

Report Date: July 5, 2019
Contact: Katrina Leckovic
Contact No.: 604-873-7998
RTS No.: 11589
VanRIMS No.: 08-2000-20
Meeting Date: July 24, 2019

TO: Standing Committee on City Finance and Services
FROM: City Clerk
SUBJECT: Amendments to the Procedure By-law No. 9756

RECOMMENDATION

- A. THAT Council approve, in principle, the proposed amendments to the Procedure By-law No. 9756, as set out in Appendix A.
- B. THAT the Director of Legal Services be instructed to prepare a by-law for enactment generally in accordance with the by-law attached as Appendix A.
- C. THAT Council adopt the member's motion submission and review process as a standard procedure, as detailed in this report.
- D. THAT Council consider suspending provisions of the Procedure By-law for the Council and Standing Committee meetings during September, October and November, 2019, at each meeting, to implement a Council meeting procedures pilot project to authorize the Chair to ask clarifying questions of speakers, only, as described in this report. Individual Council members would not have the ability to ask questions of speakers during the pilot.

REPORT SUMMARY

This report seeks Council's approval of various administrative and substantive changes to Procedure By-law No. 9756. The last comprehensive review of the by-law was conducted in 2008, although amendments to the sections on public hearings were enacted in 2012. To inform changes to the by-law, staff conducted two public surveys, two Council surveys (one with the previous Council and one with the current Council), two staff surveys, an issue specific jurisdictional scan, and a focus group workshop. A pilot project on procedures related to public speakers and member's motions was also conducted between April and July of 2019. The results of this work guided the proposed amendments to the Procedure By-law contained in this report.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Section 164.1 of the *Vancouver Charter* requires that Council adopt a by-law to establish the procedures to be followed for the conduct of its business. The by-law must establish the time and place of regular meetings of Council, require advance public notice respecting the time, place and date of Council and committee meetings and establish the procedures for giving that notice. The by-law can only be altered by a by-law passed at a Council meeting provided that notice is given in writing and openly announced at an earlier Council meeting. Notice was given in writing and openly announced at the July 9, 2019 Council meeting.

In response to these requirements, Council has enacted the Procedure By-law. Council adopted the existing Procedure By-law No. 9756 on November 25, 2008, with amendments to the sections on public hearings enacted on March 27, 2012. The existing by-law follows the principles of parliamentary procedure while remaining consistent with the requirements of the *Vancouver Charter*. Since adoption, the Procedure By-law has guided the conduct of business for four Councils.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

The existing Procedure By-law has generally worked well. However, over time, various issues have been identified by the City Clerk's Office from observations made in the meetings and from feedback received by the public, staff, and Council members.

Recent changes to the *Vancouver Charter* and its regulations enable Council to hold electronic meetings, if provided for by by-law. Council has expressed an interest in this possible procedure. Therefore, staff proposes new provisions in the Procedure By-law to allow for electronic meetings, under certain circumstances, as detailed in this report.

Strategic Analysis

I. Review of existing Procedure By-law

From 2017 to 2019, the City Clerk's Office conducted surveys with the public, City staff, and Council members to obtain feedback on Council meetings procedures that are contained in the Procedure By-law. Staff also conducted cross-jurisdictional comparisons to evaluate how other local governments manage their meetings. A summary of the engagement is provided in Appendix B.

The feedback received identified a number of challenges with current processes, which have been summarized in table 1.

Table 1. Summary of challenges identified with current meeting procedures

Topic	Discussion
Meeting conduct	<p>Feedback from all three groups surveyed included a desire for better conduct and professionalism being demonstrated by Council and members of the public at Council meetings.</p> <p>Approximately 23 percent of public survey respondents reflect negatively on their experience of speaking to Council, with some noting that participating in a Council meeting can be intimidating (see next section on speaker management). Staff also expressed the opinion that speakers, the public gallery and Council members sometimes display disrespectful behaviour towards staff.</p>
Speaker Management	<p>Concerns have been raised by all three groups surveyed regarding the current speaker process. The main concerns were:</p> <ul style="list-style-type: none"> - uncertainty as to which items allow speakers and confusion around the referral process - long wait times to speak and no guaranteed timeframe for when an agenda item will be discussed at Council - at 5 minutes each, the length of time that speakers have to speak on an agenda item and Councillors have to ask questions (5 minutes per Council member) of the speaker is too long resulting in long wait times for speakers and long Council meetings - the type of questions asked by Councillors can be confrontational, result in a debate with the speaker, or be political in nature - redundancy of statements made by speakers from the same group or association - bias towards the opinion of speakers over those who have supplied written comments on the item - barriers to speaking at Council (see next section on barriers to participating) <p>Municipalities vary in their approach to allowing speakers to speak at a meeting. Generally, speakers are only heard at standing committee meetings. Such standing committees normally differ from Vancouver as the committees are not comprised of all members of Council but a subset of Council members dedicated to a specific topic or purpose, therefore having a different function and structure than in Vancouver. It is therefore difficult to make direct comparisons to other municipalities in this regard.</p> <p>Most Canadian municipalities surveyed allow speakers during standing committee, and allow them to speak for 5 minutes. In the United States, a majority of local governments surveyed allow for either two or three minutes of speaking time.</p> <p>In other jurisdictions, the number of speakers for agenda items is</p>

Topic	Discussion
	significantly fewer than the City of Vancouver trend, with several jurisdictions noting that a high number of speakers would be between 10 (Ottawa and Halifax) to 20 speakers (Edmonton) per meeting. In contrast, between November 13, 2018 and June 26, 2019 for Council and standing committee meetings, there was an average of just over 32 speakers per meeting in Vancouver.
Barriers to participating	<p>Public and Council survey respondents noted concerns regarding the accessibility of Council meetings as a result of the time at which meetings are usually held (mid-day, during business hours) and their location (Council Chamber, City Hall). 39% of public survey respondents noted that the timing of the meetings was a major barrier to participating in Council meetings, while 33% noted it was a minor barrier. 37% of respondents noted that location was a barrier to their participation.</p> <p>Approximately 6% of public respondents mentioned that language and the lack of interpretation services were barriers to participation.</p>
Unclear meeting processes	<p>The language included in some sections of the existing Procedure By-law is confusing and results in inconsistent application of the rules by meeting Chairs.</p> <p>Some meeting procedures are not currently addressed (Council proceeding on the basis of past practice) or well laid out in the existing Procedure By-law.</p>
Inefficient meeting practices	<p>Several inefficiencies were identified, including:</p> <ul style="list-style-type: none"> - Challenges with agenda setting <ul style="list-style-type: none"> o Speakers are not allowed to speak at Council meetings; any time a speaker signed up to speak (which could be as late as the start of the meeting) requires referring the agenda item to a standing committee - Unpredictable meeting lengths leading to uncertainty in timing of agenda items and overtime costs - Unpredictable timing of agenda items resulting in inefficient use of staff and consultant resources
Issue with committee of the whole procedures for public hearings	<p>At the May 24, 2016 Public Hearing, quorum was lost while Council was in committee of the whole. In this circumstance, all the committee can do is rise and report to the Council on all recommendation and motions considered by the committee. Given the procedural uncertainties that resulted from the loss of quorum at the public hearing it is recommended that Council not sit as committee of the whole during public hearings.</p>

II. Council meeting procedures pilot project

Based on the engagement feedback described in the previous section, and information collected as part of the cross-jurisdictional scans, Council approved a pilot project at the March 13, 2019 Standing Committee of Council on City Finance and Services meeting to test a series of possible changes to Council meeting processes. These changes have been implemented for all Council and standing committee meetings held between April and July 2019.

To gather feedback on the pilot processes, surveys were conducted with City staff, Council members and members of the public who participated in a Council meeting during the pilot project. A staff focus group was also convened to gather additional feedback. In general, feedback suggests that although some changes achieved limited success based on their intended purposes, many pilot procedures were well received by members of the public, staff and Council. Key findings are summarized in table 2.

Table 2. Summary of feedback from the Council meeting procedures pilot project

	Area of change under pilot	Feedback received
1	Speakers to staff reports heard on day for which the agenda item is listed and speakers to members' motions will be heard on Wednesday between 3 pm and 10 pm	<p>The new speakers' process, helped speakers and staff predict which day they are expected at Council, but provided little certainty for what time of the day they would be heard.</p> <p>The majority of Council (9 members) found that hearing speakers to staff reports on the day the item is listed was effective in maintaining a better balance of workload between Council meetings and the standing committee meetings. Eight members found that this change helps speakers predict when it would be their turn to address Council.</p> <p>The 3 pm hard start did not help the public predict when then would speak to Council. Respondents noted that the six hour window for speakers to members' motions is too large (and may continue onto additional days), causing lengthy wait times. The hard start time also unnecessarily disrupted the meeting as Council was usually considering another agenda item when they would have to stop partway through the item to hear speakers at 3 pm.</p> <p>Referrals of agenda items to other days or meetings remain a source of frustration for both speakers and staff as they often need to attend the meeting on multiple days. This occurs when meetings run more than one day or when an item is referred to a future meeting for another reason.</p>
2	Speakers have 3 minutes to address Council and each Council member has 3 minutes to ask questions	Staff were satisfied with the shortened time for speakers to address Council, and for Council to ask questions of speakers. Respondents felt that this helped generate a more efficient engagement

	Area of change under pilot	Feedback received
	of speakers	process without hindering the ability for speakers and Council to convey relevant information. Council members share this perception, but are divided on whether the shortened time for speakers impact speakers' ability to convey important information. Speakers' responses indicate mixed opinion on the shortened allotted times, with 27 of 43 respondents to the question indicating they would like additional time.
3	Council members have two minutes to introduce their member's motion and Council members have one minute to ask clarifying questions of the mover of a members' motion	Most Council members agree that these processes helped convey relevant information and context on the motion, served the purpose of providing clarification, and were conducive to a more informed and efficient debate.
4	An amendment must be submitted to the City Clerk in its final form prior to introducing or moving the motion on the floor of Council	The majority of respondents felt this process helped reduce time spent during debate of the motion and verifying the feasibility and legality of the motion. Staff felt that the ability to provide comments to amendments is effective in identifying major concerns, but found amendments were sometimes submitted too late for them to generate informative feedback.
5	Motion review process	The motion review process was well received by Council members and all respondents would like to see this practice continue. All respondents agree that staff comments are relevant and informative and that the process helps reduce the time spent verifying the feasibility and legality of the motion. Staff perceive the motion review process to be effective in flagging concerns, but are concerned with the high number of motion submissions and the narrow turnaround timeline for staff comment. Staff and Council indicate they would like additional time to review and change motions prior to final submission.

Summary of proposed changes to the Procedure By-law

As a result of the feedback received from the surveys, observations of City Clerk's Office staff, and the cross-jurisdictional comparisons of other local governments' meeting procedures, staff have focused on changes to the Procedure By-Law that will:

- improve the understanding and clarity of procedures;

- create more efficient use of meeting time;
- allow for electronic meetings; and
- improve the Council meeting experience for members of the public and speakers, Council members, and staff.

The proposed by-law is attached as Appendix A. The changes proposed to the Procedure By-law have been categorized as either administrative or substantive changes. Administrative changes are smaller changes to language (generally to provide clarification), grammar, or the order of sections in the Procedure By-law to improve the clarity or meaning of the section or the by-law overall. Substantive changes are newly introduced or significantly amended sections of the Procedure By-law. Substantive changes are summarized in table 3.

Table 3. Summary of proposed changes to the Procedure By-law considered substantive

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
1	Part 1 Interpretation	<p>Definitions added for: “communications”, “designated city representative”, “electronic or other communication facilities”, “electronic meeting”, “improper conduct”, “parliamentary inquiry”, “point of information”, “presentation”, “representative speaker”, “standing committee”, “unfinished business”, and “urgent business”</p> <p>The definition of “referral report” is amended to include members’ motions.</p>	<p>New additions as a result of electronic meetings being allowed under the <i>Vancouver Charter</i> and the introduction of new sections introduced in the proposed Procedure By-law.</p> <p>The definition of “referral report” is recommended to include members’ motions, as members’ motions that contain a recommendation that a matter be referred to public hearing should be treated in the same manner as a staff report recommending referral to public hearing.</p>
2	Part 2 Meetings	Removed specific reference to standing committee titles.	The titles for the standing committees are not current in the existing by-law. It is recommended that Council refer to standing committees without identifying titles as reports and other matters brought forward to Council at standing committee meetings are not reflective of the title of such meetings.

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
			Council may, by resolution, establish new committee names reflective of current Council priorities and maintain the existing structure of having Council members Chair the committee meetings. It is recommended that the committee names be established by resolution as Council priorities change with each Council term.
3	Recess or adjournment of meetings	Changed the requirement to extend a meeting past certain times, stipulated in the by-law, from a unanimous vote to a 2/3 vote of Council members present.	<p>Council can, by a 2/3 vote suspend any rule in the Procedure By-law, so the existing rule (requiring a unanimous vote) can currently be suspended by a lesser vote than is required.</p> <p>As a compromise between the rights of the individual and the rights of the assembly, a 2/3 vote is recommended in the instance of recess or adjourning a meeting, so that Council can efficiently conduct business.</p>
4	Meetings in general local election year (2.9)	New section noting that in the year of a general local election, no Council meeting, public hearing, standing committee meeting, business licence hearing or chauffeur's permit appeal shall be held between the last day of the nomination period and general voting day.	This section is consistent with the current practice of how Council meetings are scheduled in an election year. Section 41 of the <i>Vancouver Charter</i> defines nomination period, which begins on the 46 th day before general voting day and ends on the 36 th day before general voting day. Other jurisdictions, such as Edmonton, have similar legislation during election years.
5	Order of business at Council meeting (3.5)	Changed 'report reference' to 'presentations'.	The meaning of 'report reference' is confusing to staff and the public.

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
6	Meeting recordings (3.14 and 3.15)	New sections describe when meeting recordings will be taken, and where and for how long they will be made available on the public website.	There is a cost to hosting recordings on the City's website, and data shows that viewings drop off significantly within weeks of the meeting. The video recordings will continue to be accessible, once removed from the City's website, through the City of Vancouver Archives.
7	Chairs status in debate and Council member's motions (4.3)	Expanding on the current section on the Chair relinquishing the chair during debate, to include relinquishing the chair when introducing, speaking to, or debating their own members' motions	The Chair has the same rights in debate as any other member, but the impartiality required of the Chair precludes them from exercising those rights while in the chair. It is important to preserve member confidence in the Chair's ability to preside impartially. Therefore, in addition to relinquishing the chair during debate, it is recommended the same be done when they are engaging in discussion of their own member's motion.
8	Entry on floor (5.1)	Moved from section 6.1 in the existing by-law, with additional wording on the allowance of infants less than two years of age on Council floor.	Council passed a resolution at a meeting on April 17, 2018, allowing infants and children less than two years of age to be permitted on the floor of Council when being cared for by a member of Council. This change reflects that resolution.
9	Committee of the whole procedures, reporting and loss of quorum (5.12, 5.13 and 5.14)	Added 5.12 (c) which is consistent with less formal meeting procedures observed by Council in standing committee meetings. In 5.13, changed vote required from 2/3 vote of Council members present to	A 2/3 vote is not necessary for a committee to rise and report to Council. Loss of quorum during committee of the whole is not explicitly addressed in the existing by-law. This section enables the committee to rise and report out to Council on

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
		<p>a majority vote of Council members present.</p> <p>New section on procedure in event of loss of quorum.</p>	<p>actions taken, prior to the loss of quorum.</p>
10	Meetings at which speakers are permitted (7.2)	<p>Speakers are permitted to staff reports on the day in which the agenda item is listed (previously, all items with speakers were referred to the standing committee).</p> <p>Speakers are permitted to members' motions at standing committee.</p> <p>Speakers are permitted at special Council meetings, at the discretion of Council.</p>	<p>This change is reflective of the feedback received during the pilot project. It further clarifies the procedure for hearing speakers during special Council meetings, which is not provided for in the current by-law.</p> <p>Feedback during the pilot project indicated that the public, Council and staff generally supported this procedure. The public indicated that the 3 pm hard start time for members' motions did not necessarily give them certainty as to when they would speak to Council, given that meetings often run several days and only the first member's motion would be considered at 3 pm, whereas the times for the others were unknown. Council and staff commented that the 3 pm hard start time unnecessarily disrupted the meeting, as Council was generally part-way through considering an item then had to entertain other agenda items at 3 pm. It is not recommended that Council proceed with the 3 pm hard start time for members' motions.</p>
11	Limits on speakers and Council questions to speaker (7.5 and 7.7)	<p>Speakers speaking as an individual on their own behalf or on behalf of a corporation would have three minutes to speak to an item at Council and standing committee meetings (previously five</p>	<p>Feedback received from the public, Council and staff indicated the need for clear procedures with respect to Council questions to speakers. During the first public survey, respondent comments favoured limiting the type and number of</p>

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
		<p>minutes).</p> <p>Provides for representative speakers, meaning a speaker representing three or more groups or individuals present during the meeting. This aligns with the procedure at public hearings. Representative speakers would have five minutes to speak to an item at Council and standing committee meetings.</p> <p>The question and answer period for a speaker is three minutes for each member of Council (previously five minutes).</p>	<p>questions asked by members of Council. Results of the pilot project indicated that the public, Council and staff were generally in support of reducing the time for speakers and questions to speakers by Council members during Council and standing committee meetings.</p>
12	Speaker accommodation (7.6)	<p>A speaker who requires accommodation to present to Council and is present at the meeting may have another individual read a statement they have prepared.</p>	<p>Council has generally followed this procedure, in practice. Having this formally recognized in the by-law will enable staff to respond accordingly in advance of the meeting and provide appropriate advice to the public.</p>
13	Council questions to speaker (7.7)	<p>New section with procedures regarding the types of questions that Council members may ask of speakers.</p>	<p>Members of the public have noted that attending a Council meeting can be an intimidating experience and that the questions asked by Council members are not always appropriate. This section enables Council members to call points of order in relation to inappropriate conduct during the speaker question period, to provide for a more respectful environment for speakers.</p>
14	Conduct in public gallery (7.8)	<p>New section outlining what constitutes improper conduct by a person in the public gallery at a Council meeting.</p>	<p>This new section is proposed to address concerns noted in the surveys regarding improper conduct at Council meetings.</p> <p>While the Chair of a Council</p>

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
			meeting is currently enabled to enforce rules during the meeting, inclusion of this section would enable the Chair to cite the Procedure By-law in instances where a member of the public gallery is engaging in improper conduct. This section is intended to assist Council in creating a safe and accessible space for public participation.
15	Notice of member's motion at Council meeting for future meeting (9.1)	In order to be included on the agenda, notice must be provided two Council meetings in advance of when the Council member intends to submit the motion.	This change provides more time for staff review and revision by Council members prior to final submission for agenda inclusion.
16	Moving member's motion (9.6) and Council member questions to mover of member's motion (9.7)	A Council member who brings forward a motion has two minutes (one minute in the current by-law) to introduce their motion, and each member has one minute, including responses, to ask questions of the mover (no time in current by-law).	Most Council members agree that these processes, trialed during the pilot project, help convey relevant information and context on the motion, provide clarification, and are conducive to a more informed and efficient debate.
17	Electronic Meetings (Part 14)	New section permitting Council to hold special Council and in-camera meetings by electronic means.	The <i>Vancouver Charter</i> and its regulations enable Council to hold meetings by electronic means, if provided for by by-law. Having the ability to hold such a special meeting or in-camera meeting would be helpful when a special meeting is called on short notice and/or when Council members are unable to attend at City Hall.
18	Attendance of advisory committee members (15.8)	New section outlining attendance requirements for advisory committee members, whereby a	Advisory committee members currently follow the rule in the <i>Vancouver Charter</i> (for Council members) in which a member is

	Subject and section of Procedure By-Law	Summary of Amendments/Additions	Rationale
	and 15.10)	committee member cannot be absent from more than two consecutive meetings without having first obtained a leave of absence. Should a member not meet this requirement, they are deemed to have resigned.	deemed to have resigned if they miss more than 4 consecutive meetings. As most advisory committees only have 6 regular meetings per year, missing four of six meetings is substantial and it is therefore recommended that this be adjusted to two.

III. Other requests and considerations

a. Adopt member's motion submission and review process as routine practice

As part of the changes to the member's motion submission deadline, it is recommended that Council adopt as a standard practice the member's motion submission procedure that was followed during the pilot project. Review of the pilot project indicated that both Council and staff express a strong desire to continue with the submission of draft members' motions for staff review and comment. In accordance with the recommended changes to the member's motion submission deadline in the by-law, the intake deadline for draft motions should also be shifted to earlier dates. Staff will provide the due dates and submission information, if the review process is adopted by Council.

b. Earlier meeting agenda provision

In previous meetings (June 5, 2018 and March 13, 2019), Council requested staff to investigate a timeline and develop a process for earlier release of Council meeting agendas to allow Council more time to review reports. Feedback was received from staff and Council on the matter, and a related jurisdictional scan was also conducted.

Feedback from staff and Council

Feedback was received from Council and City staff on the timing of agenda release and the potential impacts from shifting to an earlier release cycle.

Staff feedback indicated that shifting the agenda release schedule would result in the preparation of agendas and other materials at the same time as Council meetings are taking place. This would result in the need for additional staff to manage the agenda process, as the meetings and meeting preparation would overlap. Staff generally felt that the current agenda timelines work well, and that releasing high profile reports (such as the budget) in advance of the agenda should be continued.

The majority of Council respondents (seven of ten members from Council) found the current timeline adequate for them to review the agenda package. Most Council respondents, however, indicate the preference to access high-profile reports in advance of the release of the agenda.

Jurisdictional scan

Staff surveyed 15 Canadian municipalities to understand their processes of releasing Council meeting materials to the public. Of the 15 jurisdictions surveyed, eight municipalities distribute the agenda package to the public three days prior to the meeting. None of the municipalities surveyed consistently provide agenda reports more than seven days prior to a meeting.

Overall, municipalities that were surveyed indicated they have not received many complaints regarding agenda release timing, and all of the municipalities find their current practice to be practical for the public, Council and staff. Some jurisdictions, however, operate under different meeting routines, which may mitigate challenges around reviewing complex and lengthier reports within the standard timeframe. For instance, some reports are introduced at committee meetings prior to decision in some cities (ex. Ottawa, Toronto and Richmond, BC), which provides a preliminary review of items prior to final decision at a subsequent Council meeting.

Recommendation: maintain current agenda release timing

As a result of the survey and the jurisdictional scan, staff recommend continuing with the current agenda release time, while exploring options for the early release of high profile and lengthy reports, as determined by the City Manager. Staff will also work to adjust report deadlines to make presentations, with no associated staff reports, available to Council members in advance of the meetings, and when appropriate, available on the public website.

c. Proposed pilot project

One of the significant concerns raised by the public, Council and staff was the unpredictability of when speakers will be heard and when agenda items will be considered during Council and standing committee meetings. In addition, members of the public who spoke to Council noted concerns with the types of questions asked by members of Council.

It is recommended that Council trial a pilot project to test a change to the Council and standing committee meeting procedures to permit the Chair of the meeting the authority to ask clarifying questions of speakers to determine whether they are in support, opposed or have other opinions regarding a recommendation before Council. Individual Council members would not have the ability to ask questions of speakers during the pilot.

The purpose of this pilot project is to:

- give greater predictability to the timing of when speakers will be heard by Council;
- give greater predictability to the timing and length of meeting agendas;
- reduce meeting length; and
- eliminate conduct related matters and 'debate' with speakers.

It is recommended that Council trial this procedure during Council and standing committee meetings in September, October and November, 2019, by suspending the applicable provisions of the Procedure By-law, at each meeting. Council may alter a rule by a 2/3 vote of Council members present at the meeting. Council can revisit its decision to continue the pilot, should Council consider the pilot to be unsuccessful mid-way. It is recommended however, that Council trial the pilot for the full duration, which would provide sufficient time for staff to effectively evaluate the pilot. Once complete, staff will report back on the feasibility of the pilot.

If Council determines that the pilot project processes are worthwhile for the long term, these could be enacted by amending the Procedure By-law.

d. Other meeting provisions

In previous meetings, Council also directed staff to explore additional meeting processes and procedures including:

- provision of translators
- provision of childcare during meetings
- electronic petitioning
- use of technology to improve accessibility

These requests require further staff research and review to determine feasibility, budget and other implementation considerations. Staff plan to report back on these items in Q1 of 2020.

e. Improvements to internal systems and speaker processes

The City Clerk's Office is currently receiving bids for a new meeting management system, which will offer technology and other improvements to help address some of the barriers that were identified by members of the public and Council. Further details on this system will be available once a successful proponent is identified.

In addition to proposed amendments to the Procedure By-law, City Clerk's Office has undertaken the following to improve public experience when attending Council meetings:

- City Clerk's Office and Corporate Communications are working on a series of videos to educate and inform the public on Council meeting process. The first video entitled "Tips and rules for speaking to Vancouver City Council" is now available on the City website.
- Updated language used on the City Clerk's Twitter feed during meetings and greater frequency of Tweets.
- New online speaker sign-up forms and dedicated phone lines for standing committee, Council and public hearing meetings to enable easier access to register to speak and find information about Council meetings. 3-1-1 call attendants can also complete speaker sign-up forms if a member of the public calls 3-1-1.
- Revised and simplified Council meeting information on the City website.
- Revised Council meeting agendas with improved formatting for ease of access and compatibility on different types of electronic devices.

The City Clerk's Office will continue to look at ways to improve Council meeting processes so that they are more transparent, easy to follow and efficient, in order to provide for a better experience for the public, Council and staff.

Implications/Related Issues/Risk***Financial***

There are no financial implications.

Other

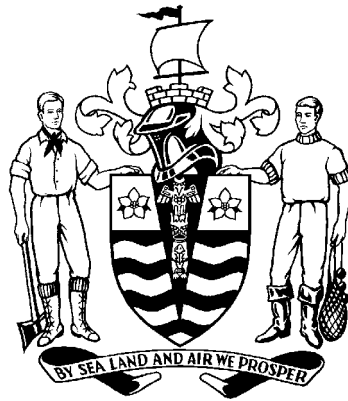
These proposed by-law amendments are intended both to encourage and enhance public participation in Council meetings and to streamline the proceedings. Should the amendments not be implemented, the City of Vancouver may be perceived as not fostering a welcoming environment for civic engagement; such perceptions could be damaging to the City's reputation and would not reflect the City's own priorities. Furthermore, failure to amend the by-law would allow inefficiencies in meetings to continue, resulting in lost speaker, Council, and staff time.

CONCLUSION

The existing Procedure By-law requires revisions to improve clarity in the by-law and to address public, Council and staff concerns raised through in-person Council member interviews and public and staff surveys. The proposed amendments align the by-law with existing practice and principals of good governance.

* * * * *

**CITY OF VANCOUVER
BRITISH COLUMBIA**



PROCEDURE BY-LAW NO. 9756

**This By-law is printed under and
by authority of the Council of
the City of Vancouver**

TABLE OF CONTENTS

PART 1 INTERPRETATION

- 1.1 Name of by-law
- 1.2 Definitions
- 1.3 Reference
- 1.4 Table of contents
- 1.5 Severability
- 1.6 Application

PART 2 MEETINGS

- 2.1 Council meetings
- 2.2 Standing committee meetings
- 2.3 Public hearings
- 2.4 Court of Revision
- 2.5 Special Council meetings
- 2.6 Notice of meeting
- 2.7 Change in meeting
- 2.8 Recess or adjournment of meetings
- 2.9 Meetings in general local election year

PART 3 AGENDAS AND RECORDS OF MEETINGS

- 3.1 Purpose of agenda
- 3.2 Contents of agenda
- 3.3 Publication of agenda
- 3.4 Conduct of business
- 3.5 Order of business at Council meeting
- 3.6 Order of business at standing committee meeting
- 3.7 Order of business at Council meeting following standing committee meeting
- 3.8 Order of business at special Council meeting
- 3.9 Minutes
- 3.10 Adoption of minutes
- 3.11 Motion to amend minutes
- 3.12 Meeting recording to determine accuracy of minutes
- 3.13 Typographical errors in the minutes
- 3.14 Recording meetings in Council Chamber
- 3.15 Recording meetings outside Council Chamber

PART 4 ROLE OF THE CHAIR

- 4.1 Chair of Council and special Council meetings, and public hearings
- 4.2 Chair of Standing Committee

- 4.3 Chair's status in debate and Council member's motions
- 4.4 Chair to maintain order
- 4.5 Procedure for deciding on point of order
- 4.6 Expulsion
- 4.7 Return after expulsion

PART 5 GENERAL MEETING PROCEDURES

- 5.1 Entry on floor
- 5.2 Call to order
- 5.3 Absence of quorum
- 5.4 Questions to staff
- 5.5 Suspension of rule of order
- 5.6 Adjournment
- 5.7 Motion at standing committee meeting
- 5.8 Standing committee recommendation non-binding
- 5.9 Standing committee report to Council
- 5.10 Standing committee loss of quorum
- 5.11 Committee of the whole
- 5.12 Committee of the whole procedures
- 5.13 Committee of the whole rising and reporting
- 5.14 Committee of the whole loss of quorum
- 5.15 Recommendation in report not a motion
- 5.16 Report received for information

PART 6 CONDUCT OF COUNCIL MEMBERS

- 6.1 Rules of conduct
- 6.2 Speaking
- 6.3 Chair maintains a list of speakers and decides order of speakers

PART 7 SPEAKERS AND CONDUCT IN PUBLIC GALLERY

- 7.1 Items which may be spoken to
- 7.2 Meetings at which speakers are permitted
- 7.3 Requests to speak
- 7.4 Speakers list
- 7.5 Limits on speakers
- 7.6 Speaker accommodation
- 7.7 Council questions to speaker
- 7.8 Conduct in public gallery
- 7.9 Expulsion from public gallery

**PART 8
MOTIONS AT MEETINGS**

- 8.1 Form of motion
- 8.2 Main motion
- 8.3 Seconding a motion
- 8.4 Withdrawal of motion
- 8.5 Council member's motion restricted while main motion under debate
- 8.6 Limitation on amendments
- 8.7 Motion out of order
- 8.8 Speaking to motion during debate
- 8.9 Reply to motion during debate
- 8.10 Reading of motion
- 8.11 Raising of incidental motion
- 8.12 Motion to adjourn
- 8.13 Reconsideration or rescission of an adopted motion
- 8.14 Reconsideration of defeated motion

**PART 9
COUNCIL MEMBERS' MOTIONS**

- 9.1 Adding member's motion at Council meeting for future meeting
- 9.2 Adding member's motion to the agenda
- 9.3 Member's motion as new business
- 9.4 Member's motion as urgent business
- 9.5 Chair's ruling on motion as urgent business
- 9.6 Moving member's motion
- 9.7 Council member questions to mover of member's motion

**PART 10
BY-LAWS**

- 10.1 By-law circulation
- 10.2 By-laws by blanket motion
- 10.3 By-law by separate motion
- 10.4 By-law signing

**PART 11
VOTING**

- 11.1 Electronic voting
- 11.2 Separate vote on parts of motion
- 11.3 Recommendations by blanket motion
- 11.4 Voting on amendments
- 11.5 Call for vote
- 11.6 Voting protocol
- 11.7 Voting procedure
- 11.8 Carrying of the vote

**PART 12
BUSINESS LICENCE AND CHAUFFEUR'S PERMIT
HEARINGS**

- 12.1 Notice of intention to appeal
- 12.2 Notice of hearing
- 12.3 Request for interpreter
- 12.4 Existence of section 277.1 delegation
- 12.5 Quorum
- 12.6 Call to order
- 12.7 Absence of quorum
- 12.8 Conduct of hearing
- 12.9 Opportunity to be heard
- 12.10 Absence of interested person from appeal
- 12.11 Absence of interested person from hearing
- 12.12 Recording of the hearing
- 12.13 Decision

**PART 13
PUBLIC HEARINGS**

- 13.1 Public hearing procedures
- 13.2 Council questions on referral report
- 13.3 Public questions on referral report
- 13.4 Requests to speak and public comments prior to public hearing
- 13.5 Speakers list
- 13.6 Acknowledgment of public comments
- 13.7 Circulation and posting of public comments
- 13.8 Public comments received after circulation and posting
- 13.9 Public agenda package
- 13.10 Deadline for public comments
- 13.11 Author of public comments
- 13.12 Personal information
- 13.13 Order of business
- 13.14 Authority of the Chair
- 13.15 Delay of commencement of public hearing
- 13.16 Commencement of delayed public hearing
- 13.17 Absence of quorum
- 13.18 Time limit for individual speaker
- 13.19 Representative speaker
- 13.20 Time limit for representative speaker
- 13.21 Question to speaker
- 13.22 Public comments submitted during the public hearing by speaker
- 13.23 Public comments submitted during the public hearing by person who does not attend
- 13.24 Vote following absence during day or last day of public hearing
- 13.25 Vote following absence during continued public hearing

**PART 14
ELECTRONIC MEETINGS**

- 14.1 Electronic meeting procedures
- 14.2 Special Council meeting by electronic means
- 14.3 Participation of Council member by electronic means
- 14.4 Communication at electronic meeting
- 14.5 Convening electronic special Council meeting
- 14.6 Chair of electronic special Council meeting
- 14.7 Public or in camera electronic special Council meetings
- 14.8 Notice of public electronic special Council meeting
- 14.9 Notice of in camera electronic meeting
- 14.10 Public meeting prior to in camera electronic meeting
- 14.11 Public attendance at electronic meeting

**PART 15
ADVISORY COMMITTEES AND OTHER BODIES**

- 15.1 Advisory committee procedures
- 15.2 Order of business at advisory committee meeting
- 15.3 Order of business at special advisory committee meeting
- 15.4 Establishing advisory committees
- 15.5 First advisory committee meeting
- 15.6 Appointment of Chair
- 15.7 Quorum
- 15.8 Attendance
- 15.9 Request for leave of absence
- 15.10 Deemed resignation for non-attendance
- 15.11 Attendance of Council member at meeting
- 15.12 Role of City Clerk
- 15.13 Advisory committee motions
- 15.14 Advisory committee reports
- 15.15 Role of City Manager on advisory committee reports to Council

**PART 16
REPEAL AND ENACTMENT**

- 16.1 Repeal
- 16.2 Enactment

BY-LAW NO. 9756

A By-law to regulate the procedures of Council and its committees and other bodies

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

PART 1 INTERPRETATION

Name of by-law

1.1 The name of this by-law, for citation, is the "Procedure By-law".

Definitions

1.2 In this by-law:

"advisory committee" means a committee of persons, who are not Council members or staff members, and who are appointed by Council to advise the Mayor, Council or staff;

"applicant" means the person applying to have a zoning matter referred to and considered at a public hearing;

"communications" means a report to Council which contains a recommendation from the Mayor or from the City Clerk;

"designated city representative" means any City of Vancouver employee designated by the City Clerk to be in attendance at the place specified in a notice of electronic meeting as the place where the public may attend to hear, or to watch and hear, the proceedings that are open to the public;

"electronic or other communication facilities" means the use of landline based, cellular, satellite or internet telephony, voice over internet computer assisted communications, radio, visual, audio or audio electronic communications facilities, or any other means of communication, which enables participants in a meeting to hear, or to watch and hear each other;

"electronic meeting" means a special Council meeting at which some or all of the Council members participate by means of electronic or other communication facilities;

"improper conduct" means to:

- (a) use or promote the use of expression that is obscene, promotes hatred or violence, or is defamatory;
- (b) engage in any action which, in the opinion of the Chair, threatens, obstructs or injures another person; or

(c) refuse to follow the reasonable directions of the Chair;

“hearing” means a hearing under section 275 or 278 of the Vancouver Charter, or an appeal under section 277 of the Vancouver Charter or section 36(7) of the Motor Vehicle Act;

“interested person” means a person who has a right to a hearing with regard to:

(a) the refusal of that person’s application for a business license under the License By-law or a chauffeur’s permit or vehicle for hire license under the Vehicles for Hire By-law; or

(b) the suspension, revocation, or cancellation of that person’s business license, chauffeur’s permit, or vehicle for hire license;

“parliamentary inquiry” means a question directed to the Chair to obtain information on a matter of parliamentary procedure or the rules of the City bearing on the business at hand;

“point of information” means a request to the Chair or through the Chair to another Council member for information relevant to the business at hand but not related to parliamentary procedure;

“presentation” means an update or information presented by staff which may or may not have an associated report;

“public comments” mean submissions from the public, either in writing, or in electronic form, including audio or video format, graphics, photographs and other materials, regarding a proposed by-law;

“public hearing” means a meeting to consider a proposed official development plan, zoning by-law, heritage designation by-law, or heritage revitalization agreement by-law, pursuant to Part XXVII or Part XXVIII of the Vancouver Charter;

“public hearing summary” means a video or audio recording of that part of a public hearing conducted in the absence of a Council member, or an oral or written report given by the Director of Planning or another City official, which summarizes the main points made by each speaker who spoke during the absence of a Council member;

“referral report” means a Council report or Council member’s motion requesting that Council decide whether or not to refer a matter to public hearing;

“representative speaker” means a speaker who represents three or more other persons, three or more other corporations, societies or organizations, or three or more other persons and corporations, societies or organizations;

“section 277.1 delegation” means one or more Council members appointed by Council, under section 277.1 of the Vancouver Charter, as delegates to hold a hearing;

“standing committee” means a Council committee established by Council;

“speaker” means a member of the public or a representative speaker who addresses Council, a standing committee, a public hearing, or a Court of Revision about a specific item on the agenda of a meeting;

“unfinished business” means:

- (a) items from the agenda of the immediately preceding Council meeting that Council did not consider or did not finish considering; or
- (b) items from the agenda of a standing committee meeting that the committee, at that meeting, did not finish considering; and

“urgent business” means business that requires the urgent attention of Council in connection with public health or safety, a financial or legal matter of significance to the city, or a request for a leave of absence.

Reference

1.3 If neither the Vancouver Charter nor this by-law answers a question about procedure, the most recent edition of Robert’s Rules of Order Newly Revised is to apply.

Table of contents

1.4 The table of contents for this by-law is for reference only, and is not for assistance in interpreting or enforcing this by-law.

Severability

1.5 A decision by a court that any part of this by-law is illegal, void, or unenforceable severs that part from this by-law and is not to affect the balance of this by-law.

Application

1.6 The provisions in this by-law that apply to Council meetings also apply to standing committee meetings and special Council meetings, unless otherwise set out in this by-law.

PART 2 MEETINGS

Council meetings

- 2.1 (1) Council meetings must be held in Council Chamber at City Hall, unless Council resolves to hold the meeting elsewhere.
- (2) Council meetings may be commenced, as required, at 9:30 a.m. on Tuesdays, except during the month of August.

Standing committee meetings

- 2.2 (1) Standing committee meetings must be held in Council Chamber at City Hall, unless Council resolves to hold the meeting elsewhere.

(2) Standing committee meetings may be commenced, as required, at 9:30 a.m. on Wednesdays, except during the month of August.

Public hearings

2.3 (1) Public hearings must be held in Council Chamber at City Hall, unless Council resolves to hold the meeting elsewhere.

(2) Public hearings may be commenced, as required, at 6:00 p.m. on Tuesdays and Thursdays, except during the month of August.

Court of Revision

2.4 (1) Sittings of the Court of Revision must be held in Council Chamber at City Hall, unless Council resolves to hold the meeting elsewhere.

(2) Sittings of the Court of Revision may be commenced, as required, at 4:00 p.m. on Tuesdays, except during the month of August, beginning in 2020, unless Council resolves to hold the meeting at another time or on another day.

Special Council meetings

2.5 Council must hold special Council meetings on the dates and at the times required by:

(a) the Mayor; or

(b) a majority of Council members, by written notice to the City Clerk.

Notice of meeting

2.6 The City Clerk must give notice of the date, time and place of each meeting by:

(a) posting the annual schedule of all meetings each year on the city website; and

(b) making the agenda for each meeting available as set out in section 3.3.

Change in meeting

2.7 Council may cancel, or change the date, time or place of any Council meeting.

Recess or adjournment of meetings

2.8 Each meeting must recess or adjourn:

(a) at noon;

(b) at 5:00 pm; or

(c) at 10:00 p.m.

unless Council, by a 2/3 vote of Council members present, resolves to extend the meeting.

Meetings in general local election year

2.9 In the year of a general local election, no Council meeting, public hearing, standing committee meeting, business licence hearing or chauffeur's permit appeal shall be held between the last day of the nomination period and general voting day.

PART 3 AGENDAS AND RECORDS OF MEETINGS

Purpose of agenda

3.1 An agenda constitutes notice of all business included in that agenda which Council is to conduct at the meeting to which the agenda refers, and adoption of the agenda at such meeting is not necessary.

Contents of agenda

3.2 The agenda for each meeting must reflect the order of business set out in sections 3.5, 3.6, 3.7, 3.8 or 13.13.

Publication of agenda

3.3 The City Clerk must:

- (a) send a copy of the agenda for each meeting to each Council member by electronic mail no later than noon on the day preceding the meeting; and
- (b) post a copy of the agenda for each meeting on the City's website.

Conduct of business

3.4 Council must conduct business in the order set out in the agenda except:

- (a) for appointment of a Chair under section 4.1(d); or
- (b) if Council resolves by a 2/3 vote of Council members present, without debate, to change the order of business; and
- (c) at a special Council meeting, Council must conduct only the business described in the agenda.

Order of business at Council meeting

3.5 The order of business at a Council meeting, other than a Council meeting that follows a standing committee meeting, is:

- (a) roll call;
- (b) proclamations/recognitions;

- (c) adoption of minutes;
- (d) items on consent;
- (e) presentations;
- (f) unfinished business;
- (g) communications;
- (h) reports;
- (i) referral reports;
- (j) by-laws;
- (k) administrative motions;
- (l) Council members' motions;
- (m) notice of Council member's motions;
- (n) new business; and
- (o) enquiries and other matters.

Order of business at standing committee meeting

3.6 The order of business at each standing committee meeting is:

- (a) roll call;
- (b) proclamations/recognitions;
- (c) items on consent; and
- (d) reports.

Order of business at Council meeting following standing committee meeting

3.7 The order of business at a Council meeting that commences following a standing committee meeting is:

- (a) roll call;
- (b) consideration of recommendations of the standing committee;
- (c) unfinished business;
- (d) urgent business; and
- (e) by-laws.

Order of business at special Council meeting

3.8 The general order of business at each special Council meeting is to be:

- (a) roll call; and
- (b) the special business set out in the agenda.

Minutes

3.9 The City Clerk must:

- (a) prepare the minutes of every Council, standing committee, and special Council meeting, business licence hearing, public hearing, chauffeur's permit appeal, and Court of Revision; and
- (b) circulate a copy of the minutes to Council members prior to the Council meeting at which they are to be adopted as provided in section 3.3.

Adoption of minutes

3.10 If there are no errors or omissions, Council must adopt the minutes as circulated.

Motion to amend minutes

3.11 A Council member may make a motion requesting that the minutes be amended to correct an inaccuracy or omission, however, the City Clerk must be advised of the challenge to the minutes at least one hour before the Council meeting at which the minutes are to be officially confirmed, to allow the City Clerk to review the recording of that meeting.

Meeting recording to determine accuracy of minutes

3.12 If a Council member questions the accuracy of a portion of the minutes of a Council meeting, standing committee meeting, public hearing, Court of Revision or special Council meeting, the recording of that meeting, if available, shall be used to decide the question.

Typographical errors in the minutes

3.13 The City Clerk may correct errors in grammar, spelling, and punctuation in the minutes or may insert words necessary to the meaning or continuity of a sentence, but must not make any other change to the minutes which would alter or affect, in a material way, the actual decision made by Council.

Recording meetings in Council Chamber

3.14 The City Clerk may make a video or audio recording of all Council, standing committee and special Council meetings held in the Council Chamber, and the recording:

- (a) will be posted on the City's website as soon as practicable following the meeting that has been recorded;
- (b) will be posted on the City's website for a period of four years; and

- (c) may be removed from the City's website four years after the date the recording was posted.

Recording meetings outside Council Chamber

3.15 The City Clerk may record meetings of Council held at locations other than the Council Chamber, by whatever method is practicable.

PART 4 ROLE OF THE CHAIR

Chair of Council and special Council meetings, and public hearings

- 4.1 The Chair of a Council meeting, special Council meeting or public hearing is:
- (a) the Mayor;
 - (b) in the absence of the Mayor, the Acting Mayor;
 - (c) in the absence of the Mayor and Acting Mayor, the Deputy Mayor; and
 - (d) in the absence of the Mayor, Acting Mayor and Deputy Mayor, the Council member chosen to act as Chair as the first item of business following roll call, except that if the Mayor, Acting Mayor or Deputy Mayor joins a meeting in progress, the Chair for the remainder of the meeting is the Mayor, Acting Mayor or Deputy Mayor in accordance with the provisions of this section 4.1.

Chair of standing committee

- 4.2 The Chair of a standing committee meeting is to be:
- (a) a member of that committee appointed by Council annually to be the Chair; or
 - (b) in the Chair's absence, a member of that committee appointed by Council annually as the vice-chair;
- but in the Chair's or Vice-Chair's absence when the City Clerk calls the meeting to order, the standing committee may choose a member of that committee to serve as the Chair, as its first item of business after roll call.

Chair's status in debate and Council member's motions

- 4.3 The Chair must not:
- (a) speak, ask questions, or make motions about a matter under debate;
 - (b) introduce, speak, ask questions, or make motions to their own Council member's motion;

without relinquishing the chair to the person next entitled, under section 4.1, to assume the chair.

Chair to maintain order

4.4 The Chair of a meeting:

- (a) must maintain order and decorum;
- (b) must determine which Council member has a right to speak;
- (c) must rule on Points of Order or Questions of Privilege;
- (d) may call a Council member to order if, in the opinion of the Chair, it is necessary to do so; and
- (e) may expel a Council member from a meeting if, in the opinion of the Chair, the Council member is in breach of the rules of conduct set out in sections 6.1 or 6.2.

Procedure for deciding on point of order

4.5 When the Chair is called upon to decide a point of order:

- (a) the Chair must consider the point immediately;
- (b) the Council member must state the point of order that has been breached, without comment or debate, and must be seated immediately thereafter; and
- (c) the Chair must immediately rule on the point of order and advise the Council members of the Chair's decision.

Expulsion

4.6 If, in the opinion of the Chair, a Council member is in breach of the rules of conduct set out in this by-law:

- (a) the Chair may rule that a Council member is in breach of the rules of conduct; and
- (b) if there is no successful challenge to the Chair's ruling, the Chair may order the Council member to leave the Council Chamber for the balance of the meeting or until the Council member advises the Chair that the Council member wishes to apologize to Council in accordance with section 4.7.

Return after expulsion

4.7 If a Council member who has been expelled from Council Chamber wishes to apologize:

- (a) the Chair must so advise Council;

- (b) Council, by a majority vote, without debate, may permit the Council member to return to the Council Chamber;
- (c) the Council member must apologize immediately to Council for the conduct that caused the expulsion; and
- (d) Council, by a majority vote, without debate, may end the expulsion.

PART 5 GENERAL MEETING PROCEDURES

Entry on floor

5.1 Only Council members, and those persons permitted by the Chair or City Clerk to do so, may enter the Council floor during a meeting, except that infants under two years of age may enter the Council floor during a meeting when being cared for by a Council member.

Call to order

5.2 As soon after the time a meeting is to start and a quorum is present, the Chair, or, in the Chair's absence, the City Clerk, must call the meeting to order.

Absence of quorum

5.3 If, within 30 minutes after a meeting is to start, no quorum is present, the City Clerk must read the roll, record the result in the minutes, and declare the meeting cancelled.

Questions to staff

- 5.4 Any Council member may ask staff questions about a matter before Council, except that:
- (a) the question must be in relation to a report on the agenda, a presentation on a matter, a motion being considered by Council, or enquiries and other matters;
 - (b) the Council member must only include those facts necessary to explain the question, without argument or opinion;
 - (c) the time for the question and answer must not exceed five minutes in total; and
 - (d) after all Council members have had an opportunity to ask questions and be given answers, Council may, by resolution, permit all Council members further time to ask questions and receive answers, except that the time for each further question and answer must not exceed five minutes in total.

Suspension of rule of order

5.5 Council, by a 2/3 vote of Council members present, without debate, may suspend a rule of order for the remainder of the meeting or for a stipulated portion of the meeting.

Adjournment

5.6 Council may adjourn at any time, provided that Council:

- (a) is not in committee of the whole;
- (b) is not considering adoption of recommendations of the committee of the whole;
and
- (c) has no other matter on the floor.

Motion at standing committee meeting

5.7 At a standing committee meeting:

- (a) a motion does not require a second; and
- (b) a committee member need not rise to speak.

Standing committee recommendation non-binding

5.8 A standing committee recommendation to Council is not binding on Council but, for consistency, a standing committee may only approve a recommendation to Council by the same majority required of Council.

Standing committee report to Council

5.9 Each standing committee is to report to Council on all matters resolved.

Standing committee loss of quorum

5.10 If quorum is lost during a standing committee meeting, any recommendations that have been made by the standing committee will be referred to the next Council meeting as Unfinished Business.

Committee of the whole

5.11 Council may resolve at any time to go into committee of the whole to discuss items of business on a less formal basis.

Committee of the whole procedures

5.12 The provisions of this by-law that apply to Council meetings also apply to meetings of committee of the whole, except that:

- (a) a motion does not require a second;
- (b) a Council member may not move to adjourn; and
- (c) a Council member need not rise to speak.

Committee of the whole rising and reporting

5.13 Committee of the whole, by a majority vote of Council members present, without debate, must rise and report to Council on all recommendations and motions considered by the committee.

Committee of the whole loss of quorum

5.14 If quorum is lost during a meeting of the committee of the whole:

- (a) all matters that have already been determined at that meeting by the committee of the whole are deemed to have been reported out to Council; and
- (b) the report of the committee of the whole must be considered at the next Council meeting.

Recommendation in report not a motion

5.15 A recommendation in a report does not constitute a main motion unless a Council member moves the motion.

Report received for information

5.16 If the recommendation in a report is to “receive for information”, no vote is necessary unless a Council member moves a main motion in its place.

PART 6 CONDUCT OF COUNCIL MEMBERS

Rules of conduct

6.1 A Council member must not:

- (a) disturb or interrupt another Council member who is speaking, except to raise a point of order or point of privilege;
- (b) speak disrespectfully to another Council member, an official of the City or member of the public;
- (c) carry on a private conversation when a Council member has the floor;
- (d) disrupt or delay the conduct of business at a meeting; or
- (e) disobey the Chair when called to order.

Speaking

6.2 When questioning or speaking, a Council member must:

- (a) rise unless a disability prevents the Council member from doing so;
- (b) wait for recognition from the Chair;
- (c) only address the Chair; and
- (d) only speak to those matters referred to in and permitted by this by-law.

Chair maintains a list of speakers and decides order of speakers

6.3 The Chair:

- (a) maintains a list of Council members who have asked to speak on a matter; and
- (b) during questions and debate, calls Council members to speak in the order of the list.

PART 7 SPEAKERS AND CONDUCT IN PUBLIC GALLERY

Items which may be spoken to

7.1 Subject to the provisions of this Part 7, a person may only speak to reports that contain recommendations, except for the recommendation to receive for information, and Council members' motions.

Meetings at which speakers are permitted

7.2 Speakers are permitted to speak to:

- (a) staff reports on the day in which the agenda item is listed regardless of whether it is a Council meeting or a standing committee meeting;
- (b) member's motions at standing committee, provided Council refers the item to a future standing committee meeting to hear from speakers; and
- (c) Council at special Council meetings, in accordance with Council direction.

Requests to speak

7.3 A person who wishes to speak to an item in accordance with section 7.2, must, at least one hour before the meeting is scheduled to begin:

- (a) submit a request to the City Clerk to speak;
- (b) provide the City Clerk with their full name and contact information;
- (c) identify the item which they wish to speak to; and

- (d) submit any presentations or other materials to be presented during the meeting.

Speakers list

7.4 The City Clerk will record any request to speak that comply with section 7.3 on the speakers list, and bring the request to the attention of Council at the Council meeting.

Limits on speakers

- 7.5 A speaker must limit their comments to the matter contained in the report or recommendations being discussed, and:
- (a) if the speaker is speaking on their own behalf or on behalf of a corporation, society or other organization as an individual, the speaker must not speak at a standing committee or special Council meeting for more than three minutes in total nor more than once; or
 - (b) if the speaker is a representative speaker, must not speak at a standing committee or special Council meeting for more than five minutes in total nor more than once; and
 - (c) only one speaker or representative speaker from each organization is permitted.

Speaker accommodation

7.6 A speaker who requires accommodation to present to Council and is present at the meeting may have another individual read a statement they have prepared.

Council questions to speaker

- 7.7 Council members may pose a question to a speaker, except that:
- (a) the question and answer given must not exceed three minutes;
 - (b) a Council member may only ask a question of a speaker to clarify the speaker's position as related to the recommendations contained in the report or the content of a member's motion;
 - (c) a Council member must not engage the speaker in debate or provide background information unless the speaker asks for clarification of the question;
 - (d) if a question to staff arises as a result of the response of a speaker to a Council member, a Council member may ask a question of staff at the conclusion of speakers, except that the time for the question and answer must not exceed five minutes in total; and
 - (e) Council members must not ask leading questions of the speaker for the purpose of extending the speaking time provided to that speaker.

Conduct in public gallery

- 7.8 During a meeting, a person in the public gallery must not:
- (a) address Council members without permission;

- (b) applaud or otherwise interrupt a speech or action of Council members or a speaker addressing Council members; or
- (c) otherwise engage in improper conduct.

Expulsion from public gallery

7.9 The Chair may expel a member of the public who engages in improper conduct.

PART 8 MOTIONS AT MEETINGS

Form of motion

8.1 A motion must be clear, concise, in writing, and legible.

Main motion

8.2 A Council member may make a main motion only when no business is pending.

Seconding a motion

8.3 Consideration of a motion first requires a Council member, other than the Council member who brought the motion, to second it, unless otherwise provided in this by-law.

Withdrawal of motion

8.4 Once Council members have moved and seconded a motion under section 8.3, and the Chair has stated the motion, only the Council member who moved the motion may withdraw it, and then only with the unanimous consent of Council members present.

Council member's motion restricted while main motion under debate

8.5 When a main motion is under debate, a Council member may not make another motion except for:

- (a) a privileged motion to:
 - (i) fix the time to which to adjourn,
 - (ii) adjourn the meeting,
 - (iii) recess the meeting, or
 - (iv) raise a point of privilege;
- (b) a subsidiary motion to:
 - (i) set the motion aside temporarily, within the course of the meeting, to take up other business,
 - (ii) call for the question,

- (iii) limit or extend the limits of debate,
 - (iv) postpone to a certain time or later date and time,
 - (v) postpone until after a certain event or condition occurs,
 - (vi) refer,
 - (vii) amend, or
 - (viii) receive for information, and take no further action; or
- (c) an incidental motion to:
- (i) raise a point of order,
 - (ii) raise a point of information,
 - (iii) raise a parliamentary inquiry,
 - (iv) appeal the decision of the Chair, or
 - (v) suspend the rules.

Limitation on amendments

8.6 During debate on a main motion, Council members may move only one amendment to the main motion and only one amendment to that amendment concurrently.

Motion out of order

8.7 The Chair may refuse to open a motion for debate if the Chair decides the motion is out of order because it:

- (a) is not compatible with the purposes and objects of the Vancouver Charter including the good rule and government of the City, or the health, safety, and welfare of its inhabitants;
- (b) conflicts with a law or by-law;
- (c) subject to section 8.14, conflicts with or presents substantially the same question as a motion Council has previously decided at the same meeting, or the matter is still within the control of Council because not finally disposed of;
- (d) subject to section 8.15, conflicts with a resolution previously passed and still in force;
- (e) has been referred to a committee or postponed to a later date and time;
- (f) is dilatory, incorrect, frivolous, or rude; or
- (g) fails to meet any other characteristic or condition that applies to stating a motion

but, in doing so, the Chair must explain the application of the rules of procedure.

Speaking to motion during debate

8.8 A Council member must not speak to a motion for more than five minutes unless Council resolves to permit the member one five minute extension, and, in either case, must not speak to the motion again until every other member has spoken, or has had the opportunity to speak, to it.

Reply to motion during debate

8.9 Despite section 8.9, a Council member who has moved a main motion may reply for not more than five minutes but a Council member who has moved an amendment to a main motion may not reply.

Reading of motion

8.10 A Council member may require the City Clerk to read a motion under debate but, in doing so, must not interrupt another Council member who is speaking to the motion.

Raising of incidental motion

8.11 The Chair must take up immediately an incidental motion raised by a member.

Motion to adjourn

8.12 A motion to adjourn is always in order except that if Council defeats such a motion, a Council member may not move another motion to adjourn until Council has resolved at least one other item of business.

Reconsideration or rescission of an adopted motion

8.13 (1) An adopted motion may be brought back before Council by a motion to reconsider, rescind or amend provided that no person has taken irreversible action based on the motion.

(2) A motion to reconsider an adopted motion:

(a) may only be made at the same meeting; and

(b) may only be made by a Council member who voted with the majority in the first instance.

(2) A motion to reconsider an adopted motion:

(a) is debatable;

(b) if adopted, the motion shall be reopened for debate; and

(c) if reopened for debate, may be referred, amended, postponed or voted on.

(3) A motion to rescind or amend an adopted motion:

- (a) may only be made at a future Council meeting or at a special Council meeting held for that purpose; and
 - (b) may only be made by a Council member who voted with the majority in the first instance.
- (4) A motion to rescind or amend an adopted motion:
- (a) is debatable;
 - (b) if adopted, the previous motion is no longer applicable, and it would be in order to move a subsequent motion.

Reconsideration of defeated motion

- 8.14 (1) A defeated motion may be brought back before Council by a motion to reconsider or rescind provided:
- (a) no person has taken irreversible action based on the motion;
 - (b) if the motion is made within 365 days of the date the motion was defeated, the motion may only be made by a Council member who voted with the majority in the first instance; and
 - (c) if the motion is made more than 365 days after the motion was defeated, or in a new Council term, the motion may be made by any Council member, regardless of how they voted or whether they voted in the first instance.
- (2) A motion to reconsider a defeated motion may be made at the same meeting.
- (3) A motion to rescind a defeated motion may be made at a future Council meeting or at a special Council meeting held for that purpose.
- (4) A motion to reconsider:
- (a) is debatable;
 - (b) if adopted, the motion shall be reopened for debate; and
 - (c) if reopened for debate, may be referred, amended, postponed or voted on.
- (5) A motion to rescind:
- (a) is debatable; and
 - (b) if adopted, the previous motion is no longer applicable, and it would be in order to move a subsequent motion.

**PART 9
COUNCIL MEMBERS' MOTIONS**

Notice of member's motion at Council meeting for future meeting

- 9.1 In order to give notice at a Council meeting of the Council member's intention to move a Council member's motion at a future Council meeting:
- (a) the Council member must first deliver a notice of Council member's motion in written or electronic form, by title, to the City Clerk at the meeting, which must be at least two Council meetings prior to which the Council member intends to move the motion;
 - (b) the notice of the Council member's motion must stipulate the date of the Council meeting, which must be a Council meeting that does not follow a standing committee meeting.

Adding member's motion to the agenda

- 9.2 A Council member's motion received by the City Clerk on or before 5 p.m. on Monday or, if that Monday is a statutory holiday, on or before 9:00 a.m. on Tuesday of the week preceding the week of the Council meeting at which the Council member intends to move the motion, will be added to the agenda for the next Council meeting in the order in which it was received, except that the City Clerk must not add the motion to the agenda if:
- (a) it does not comply with section 9.1;
 - (b) it is delivered after the date and time stipulated in this by-law; or
 - (c) the motion is contrary to the provisions of the Vancouver Charter or other enactment that governs the City.

Member's motion as new business

- 9.3 If a Council member wishes to move a member's motion as new business at a Council meeting, the Council member must:
- (a) only do so at a Council meeting that does not follow a standing committee meeting; and
 - (b) deliver the motion in written or electronic form to the City Clerk after the deadline set out in section 9.2 at or in advance of the meeting;
- except that if any Council member calls notice on the motion before debate on the motion begins:
- (c) the calling of the notice is not debatable; and
 - (d) the City Clerk must add the motion to the agenda two Council meetings following the date at which the member's motion is raised as new business.

Member's motion as urgent business

9.4 A Council member may move a motion at a Council meeting that follows a standing committee meeting, or at a Council meeting, as urgent business.

Chair's ruling on motion as urgent business

9.5 If the Chair rules that a motion referred to in section 9.4 is:

- (a) urgent business, Council must deal with the motion at the same meeting; or
- (b) not urgent business, section 9.3 applies.

Moving member's motion

9.6 A Council member who brings forward a member's motion, in accordance with part 9, must move the motion in two minutes or less and must not recite the preamble.

Council member questions to mover of member's motion

9.7 After a Council member has introduced a Council members' motion, per section 9.6, but before the motion is on the floor of Council, each Council member may ask questions of the Council member moving the motion for one minute or less, including responses.

PART 10 BY-LAWS

By-law circulation

10.1 The City Clerk must make available to each Council member each proposed by-law listed on the agenda for a meeting.

By-laws by blanket motion

10.2 If no Council member requires debate or a separate vote on any particular proposed by-law, the Chair may introduce any number of such proposed by-laws in one motion, and refer to them only by their agenda reference numbers.

By-law by separate motion

10.3 If a Council member, under section 10.2, has requested debate or a separate vote on a particular proposed by-law:

- (a) the motion to enact proposed by-laws by reference to their agenda reference numbers will be deemed to exclude the particular proposed by-law;
- (b) after the vote, under section 10.2, on the group of by-laws referred to by their agenda reference numbers, a Council member may move enactment of the particular proposed by-law; and
- (c) Council members may debate or amend the particular proposed by-law.

By-law signing

10.4 A motion to enact a by-law must authorize the Mayor and City Clerk, after enactment, to sign and seal the by-law.

PART 11 VOTING

Electronic voting

11.1 Council members may vote by electronic means.

Separate vote on parts of motion

11.2 If a motion under debate is divisible into separate parts, a Council member, after the Chair has called the question, may require a separate vote on each part of the motion.

Recommendations by blanket motion

11.3 If no Council member requires debate on particular recommendations of the City Manager or City staff, and if Council does not decide otherwise, Council may vote on and adopt such recommendations in one motion.

Voting on amendments

11.4 Council must vote on amendments to main motions:

- (a) in the reverse order in which Council members moved them; and
- (b) before voting on the main motion.

Call for vote

11.5 If Council members move and second a motion to take the vote on a motion under debate:

- (a) the Chair must put the motion to take the vote;
- (b) Council members must vote without further debate; and
- (c) carrying the motion requires a 2/3 vote of the Council members present.

Voting protocol

11.6 After the Chair calls for Council members to vote and until the Chair declares the result of the vote on the motion, Council members must:

- (a) take their seats, and remain sitting;
- (b) not discuss the motion or make another motion; and
- (c) not cause any noise or other disturbance.

Voting procedure

11.7 (1) The Chair must conduct the vote as follows:

- (a) the Chair must call first for Council members in favour and then for Council members opposed;
 - (b) after taking the vote, the Chair must state the names of those Council members opposed; and
 - (c) the Chair must verify the results of the vote if requested to do so by a Council member.
- (2) The City Clerk must enter in the minutes the names of those Council members opposed.

Carrying of the vote

11.8 Unless the Vancouver Charter or a by-law otherwise requires, carrying of the vote requires the affirmative vote of the majority of the Council members present at the meeting.

PART 12 BUSINESS LICENCE AND CHAUFFEUR'S PERMIT HEARINGS

Notice of intention to appeal

12.1 An interested person who wants a hearing by way of appeal must:

- (a) submit to the City Clerk, within 10 days after the date of the suspension or revocation of a business licence, or of the refusal, suspension or cancellation of a chauffeur's permit, notice in writing of the person's intention to appeal; and
- (b) state concisely, in the notice, the grounds upon which the interested person is basing the appeal.

Notice of hearing

12.2 At least 14 days before the date of a hearing, the City Clerk must give written notice of the date, time, and place of the hearing to the interested person:

- (a) by mailing it by registered post to the address set out in the most recent application for the business licence or chauffeur's permit;
- (b) by handing it to the interested person; or
- (c) if the interested person is a corporation, by mailing it by registered post to the registered office of the corporation.

Request for interpreter

12.3 An interested person must submit a request to the City Clerk for an interpreter to attend the hearing at least seven days before the date of the hearing.

Existence of section 277.1 delegation

12.4 A section 277.1 delegation comes into existence on the date, and at the time of commencement, of the hearing as stipulated in the resolution of Council delegating the holding of the hearing to the Council members comprising the section 277.1 delegation.

Quorum

12.5 The quorum for a section 277.1 delegation is three.

Call to order

12.6 As soon after the time a meeting is to start that a quorum is present, the Chair of Council or the section 277.1 delegation, or, in the Chair's absence, the City Clerk, must call the meeting to order.

Absence of quorum

12.7 If, within 30 minutes after a hearing is to start, no quorum of Council or the section 277.1 delegation is present, the City Clerk must read the roll, record the result in the minutes, and declare the meeting cancelled.

Conduct of hearing

12.8 Council or the section 277.1 delegation must hear any applications related to the conduct of the hearing immediately after the roll call for the hearing.

Opportunity to be heard

12.9 At the hearing, Council or the section 277.1 delegation must afford the opportunity to be heard to the interested person.

Absence of interested person from appeal

12.10 If an interested person fails to appear at a hearing by way of appeal on the date and at the time and place stipulated in the notice of hearing, Council or the section 277.1 delegation may treat the appeal as abandoned by the interested person.

Absence of interested person from hearing

12.11 If an interested person fails to appear at a hearing other than by way of appeal on the date and at the time and place stipulated in the notice of hearing, Council or the section 277.1 delegation may proceed with the hearing in the absence of the interested person.

Recording of the hearing

12.12 The City Clerk must make an audio recording of the hearing, and preserve it for the longer of two years after the hearing or the end of the then current Council term.

Decision

12.13 Subject to section 277.1(4) of the Vancouver Charter, at the conclusion of a hearing, Council or the section 277.1 delegation may render its decision, or may adjourn the hearing and set a date, time, and place to re-convene the hearing in order to render the decision.

PART 13 PUBLIC HEARINGS

Public hearing procedures

13.1 The definitions in this by-law and the relevant provisions of Parts 2, 3, 4, 5, 6, 7, 8 and 11 are to apply to public hearings, except as otherwise provided in this Part 13.

Council questions on referral report

13.2 At a Council meeting, Council may ask questions of staff related to the decision to refer a proposed by-law to public hearing, or otherwise comment on the process leading to the recommendation for referral, except that all other issues regarding the proposed by-law must be addressed at public hearing.

Public questions on referral report

13.3 A request by a member of the public to speak to a referral report is not in order, except that if a referral report recommends that a matter not be referred to public hearing, the applicant may speak to that recommendation.

Requests to speak and public comments prior to public hearing

13.4 All persons who deem themselves to be affected by a proposed by-law which has been referred to public hearing may:

- (a) submit a request the City Clerk to speak at the public hearing; and

- (b) submit public comments to the City Clerk in accordance with this by-law.

Speakers list

13.5 The City Clerk will register on the speakers list all persons who submitted a request to speak at the public hearing.

Acknowledgment of public comments

13.6 The City Clerk will acknowledge receipt of all public comments submitted in accordance with this by-law, except that a petition will only be acknowledged if it designates the name of a contact person and provides their e-mail or mailing address.

Circulation and posting of public comments

13.7 The City Clerk will:

- (a) prepare a public agenda package for each public hearing agenda item, containing the referral report, the proposed by-laws, summary and recommendations, any subsequent staff memos proposing amendments, and all public comments received by 5 p.m. on the day which is three (3) business days preceding the public hearing;
- (b) circulate the contents of the public agenda package electronically to Council by noon on the day which is two (2) business days preceding the public hearing; and
- (c) post the contents of the public agenda package and the public hearing agenda on the City website, by midnight on the day which is two (2) business days preceding the public hearing.

Public comments received after circulation and posting

13.8 Public comments and any staff memos proposing amendments that are received by the City Clerk after circulation and posting of the public agenda package and before the close of public comments:

- (a) will be added to the public agenda package and circulated to Council; and
- (b) will be posted on the City website within a reasonable time.

Public agenda package

13.9 The City Clerk will make the public agenda package, other than public comments, available for public reference at the public hearing.

Deadline for public comments

13.10 Public comments received by the City Clerk later than fifteen minutes after the close of the speakers list will not be circulated to Council until after Council has determined whether or not to enact the by-law or by-laws that were considered at the public hearing.

Author of public comments

13.11 Public comments which do not identify the author by name will not be circulated to Council or posted on the City website.

Personal information

13.12 Public comments will be posted on the City website in their entirety, excluding contact information, unless at the time of submission, the author requests that the City Clerk redact specified personal information, except that the author's name will not be redacted.

Order of business

13.13 The order of business at a public hearing is:

- (a) roll call;
- (b) opening instructions regarding speakers and public comments; and
- (c) for each agenda item:
 - (i) reading of application and summary of public comments received,
 - (ii) presentation by staff,
 - (iii) presentation by applicant,
 - (iv) hearing of speakers on speakers list,
 - (v) call by Chair three times for further speakers,
 - (vi) call by Chair for public comments,
 - (vii) close of speakers list,
 - (viii) closing comments by applicant,
 - (ix) closing comments by staff,
 - (x) Council questions of staff following staff closing comments,
 - (xi) close of public comments pursuant to subsections 13.22 and 13.23,
 - (xii) debate, and
 - (xiii) motion.

Authority of the Chair

13.14 The Chair:

- (a) will ensure that speakers limit their remarks to matters related to the proposed by-law;
- (b) may make a motion to recess for not more than 10 minutes during a public hearing, to provide a Council member an opportunity to receive a public hearing summary in accordance with section 13.25 or 13.26;
- (c) may make a motion to recess for not more than 10 minutes during a public hearing, to provide Council an opportunity to review public comments submitted pursuant to sections 13.23 and 13.24; and
- (d) despite the provisions of this by-law, may modify the procedures at a public hearing if the Chair determines it is appropriate to do so, subject to a vote by not less than 2/3 of the Council members present to supersede the Chair's ruling.

Delay of commencement of public hearing

13.15 If all participating Council members are not in attendance at the time the public hearing is scheduled to start, the Chair may delay the commencement of the public hearing for up to 30 minutes.

Commencement of delayed public hearing

13.16 If all participating Council members are not in attendance 30 minutes after the public hearing is scheduled to start, and there is a quorum present, the Chair will commence the public hearing.

Absence of quorum

13.17 If a quorum is not present 30 minutes after the public hearing is scheduled to start, the City Clerk must read the roll, record the result in the minutes, and declare the public hearing cancelled.

Time limit for individual speaker

13.18 A speaker who is speaking on their own behalf or on behalf of a corporation, society or other organization as an individual, the speaker must not speak at a public hearing for more than five minutes in total nor more than once.

Representative speaker

13.19 A representative speaker may only speak on behalf of other persons or corporations, societies or organizations if those represented are also present at the public hearing, either in person or by a representative of each corporation, society or organization represented by the speaker.

Time limit for representative speaker

13.20 A representative speaker must not speak at a public hearing for more than eight minutes in total nor more than once.

Question to speaker

13.21 A question posed to a speaker at a public hearing by a Council member, and the answer given, must not exceed five minutes in total.

Public comments submitted during the public hearing by speaker

13.22 Despite the provisions of section 13.4, a speaker at a public hearing may also submit public comments, graphics and other materials to Council during the public hearing, except that the public comments must be submitted no later than fifteen minutes after the close of the speakers list, and, if written, must not exceed 1500 words.

Public comments submitted during the public hearing by person who does not attend

13.23 Despite the provisions of section 13.4, a person who does not attend a public hearing may also submit public comments, graphics and other materials to Council during the public hearing, except that the public comments must be submitted no later than fifteen minutes after the close of the speakers list, and, if written, must not exceed 1500 words.

Vote following absence during day or last day of public hearing

13.24 A Council member who is absent for part of a public hearing that is concluded in one day, or for part of the last day of a public hearing that lasts longer than one day, may only vote on a motion regarding amendment or approval in principle of the proposed by-law or by-laws if the Council member first receives or reviews a public hearing summary during a 10 minute recess called for that purpose, except that the Council member may not vote on the motion if the public hearing summary cannot be reasonably presented or reviewed during the 10 minute recess.

Vote following absence during continued public hearing

13.25 A Council member who is absent for part of a public hearing that lasts longer than one day, other than for part of the last day of the public hearing, may only vote on a motion regarding amendment or approval in principle of the proposed by-law or by-laws if the Council member first receives or reviews a public hearing summary, which must include the video recording of that part of the public hearing that was conducted in the absence of the Council member.

PART 14 ELECTRONIC MEETINGS

Electronic meeting procedures

14.1 The definitions in this by-law and the relevant provisions of Parts 2, 3, 4, 5, 7, 8, 9 and 10 apply to electronic meetings, except as otherwise provided in this Part 14.

Special Council meeting by electronic means

14.2 A special Council meeting may be conducted by electronic means.

Participation of Council member by electronic means

14.3 A Council member who is unable to attend a special Council meeting, which has been convened in accordance with this by-law, may participate by electronic means.

Communication at electronic meeting

14.4 Council members who participate in a meeting conducted by electronic means must be able to hear, or to watch and hear, each other.

Convening electronic special Council meeting

14.5 The Mayor, or a person designated by Council to act in the capacity of the Mayor in the Mayor's absence, may convene a special Council meeting to be conducted by electronic means.

Chair of electronic special Council meeting

14.6 Part 4 applies to a special Council meeting which is conducted by electronic means except that:

- (a) if there is one Council member present at the place where the public may attend, that Council member is the Chair;
- (b) if there are two or more Council members present at the place where the public may attend, other than the Mayor, Deputy Mayor or Acting Mayor, the Chair shall be the Council member present chosen by Council, as its first item of business after roll call, to serve as the Chair for that meeting; and
- (c) if the Council members present include the Mayor, Deputy Mayor or Acting Mayor, the provisions of section 4.1 govern the appointment of the Chair.

Public or in camera electronic special Council meetings

14.7 A special Council meeting which is conducted by electronic means may be open to the public or closed to the public.

Notice of public electronic special Council meeting

14.8 Notice of a special Council meeting, which is not closed to the public and is to be conducted wholly or in part by electronic means, may be given using a means of communication which the Mayor, or a person designated by Council members to act in the capacity of the Mayor in the Mayor's absence, considers most likely to reach the public, and should include a brief description of:

- (a) the nature of the business to be transacted;
- (b) the way the meeting is to be conducted; and
- (c) the place the public may attend to hear the proceedings.

Notice of in camera electronic meeting

14.9 Before holding an in camera special Council meeting by electronic means, Council must state by resolution, passed in a public meeting:

- (a) the fact that the meeting or part of the meeting is to be closed; and
- (b) the basis under the applicable subsection of section 165.2 of the Vancouver Charter for closing the meeting or part of the meeting.

Public meeting prior to in camera electronic meeting

14.10 The public meeting referred to in section 14.9 may be conducted by electronic means.

Public attendance at electronic meeting

14.11 The place the public may attend to hear the proceedings in accordance with section 14.8 or 14.9 should provide:

- (a) communication facilities which enable the public to hear, or watch and hear, the meeting and participating Council members; and
- (b) a person in attendance who is a designated city representative.

PART 15 ADVISORY COMMITTEES AND OTHER BODIES

Advisory committee procedures

15.1 The provisions of this by-law are to apply, with the necessary changes, to advisory committee meetings except as otherwise provided in this Part 15.

Order of business at advisory committee meeting

15.2 The order of business at an advisory committee meeting is:

- (a) roll call;
- (b) adoption of minutes;
- (c) agenda items;
- (d) liaison updates;
- (e) subcommittee updates; and
- (f) new business.

Order of business at special advisory committee meeting

15.3 The order of business at a special advisory committee meeting is:

- (a) roll call; and
- (b) the special business described in the special advisory committee meeting agenda.

Establishing advisory committees

15.4 In establishing an advisory committee, Council must:

- (a) adopt terms of reference for the advisory committee including:
 - (i) the purpose of the advisory committee,
 - (ii) the composition of the members,
 - (iii) the length of each member's term,
 - (iv) a requirement for the advisory committee to report either to Council or to staff,
 - (v) the frequency and scheduling of meetings, and
- (b) name the advisory committee members;
- (d) assign, on recommendation of the Mayor, a Council member as committee liaison; and
- (e) direct the City Manager to assign a staff member as committee liaison.

First advisory committee meeting

15.5 The City Clerk or a person authorized by the City Clerk must call the first advisory committee meeting to order and the advisory committee members, as their first order of business after roll call, must determine through a nomination process and by resolution the member who is to serve as the Chair for that meeting or for such period of time as may be determined by the advisory committee members.

Appointment of Chair

15.6 The Chair at each advisory committee meeting is to be:

- (a) the Chair appointed by the advisory committee; or
- (b) in the absence of the person referred to in subsection (a) when a meeting is to start, the committee member the advisory committee chooses, after the City Clerk calls the meeting to order, to serve as the Chair for that meeting;

but if the person referred to in subsection (a) or (b) joins a meeting in progress, that person will act as Chair for the remainder of the meeting.

Quorum

15.7 A majority of the persons appointed to an advisory committee are to constitute a quorum.

Attendance

15.8 An advisory committee member must not be absent from more than two consecutive advisory committee meetings without having first obtained a leave of absence in accordance with this by-law.

Request for leave of absence

15.9 The advisory committee may consider a member's request for a leave of absence and may grant a leave of absence by simple majority if the member's request is considered to be reasonable.

Deemed resignation for non-attendance

15.10 An advisory committee member who is absent from more than two consecutive advisory committee meetings without having first obtained a leave of absence in accordance with this by-law, is deemed to have resigned.

Attendance of Council member at meeting

15.11 A Council member may attend a meeting of an advisory committee, except that the Council member does not count for quorum and must not debate motions, make or second a motion, or vote on any question.

Role of City Clerk

15.12 The City Clerk or a person authorized by the City Clerk must:

- (a) in consultation with the Chair and staff liaison, prepare and distribute the meeting's agenda;
- (b) record the minutes of each regular or special advisory committee meeting; and
- (c) distribute the minutes prior to the meeting at which the advisory committee is to adopt them.

Advisory committee motions

15.13 An advisory committee may act only by motion but unless Council:

- (a) has expressly delegated to the advisory committee an executive or administrative power in respect of which the advisory committee passes a motion; or
- (b) has expressly approved a motion passed by the advisory committee;

no motion passed by the advisory committee is binding on the City.

Advisory committee reports

15.14 Each advisory committee of Council must report to Council, in writing:

- (a) on all matters Council has referred to the advisory committee including both affirmative and negative decisions;
- (b) where the advisory committee requires Council's approval for passing a specific motion; or
- (c) where, in the advisory committee's opinion, the City's interests so require.

Role of City Manager on advisory committee reports to Council

15.15 The City Manager may comment on all advisory committee reports to Council.

PART 16 REPEAL AND ENACTMENT

Repeal

16.1 Council repeals By-law No. 9756, as amended.

Enactment

16.2 This by-law is to come into force and take effect on the date of its enactment.

Engagement Completed

GROUP	TOPICS	DATES CONDUCTED	METHOD	# OF PARTICIPANTS
Public	- Accessibility of meetings - Speakers' process	December 2017 – January 2018	Online survey	866
	- Pilot procedures	June 13 – July 3, 2019	Online survey sent only to registered speakers from the pilot project period	63
Staff	- Speakers' process	December 2017 – January 2018	Internal survey	81
	- Pilot procedures	June 18 – July 3, 2019	Internal survey	21
Mayor/ Councillors	- Accessibility of meetings - Speakers' process	January-February 2018	In-person interviews	10
	- Pilot procedures	June 20 – July 3, 2019	Internal survey	10
Other local governments	- Speakers' process - Meeting procedures - Agenda release	November 2018 – February 2019	Survey sent by email	20