

REPORT

Office of the Chief Administrative Officer

To: Mayor Johnstone and Members of Council
Date: March 13, 2023

From: Lisa Spitale
Chief Administrative Officer
File: 01.0110.20-05

Subject: **Notice of Motion Process**
Item #: 2023-174

RECOMMENDATION

THAT Council adopt the Notice of Motion Process Policy in Attachment 1 and give first, second and third reading to Council Procedure Bylaw Amendment Bylaw No. 8385, 2023 in Attachment 2.

PURPOSE

To bring before Council for approval a Notice of Motion Process Policy and corresponding amendment to the Council Procedure Bylaw.

BACKGROUND

On January 30th Council passed the following resolution:

THAT Council direct staff to report back on the apparent discrepancy between how the Council Procedure Bylaw No. 6910, 2004 was and is being interpreted and applied in the present, notably at the November 28, 2022 Council meeting with respect to Notice of Motion, and how the Bylaw was interpreted and applied by previous Councils in order to clarify the situation and determine what the correct procedure is, and

FURTHER THAT staff report back at the February 13th Council meeting with recommendations to improve Section 21 of the Council Procedures Bylaw 6910 to ensure it no longer lacks clarity and is less subject to interpretation.

At the February 13th meeting, Council directed staff to bring back the Notice of Motion Process Policy to a workshop session so that Council could review the policy in more

detail. At the February 27th Council workshop, Council worked through the Notice of Motion Process Policy modifying the language of several clauses. At the conclusion of the workshop, staff informed Council that the Policy would return to Council for final approval.

No specific changes were made to the amendments to the Procedure Bylaw at the February 27th Council workshop. Council sought confirmation on the following:

- *adopted* motions become *actionable* motions only after: one, the CAO provides Council with a report back discussing the budget, staffing and workplan implications; and two, that Council has approved the CAO's report.

DISCUSSION

At the February 27th Council Workshop, Council modified the following clauses:

3.3 - was modified to add an additional criteria for Councillors to add to their motions that of emergent or unforeseen issue in addition to adherence to the Strategic Plan.

4.1 - was modified to change the wording to recommend no more than 3 recitals per motion.

5.0 - was deleted as it was no longer relevant given the changes to 4.1.

5.5 and 5.6 - were modified to limit the mentioning of people in their professional capacities only.

12 and 13 - which reference the limits on notices of motion were replaced by a new section 12

12 – which states:

- There is a maximum of seven (7) Notices of Motion on a Council meeting.
- Each Council member is limited to one (1) Notice of Motion per Council meeting.
- If a Council agenda has less than seven (7) Notice of Motions, a Council member can provide one additional Notice of Motion without exceeding the total of seven (7) Notice of Motions on a Council meeting.
- 12.1 has been added by staff to provide clarity as to which additional notices of motion will be added to the agenda if there is more than seven proposed by Council. Staff propose it will be based on the date of receipt of the notice.

Two changes were made by staff to ensure the policy is complete:

- Throughout the Policy where Council Code of Conduct is discussed, the Respectful Workplace and Human Rights has been added; and

- The title City Clerk has been changed to Corporate Officer. This reflects a retitling of the position to bring it in line with the Officers Bylaw and the Community Charter.

Staff upon review of the policy modified section 13, that in the event of a duplicate motion being received from two Councillors, then if they are able to combine the motion to create a single motion, the notice of motion will only be attributed to one Councillor of their choosing.

NEXT STEPS

If Council adopts the Notice of Motion Process Policy at the March 13th, 2023 meeting, it will become applicable for March 27th, 2023 Council and subsequent meetings.

Staff will advertise the changes to the Procedure Bylaw in the newspaper as required and the bylaw will be brought forward for adoption on March 27th. The amendments will apply to all motions passed at the March 27th meeting.

This Policy and the Bylaw amendments to the Procedure Bylaw are a starting point for addressing changes to Council meetings and other processes. Staff will be returning to Council in workshop session with additional refinements for streamlining processes as laid out in the City’s Delegation Bylaw.

OPTIONS

Council has two options:

1. THAT Council adopt the Notice of Motion Process Policy in Attachment 1 and give first, second, and third reading to Council Procedure Bylaw Amendment Bylaw No. 8385, 2023 in Attachment 2.
2. The Council provide other direction to staff.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1	Notice of Motion Process Policy
Attachment 2	Council Procedure Bylaw Amendment Bylaw No. 8385, 2023

APPROVALS

This report was prepared by:
Jacque Killawee, Acting Records and Information Administrator

This report was approved by:

Lisa Spitale, Chief Administrative Officer