



Municipality of Port Hope

Staff Report

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Report Title: Procedural By-law Review

Report to: Corporate Services Committee

Date of meeting: December 6, 2022

Report Author:

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Department responsible:

Corporate Services

Report Number: CS-22-22

Recommendation:

That a resolution be presented to Council to direct staff to undertake a comprehensive review of the Procedural By-law incorporating feedback from members of Council and public engagement.

Highlights:

- Comprehensive review to improve upon procedural processes and the way Council conducts meetings.
- Will require substantial collaboration with members of Council and engagement with the public.

Background:

Section 238 (2) of the Municipal Act requires every municipality to pass a procedure by-law for governing the calling, place, and proceedings of meetings. A comprehensive procedural by-law review has not been undertaken since at least 2015. Since that time the by-law has been amended many times to reflect change in practice, new provincial legislation and substantive changes were made in the past couple years to address requirements related to electronic participation as result of the COVID-19 pandemic. Previous plans to review the by-law in its entirety during the last term of Council were sidelined as meetings shifted to an online format for over two years and priorities were adjusted accordingly.

Discussion:

A comprehensive review of the procedural by-law should be conducted at least once per term, and it is natural for a new term of Council to bring new ideas and recommendations for meeting processes forward in an effort to modernize practices and ensure the needs of the community are being met through how meetings are conducted.

Staff (Clerk and Deputy Clerk) would lead the review process which would also include a review of any other applicable supporting policies as may be needed. The meeting schedule, format, agenda processes and layout will be reviewed with the hopes of providing for progressive changes to improve upon the way meetings are conducted by the Municipality of Port Hope. This will include reviewing the way public meetings under the Planning Act are conducted and staff will consult with Planning Division staff as necessary throughout the process to ensure legislative compliance and reflect best practices in this area.

The review would further make considerations such as, but not limited to the following:

- Is the current meeting schedule an efficient way to conduct business?
- Does the format promote efficient meeting processes?
- Should meeting times be adjusted?
- Is the standing committee process associated with Committee of the Whole necessary and are Council portfolio roles effectively defined?
- Does the Deputy Mayor position require further role clarity?
- Do agenda and meeting processes result in clarity and ease of participation for the public?
- Are agenda and meeting processes in keeping with best practices relative to accountability and transparency?
- Is a separate procedural by-law specific to advisory committees required?

Best practice from municipalities throughout the province will be reviewed and staff will also incorporate review from external parliamentary experts to an appropriate degree. Ensuring the procedural by-law is compliant and does not overlap incongruently with other policy such as the Council Code of Conduct, Staff and Council Relations Policy, and Committee By-law will be a critical component of the review.

It is intended that a draft by-law will be ready for presentation to Council in 4-5 months time subject to any unanticipated interruptions. A special council meeting at that time may be proposed as a means of working through any adjustments and further considerations.

Staff had previously considered requesting the appointment of a subcommittee of 2-3 members of Council through the review period but at this point are not making that recommendation. Instead, staff will work with all members of Council to gather their individual input on meeting processes and specific elements of the procedural by-law to ensure the recommended draft by-law is reflective of all points of view on Council. If through the review period it becomes evident that formalized appointment of specific members is required, staff will make a recommendation to Council as necessary.

Financial Considerations:

There are no significant financial impacts as direct result of this report or the recommended action. Staff will work with members of Council to coordinate meetings as necessary. Any communications and public engagement efforts will utilize existing tools

and resources. External review by parliamentary experts will be accounted for in the regular operating budget and are not anticipated to be significant.

Communication and Public Engagement:

Public engagement is anticipated through the review period. A dedicated page on the Municipality's engagement site myporthope.ca will be created to solicit initial public comment and then later review any proposed changes closer to presentation to Council. Social media and traditional means of communication will further be utilized to encourage feedback and suggestions.

Conclusion:

The review of the procedural by-law will be a comprehensive and collaborative exercise that will be a significant and impactful project. Council's support of the recommended direction will provide for a start to the process and will provide staff the authority to make this review a priority project for early 2023.

Attachments:

None.