



STAFF REPORT TO COUNCIL

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DATE: December 6, 2019

TO: MAYOR AND COUNCIL

NAME AND TITLE: WALTER BABICZ, GENERAL MANAGER OF ADMINISTRATIVE SERVICES

SUBJECT: Council Procedures Bylaw Update

ATTACHMENTS: Appendix "A" – Consolidated Version of City of Prince George Council Procedures Bylaw No. 8388, 2011

RECOMMENDATION:

That Council DIRECTS Administration to return a bylaw for Council's consideration to amend City of Prince George Council Procedures Bylaw No. 8388, 2011, as described in the report from the General Manager of Administrative Services dated December 6, 2019 titled "Council Procedures Bylaw Update".

PURPOSE:

The purpose of this report is to propose revisions to the City of Prince George Council Procedures Bylaw No. 8388, 2011, a copy of which is attached as Appendix "A" (the "Council Procedures Bylaw") and to seek Council's direction to prepare and return an amendment bylaw to achieve the desired revisions.

POLICY / REGULATORY ANALYSIS:

Corporate Work Plan

The 2019 Corporate Work Plan includes the task of reviewing and proposing revisions to the Council Procedures Bylaw.

What is a Council Procedures Bylaw?

Under the *Community Charter*, municipal Councils are legislatively required to have an adopted procedures bylaw. A procedures bylaw sets out the rules of procedures for Council meetings, including how Council meetings are conducted, how decisions are made and recorded, how participants (including the public) are involved in meetings, and how other meeting matters, such as meeting schedules and notice requirements are handled. A procedures bylaw is an important tool used by local governments in ensuring meetings are conducted smoothly and decision-making is transparent. Procedures bylaws apply to both open and closed meetings of Council, as well as select, standing or advisory committees of Council. Procedures bylaws support transparency in the governance process so that everyone, including the public, members of Council and staff, know how decisions are made and what to expect during meetings.

Amending a Procedures Bylaw

Before amending a procedures bylaw, the *Community Charter* requires that public notice must be given, in order to allow the public an opportunity to consider and provide comments on the amendments. The public notice must describe the proposed changes in general terms and be posted in the municipality's public notice posting places (i.e. at City Hall and on the City website) and must be published at least once each week for two consecutive weeks in a newspaper that is distributed at least weekly in the municipality.

DISCUSSION:

Current Council Procedures Bylaw

A review of our existing Council Procedures Bylaw confirms that the bylaw includes all the mandatory provisions required by provincial legislation:

- ✓ Establishing rules for Council meetings and Council committee meetings, including how bylaws are adopted and how resolutions are passed;
- ✓ Providing for the taking and certifying of minutes at Council meetings and Council committee meetings;
- ✓ Providing for advance public notice of the date, time and place of Council and Council committee meetings;
- ✓ Identifying places as the public notice posting places;
- ✓ Establishing the procedure for designating a Council member as the acting mayor;
- ✓ Setting the first Council meeting date after a general election (amendment required as described below); and
- ✓ Providing that the procedures bylaw applies to Council and Council committee meetings.

Other matters may be included in a procedures bylaw, provided they do not conflict with other procedures or requirements set out in the *Community Charter*, other legislation, or common law.

Proposed Revisions to Council Procedures Bylaw

Administration is proposing that the Council Procedures Bylaw be revised as follows:

1. Section 7. Appointments to the Regional District of Fraser-Fort George Board

Amend section 7(5) relating to the process to appoint alternate municipal directors to the board of the Regional District of Fraser-Fort George to provide even more flexibility, with a view to maximizing the opportunity for full City representation at board meetings.

2. Section 21. Order of proceeding and business

Amend section 21(1) to change the order of business on open Council meeting agendas by moving the hearings to the end of the agenda, with the 7:00 p.m. start time for hearings remaining unchanged.

3. Section 21. Order of proceeding and business

Amend section 21(5) to have the Corporate Officer make an electronic agenda available by Thursday evening (rather than Wednesday evening) preceding a Monday Council meeting, whenever practicable. This is intended to provide Administration with greater opportunity to include time-sensitive reports on electronic agendas.

Amend section 21(5) to have the Corporate Officer make an electronic agenda available by Friday evening preceding a Wednesday regular meeting, whenever practicable. The bylaw is currently silent on the target date to make agendas available for Wednesday Council meetings.

4. Miscellaneous Housekeeping Amendments, including:

- a. updating the definition of “Corporate Officer” to refer to the General Manager of Administrative Services;
- b. amending section 8(8) to provide that the inaugural Council meeting be held on the first Monday in November rather than December, to correspond with the revised general local election date;

- c. removing the requirement to leave copies of various notices in Council members' mailboxes at City Hall, and instead send the notices to Council members by email only;
- d. reducing the advance notice that a member of Council must provide to the Corporate Officer to participate in a meeting by telephone from 72 hours to 24 hours;
- e. amending section 22(4) to reflect the existing practice of the City Manager either approving delegations for a Council meeting agenda or instead referring a delegation request to an administrative department, as deemed appropriate according to the subject matter; and
- f. amending section 22(7)(a) to confirm that delegation applications relating to a bylaw on which a future public hearing will be held (but not yet scheduled) be instead referred to the public hearing.

CONCLUSION:

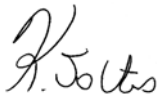
This report summarizes the findings of Administration's review of the Council Procedures Bylaw and proposes several revisions for Council's consideration and direction.

RESPECTFULLY SUBMITTED:



Walter Babicz,
General Manager of Administrative Services

APPROVED:



Kathleen Soltis, City Manager

Meeting date: December 16, 2019