provisions	Maintain status quo	Incorporate the policy/procedure contained in Report CLK 04-2015 on committee processes streamlining proposal into the PBL Include procedures for where/how the item is placed on an agenda.	Incorporate the policy/procedure contained in Report CLK 9-2014 on the appointment process to Committees and ABCs into the PBL	Sec. 22.30 and 22.31 and Report CLK 04-2015	
47 Statutory Public Meetings s. 22.32 in "Committees"	Generalize the language so that it applies to any statutory public meeting held at a committee or Council meeting			Include clause that will give flexibility for laying out the order of the public meeting	
48 Temporary Vacancies S. 23 - "Temporary Vacancies"	Maintain status quo - no consideration for temporary vacancies for Regional Councillors	Include provision(s) for temporary vacancies left by regional councillors not holding a mayoral position in a local municipality		Possibly portions of Halton Region's PBL Part 4 - Absence and Alternates would work but in Halton alternates are only appointed for Committees, not Council	
49 Council Weekly Correspondence Distribution no existing section - perhaps create new section	Maintain status quo - no reference in Procedural By-law	Include the policy on the weekly distribution into new by-law		Refer to Report CLK 09-2014	

**PROCEDURAL BY-LAW REVIEW COMPARISON CHART:
SELECTIONS, OPTIONS AND CONSIDERATIONS**

Theme	Option 1	Option 2	Option 3	Considerations	Members' Comments
50 Editorial Changes no existing section - perhaps add to S. 2 - "General"	Maintain status quo Procedural By-law silent	Halton Region: 2.7 Administrative Corrections – by Clerk The Clerk shall be permitted to make minor clerical, typographical or grammatical corrections to any Committee/Council record or documentation, including but not limited to: by-laws, Motions, resolutions, agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of the Committee/Council		Allows for changes that would improve clarity (i.e. amend the names of Committees if noted and subsequently changed); formatting (i.e. bullet numbering)	
51 Alternates at Committee no existing section - perhaps add to section involving general information on Committees	Maintain status quo Procedural By-law is silent	Define rules around rights of alternates		The Transportation Steering Committee and the Agricultural Policy and Action Committee both have members with alternates Halton Region: Part 4 - Absence and Alternates Large section on absences and alternates	
52 Public Decorum at Meetings (including use of signs, placards, buttons, etc.) no existing section	Maintain status quo Procedural By-law is silent	Define rules surrounding public decorum at meetings including use of signs, placards, buttons, etc. based on best practices of other municipalities.		May want to include language that would give the Chair or a Committee Chair the authority to remove a member of the public from a meeting if the person is disrupting the proceedings or in any way breaching the rules of decorum.	