

Report

Date March 15, 2023 File:
Subject Council Procedure Amendment Bylaw No. 3902 for first three readings

PURPOSE

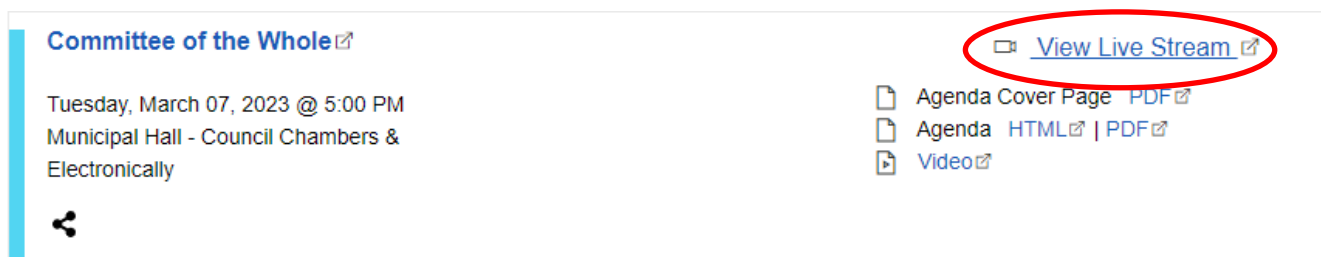
To introduce an amendment to Council Procedure Bylaw No. 3602 that would remove the requirement for special meetings to be conducted electronically if the next regular meeting is an electronic meeting.

BACKGROUND

On December 21, 2022, Council resolved to conduct their regular Council and regular Committee of the Whole meetings electronically to enable members of the public to participate during the Public Input and Question Period portions of the agenda either electronically, through Webex, or in person from Council Chambers. However, the rules established under section 7 of the Council Procedure Bylaw require that a special meeting of Council or the Committee of the Whole must be conducted electronically if the next regular meeting is to be conducted electronically. Therefore, it is not possible to conduct a special meeting in person. The only time this could be an issue is when an agenda only contains matters that are closed to the public under section 90 of the Community Charter, as witnessed with the special meetings conducted on March 1, 2023, and March 7, 2023.

Under section 128.1(2)(c) of the *Community Charter*, North Cowichan must:

- (1) Provide the facilities for members of the public to watch or hear the special meeting. Members of the public are able to watch the meeting by clicking on the "View Live Stream" link provided on the Agendas, Minutes and Video webpage (Figure 1); and,
- (2) Provide a specified place for members of the public to observe the electronic special meeting. A municipal officer (i.e., the Chief Administrative Officer, the Corporate Officer, and the Financial Officer are the only officer positions established under Officers Bylaw No. 3538) must be in attendance at the specified place.



(Source: Agendas, Minutes and Video <https://www.northcowichan.ca/EN/main/municipal-hall/meeting-agendas.html>, Accessed 7 March 2023.

Figure 1. Sample Live Stream Link in a Meeting

DISCUSSION

To enable Council to conduct special meetings in person only, requires an amendment to section 7 [Electronic meetings] of Council Procedure Bylaw No. 3602 to remove the association between special

and regular meetings. Council Procedure Amendment Bylaw No. 3902 (Attachment 1) proposes to amend subsections 7(6), (7) and (7.3) by striking out the reference to the regular meeting. Attachment 2 illustrates how the wording in those subsections would change.

OPTIONS

1. **(Recommended Option)** THAT Council give first, second and third readings to Council Procedure Amendment Bylaw No. 3902, 2023.
2. THAT Council refer the Council Procedure Amendment Bylaw No. 3902, 2023, to the Committee of the Whole for further discussion.

IMPLICATIONS

Enabling special meetings to be conducted in person would eliminate the need for IT staff to live stream a meeting that displays a message to the public that the meeting is in closed session. This would enable IT staff to utilize that time to focus on other projects or priorities. It also simplifies the organization of the meeting, reducing a few steps for Legislative Services.

RECOMMENDATION

THAT Council give first, second and third readings to Council Procedure Amendment Bylaw No. 3902, 2023.

Report prepared by:



Michelle Martineau
Manager, Legislative Services

Report reviewed by:



Talitha Soldera
General Manager, Corporate Services

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Council Procedure Amendment Bylaw 3902
- (2) Excerpt from Council Procedure Bylaw No. 3602 (redline version)