

BYLAW 21303 - Council Procedures Bylaw Amendment No. 9

Recommendation

That Bylaw 21303 be given the appropriate readings.

Purpose

To amend the Council Procedures Bylaw, Bylaw 18155, to require advance disclosure of pecuniary interests and conflicts of interest, and other minor amendments.

Readings

Bylaw 21303 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving to third reading, Council must unanimously agree “That Bylaw 21303 be considered for third reading.”

REPORT

The *Municipal Government Act* requires members of Council to disclose and abstain from participating in any matter where they have a pecuniary interest, which is broadly defined as a matter that could monetarily affect the member of Council, their employer, or family member. In addition, the Act allows members of Council to declare a conflict of interest, which is a matter that could affect a private interest of the member of Council, their employer, or family member, and abstain from participating in discussion.

If a member of Council declares a pecuniary or conflict of interest, the general nature of the interest must be recorded in the minutes for the meeting.

To ensure any pecuniary and conflicts of interest are declared in advance of any discussion on the matter occurring, and to ensure full transparency, Bylaw 21303 proposes an amendment to the Council Procedures Bylaw, Bylaw 18155, to require members of Council that identify a pecuniary or conflict of interest in an item on a Council or Committee meeting agenda to inform the Chair and City Manager at least two days in advance of the meeting. An opportunity to

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declare any pecuniary or conflicts of interest will also be provided, in public, immediately following Roll Call at every Council and Committee meeting.

In addition, Bylaw 21303 proposes two minor amendments related to recent changes to privacy legislation and notices of motion.

Bylaw 18155 currently contains a definition of "FOIP head" that is now obsolete with the introduction of the new *Access to Information Act* and *Protection of Privacy Act*, which repealed the former *Freedom of Information and Protection of Privacy Act*. Bylaw 21303 proposes amendments to delete the obsolete term and its use in the bylaw. In addition, a reference to the former Act in relation to closing meetings to the public is replaced with a reference to the new legislation.

With regard to notices of motion, an amendment is proposed to confirm existing practice that notices of motion cannot be given at special meetings. An opportunity to provide notice of motion will continue to be available at all regular Council and Committee meetings. In addition, if notice of motion is given and the motion is not made on the date stated, it will be laid over to the next regular meeting, not to a special meeting. As special meetings are intended for specific purposes, having notices of motion be given and made at regular meetings only is consistent with current practice. The amendments proposed in Bylaw 21303 provide clarity on these existing practices.

Community Insight

As the proposed amendments relate to Council's governance, no community engagement was conducted.

Attachment

1. Bylaw 21303

Others Reviewing the Report

- M. Gunther, Acting City Solicitor