

Date: September 13, 2024

To: **Mayor and Council.**

Name and title: Ethan Anderson, Manager of Legislative Services/Corporate Officer

Subject: Handouts at Meetings and Closed Agenda Posting

Attachment(s): None

Recommendation(s):

That Council CONSIDERS the options described in the report dated September 13, 2024, from the Manager of Legislative Services, titled 'Handouts at Meetings and Closed Agenda Publishing, and DIRECT staff to undertake the option deemed appropriate by Council.

Purpose:

This report is to detail current practice of handouts and closed meetings agendas, and provide perspective of staff in relation to these topics.

Strategic Priorities:

Efficient and effective procedures in relation to decision making of Council support the Strategic Priority of 'Continue to improve processes and practices to support effective and efficient service delivery.'

Discussion:

Council passed the following motion at the August 19, 2024 meeting of Council:

That Council DIRECTS Administration to return for Council's consideration a report to Council addressing the publication of electronic closed regular council meeting agendas on the Wednesday immediately preceding the Monday closed regular council meeting and addressing scenarios and best practices related to the distribution of handouts."

Closed Agenda Publishing

Section 21(5) of the City of Prince George Council Procedures Bylaw No. 8388, 2011 states:

Whenever practicable, the Corporate Officer shall make an electronic agenda available to the members of Council and the public on the Wednesday evening immediately preceding the next Monday regular meeting and on the Friday evening immediately preceding the next Wednesday regular meeting.

The bylaw does not differentiate between closed and open agendas, and both should be published Wednesday where practicable. Currently the process has reports approved by several levels of staff

(i.e. the applicable Manager, Director and the City Manager) and then they can be placed on an agenda by Legislative Services staff.

Legislative Services staff suggest that rather than a bylaw amendment, changes through the operational approval process deadline dates at the various levels of management would be more effective to ensure publishing of the closed agenda on the Wednesday before a meeting.

Legislative Services staff suggest a bylaw change should not be made as some events are out of the control of the Corporate Officer to publish an agenda. Software issues, unexpected staff absences, power outages, or other uncontrollable issues may see a delay in publishing an agenda. Without the caveat of 'where practicable,' if an agenda is not published on a Wednesday, staff would suggest that meeting would then have to be cancelled.

Legislative Services staff would suggest that the most effective direction from Council would be to direct Administration to review the operational approval process to help ensure that closed meetings are published on the Wednesday preceding the meeting (or Friday when the meeting is a Wednesday).

Handouts in Closed Meetings

Handouts are a common occurrence in closed meetings when dealing with sensitive information. Best practice would suggest that Council needs to set a direction based on their comfort. Handouts ensure the most security in confidential information but limit the Council's time with the information (and therefore limits the contemplation of the information in the report).

Legislative Services staff are confident in the security of the City software (if used as intended) for the publishing of the closed agendas. That being said, cybersecurity is ever evolving, and people are typically the weak point for any program security.

Handouts are typically related to restricted items that also exclude a significant number of staff members. Legislative Services staff have worked to create the necessary framework in the closed software to allow for restriction of reports based on role. Therefore, Legislative Services staff do not foresee any significant obstacle to using the software for these restricted items.

Legislative Services staff feel that this is a Council decision on security versus access. More access would be at its definition, less secure. More security would be less accessible. Legislative Services staff can comply with either practice. Legislative Services staff do feel that it's important that any member of Council receives the information at the same time as the rest of Council.

For direction, Legislative Services suggest one of the two options below:

1. That Council RECIEVES FOR INFORMATION the report dated September 13, 2024, from the Manager of Legislative Services, titled 'Handouts at Meetings and Closed Agenda Publishing.'
2. That Council DIRECTS administration to develop a closed meeting handouts policy to return to Council reflecting a framework when handouts will be used, and the form they will take.
3. That Council DIRECTS administration to discontinue the use of handouts in closed meetings as the primary way to present sensitive or restricted report topics.

To note, handouts may still happen in a closed meeting as late items, but those would be posted when possible to the City software, as well as would follow late item addition approval by Council as outlined the Procedures Bylaw.

Summary and conclusion:

Administration recommends Council choose from the above options regarding handouts in closed meetings. Administration is recommending that Council not direct any changes to the Procedure Bylaw in relation to publishing of closed meeting agendas.

Respectfully submitted:

Ethan Anderson, Manager of Legislative Services/Corporate Officer

Approved:

Walter Babicz, City Manager

Meeting Date: 2024/09/25