

Committee of the Whole (2) Report

DATE: Monday, January 25, 2021

WARD(S): ALL

**TITLE: UPDATES TO PROCEDURE BY-LAW – CHAIRING OF
ELECTRONIC MEETINGS**

FROM:

Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

ACTION: DECISION

Purpose

To recommend changes to the Procedure By-law 07-2011, as amended, to permit the chair of a Council or Committee meeting to participate electronically in an electronic meeting.

Report Highlights

- There have now been over 80 electronic Council and Committee meetings, and over 45 electronic meetings for Statutory, Ad Hoc and Task Force meetings.
- Features within Microsoft Teams can be used to facilitate the chairing of meetings.
- Allowing the chairing of electronic meetings through electronic participation will further demonstrate the City's commitment to safety during the COVID-19 pandemic.

Recommendation

1. That Procedure By-law 7-2011, as amended, be further amended to allow the chair of a Council or Committee meetings to participate electronically in an electronic meeting.

Background

City of Vaughan Procedure By-law 7-2011, as amended

The Procedure By-law establishes the principles and rules to be used for meetings of Council and its Committees. The Procedure By-law enhances stakeholder participation, community involvement and opportunities for valuable input from the public, other stakeholders and relevant experts on matters that come before Council. The amendments proposed in this report continue to build upon the governance model established by the Procedure By-law.

Previous Amendments to the Procedure By-law

On March 17, 2020, Council approved amendments to Procedure By-law 7-2011, to facilitate electronic participation at Committee of the Whole and Council meetings on a trial basis. This was done as a proactive measure to allow electronic participation at Committee and Council meetings to the extent possible under the *Municipal Act*, at that time. After that time, Bill 187 was enacted by the provincial government, which provided for electronic participation, when an emergency is declared either at the Provincial or municipal level.

On March 30, 2020, Council approved further amendments to the Procedure By-law to allow for electronic participation in Committee of the Whole and Council meetings for Council Members, in response to Bill 187, *Municipal Emergency Act, 2020*, during the Novel Coronavirus (COVID-19) pandemic. [By-law 033-2020](#) was passed to make the appropriate amendments to Procedure By-law 7-2011.

On September 29, 2020, Council approved additional amendments to the Procedure By-law to implement provisions for electronic meeting participation by members of City Council, Committee and Local Boards and count towards quorum outside of a declared Provincial and/or Municipal emergency, based on the provisions contained within Bill 197, *COVID-19 Economic Recovery Act, 2020*. [By-law 120-2020](#) was passed to make the appropriate amendments to Procedure By-law 7-2011.

Previous Reports/Authority

[UPDATES TO PROCEDURE BY-LAW FOR ELECTRONIC MEETING PARTICIPATION \(Special Committee of the Whole Report No.13, Item #4, adopted by Council on March 17, 2020\)](#)

[UPDATES TO THE PROCEDURE BY-LAW IN RESPONSE TO BILL 197, COVID-19 ECONOMIC RECOVERY ACT, 2020 AND OTHER MINOR AMENDMENTS \(Committee of the Whole \(2\) Report No. 40, Item #9, adopted by Council on September 29, 2020\)](#)

Analysis and Options

Current state of Electronic Meetings

Electronic meetings have proven to be a viable method of conducting meetings during the COVID-19 pandemic. Staff have made continuous improvements to the electronic meeting process through the adoption of Microsoft Teams. A hardware and programming upgrade in 2020 to the Council Chamber audio/visual system now allows for speakers to make video presentations to Members of Council, whether they are in the Chambers or participating electronically.

Meeting Chair

When electronic meetings were first permitted, it was determined that the chair of a Committee of the Whole or Council meeting would not be permitted to participate in a meeting electronically for practical reasons. The chair is required to be physically present at the meeting location (i.e. Council Chamber) in order to effectively guide the meeting. If the chair is unable to physically attend the meeting, the Mayor or his/her substitute determined in accordance with Section 3.2 (1) of the Procedure By- law would act as chair.

The chair of a statutory, ad hoc or sub-committee meetings was permitted to participate in a meeting electronically. This contrasted with the chair of a Committee of the Whole or Council meeting, as those chairs are required to be physically present at the meeting location to effectively guide the meeting.

Electronic Meeting Experience

Council and staff now have significant experience with electronic meetings. There have now been over 80 electronic Council and Committee meetings, and over 45 electronic meetings for Committee of Adjustment, Task Forces, Sub Committees and Advisory Committees.

With this many meetings, Members of Council and staff have become comfortable making use of the technology to conduct these meetings. The teleconference solution used by the City of Vaughan, Microsoft Teams, has features, such as “raise hand” and chat functions, that can be used to facilitate the chairing of meetings.

The experience with the other types of meetings, where the Chair has been permitted to participate electronically, has been positive. Electronic participation by the chair has been proven to be effective at these meetings.

City of Vaughan Response to COVID-19

The City of Vaughan has taken a disciplined, responsible and measured approach to COVID-19. This has included transitioning to electronic Council and Committee meetings. Public consultation remains a vital part of the planning and city-building process. While Vaughan City Hall remains closed to the public, there are many ways citizens can participate in meetings and have their say, including speaking live via teleconference or from a telephone, and by submitting a written communication.

Recently the Provincial government passed Ontario Regulation 11/21 under the *Emergency Management and Civil Protection Act*. This Regulation is a Stay-At-Home Order and requires individuals to remain in their place of residence at all times unless leaving for an essential reason.

If it is possible for the chair of a Council or Committee to participate in meetings electronically, it is an option that must be explored as the City of Vaughan places the health and well-being of citizens, business and staff as a top priority. This proposed amendment to the Procedure By-law will demonstrate that commitment to safety during the COVID-19 pandemic, by providing the option for the chair to attend a meeting electronically.

Chairing of Electronic Meetings

The chairing of electronic meetings, through electronic participation, has proven to be successful for the statutory, ad hoc and advisory committees. Chairing through electronic participation is now possible given the experience gained since March, 2020. The tools available within Microsoft Teams also facilitate the effective chairing of the meeting.

Financial Impact

There is no financial impact.

Broader Regional Impacts/Considerations

Not Applicable

Conclusion

The chairing of electronic meetings, through electronic participation, has proven to be successful for statutory, ad hoc and advisory committees. Permitting the chair of Council and Committee meetings to attend electronically will demonstrate the City's commitment to safety during the COVID-19 pandemic.

For more information, please contact Todd Coles, City Clerk, x8281

Prepared by

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Approved by

A handwritten signature in black ink, appearing to read "Wendy".

Deputy City Manager
Administrative Services
& City Solicitor

Reviewed by

A handwritten signature in black ink, appearing to read "Jim Harnum".

Jim Harnum, City Manager