



Committee of the Whole Report

For the Meeting of April 16, 2020

To: Committee of the Whole **Date:** April 8, 2020
From: Chris Coates, City Clerk
Subject: Temporary Council Process Changes COVID-19 - Review and Report Back

RECOMMENDATION

That Council:

1. Authorize telephone participation for request to address council participants.
2. Direct staff to report back on the suspension of Public Hearings upon receipt of further information from the Ministry of Municipal Affairs and Housing.

EXECUTIVE SUMMARY

At the March 19, 2020 Committee of the Whole meeting, Council received the staff report attached as Appendix A in relation to meeting procedures and the Impacts of Health Orders relating to the COVID-19 Pandemic and passed a motion at the Council meeting that followed to proceed with:

- amendments to the Council Procedures Bylaw to permit greater electronic participation by members of Council under emergency circumstances defined in the Bylaw.
- suspending public hearings until further notice
- suspending question period at Council meetings until further notice
- Limiting Request to Address Council participants to 6 participating by telephone or in written form.
- Review the public hearing, question period and request to address council provisions by April 16, 2020

These changes were followed by further changes approved at the March 26, 2020 Council meeting to:

- suspend evening Council meetings
- conduct Council meetings on the 2nd and 4th Thursday during the day following Committee of the Whole at 12 noon.

One Council meeting has occurred utilizing the question period and request to address council temporary changes. This was the March 26, 2020 Council meeting that was re-scheduled to the daytime meeting of April 2nd. There were 3 "speakers" in that meeting. For the April 9th meeting there is one request to address speaker at the time of writing this report. The volume of request to address requests has slowed significantly. No potential speaker has expressed concern around the temporary process that is being employed. Nevertheless, the albeit brief experience with increased

electronic participation has enabled the opportunity for telephone connection for request to address participants should Council consider that a suitable enhancement to the current practice. Question period does not typically have much uptake, and there have been no comments received from the public expressing concerns about the suspending it.

Public hearings continue to be a source of interest and concern amongst many local governments. The Ministry of Municipal Affairs and Housing is working on guidelines for local government to follow. Public Hearings are a particularly challenging issue to manage where the lack of in-person participation is limited by the Public Health Officers Order limiting gathering to 50 people. Staff suggest awaiting more information from the Ministry before considering this issue. A subsequent report back on public hearing will come forward as soon a more information is available.

PURPOSE

The purpose of this report is to review temporary meeting process measures authorized by Council. pertaining to suspension of public hearings and question period, and the limitation on the number of request to address council participants to 6, and the way in which those “speakers” present.

BACKGROUND

Since the COVID-19 Pandemic Declaration, Council has given consideration at both the March 19 and March 26th meetings passing the following motions:

March 19th

1. *That Council give first second and third reading to Council Procedures Amendment (No. 1) Bylaw No. 20-053.*
2. *That staff undertake required advertising of the proposed Bylaw in accordance with section 124(3) of the Community Charter.*
3. ***That Council suspend the holding of Public Hearings in accordance with the Class Order on COVID-19 from the Office of the Provincial Health Officer until further notice.***
4. ***That Council suspend the Question Period section of Council meeting agendas for in person participation until further notice.***
5. ***That Council authorize adjustments to the Request to Address Council process including:***
 - a) ***Limiting speakers up to 6 delegations at a Council meeting through either:***
 - b) ***Telephone participation where possible***
 - c) ***The reading out of written submissions and/or the broadcasting of recorded submissions, if necessary.***

That the temporary measures in 3, 4 and 5 be reviewed no later than April 16th

March 26th

That Council:

1. Direct staff to amend the 2020 Council and Committee of the Whole meeting Schedule until the end of April to provide for:
 - a. the suspension of evening Council meetings effective immediately

- b. conducting Council meetings on the 2nd and 4th Thursday during the day following Committee of the Whole at 12 noon
2. Direct staff to give public notice of the revised Meeting Schedule in accordance with Section 127 (1)(b) of the Community Charter.
3. Forward the March 26th Council meeting agenda items to the daytime Council meeting April 2, 2020.

ISSUES AND ANALYSIS

Question Period

Question Period occurs at the end of each twice monthly Council meeting. It is unrestricted except that each "speaker can ask a question for up to two minutes. It is not utilized to a great extent generally. The temporary suspension has not resulted in any comments from the public at this point to staff's knowledge.

Request to Address

The Request to Address council section is an open opportunity to speak to Council on any subject. The Council Procedures Bylaw does not place limits on the number of speakers who may address Council at any given meeting. The limitations approved to limit the number of speakers to 6 has not, at this time, resulted in any feedback from the public. Those who have participated indicated that they were comfortable with the way in which the system is structured. There has been a significant drop in requests to speak since the Pandemic Declaration. This will be monitored, and it is reasonable to assume that the more usual City business that occurs, could see the number of speakers increase. Staff will advise should there be an excess of six speakers that are requesting for a given meeting.

In addition, despite the very brief experience with enhanced electronic participation, staff are now comfortable with suggesting a telephone participation option for the speakers should Council wish to expand the participation options. The relatively failsafe technology that would be used should minimize any disruption to the flow of the meeting while providing speakers the opportunity to present to Council "live" via telephone.

Public Hearings

Council received a report from the Director Planning and Sustainable Development outlining reviews coming forward around processes for processing land use matters. Public Hearings are of course an important part of some of those processes. The Ministry of Municipal Affairs and Housing has indicated that they are working on information for local governments around public hearings. Staff are reaching out across the lower mainland and further to look at approaches relating to public hearings and how they may be able to be accommodated. It is especially challenging to disallow public attendance at a hearing on a full-scale basis. The Order from the Minister of Municipal Affairs that has been made respecting open meetings where the inability to have the public attend or even view open meetings does not mean that they are not considered to be open, should not be construed as being an opening for public hearings to be managed in the same way. As public hearings are held to the highest standards given their statutory nature, staff recommend awaiting further information from the Provincial Government.

OPTIONS AND IMPACTS

- Option 1 – Permit telephone participation by the request to address council speakers and direct staff to report back on Public Hearings upon receipt of further information from the Ministry of Municipal Affairs and Housing. (Recommended)**
- Option 2 - Maintain the status quo on the suspension of public hearings and question period and the reduced request to address council participation, and direct staff to report back on public hearings upon receipt of further information from the Ministry of Municipal Affairs and Housing.**

Accessibility Impact Statement

The recommended approach addresses some accessibility issues in that audio and screen reading capabilities are maintained. As well the City uses a closed-captioning function on webcasts.

2018 – 2022 Strategic Plan

The recommended option has no Strategic Plan implications.

Impacts to Financial Plan

The recommended option has no financial implications.


Official Community Plan Consistency Statement

This issue has no specific Official Community Plan implications.

CONCLUSION

The temporary changes implemented to Council's meeting processes, brought about by the COVID-19 Pandemic Declaration have not been tested much in the time they have been in place. There has been no negative feed back to date on the request to address council and question period issues. Despite the limited experience, the current technology supports, and therefore council may wish to consider, increasing public participation to allow telephone submissions from request to address council speakers. Public Hearings continue to be a concern given that there could be increasing interest to process applications that require statutory public hearings. Council will be receiving further reports on planning processes in the near future.

Respectfully submitted,


Chris Coates
City Clerk

Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager:

Date:

List of Attachments

Appendix A: March 19, 2020 Committee of the Whole Report – Council Processes
Appendix B: March 26, 2020 Committee of the Whole Report – Meeting Schedule