



City of Richmond

Report to Committee

To: General Purposes Committee

Date: July 5, 2021

From: Claudia Jesson
Director, City Clerk's Office

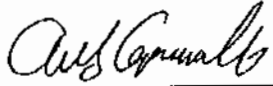

File: 99-LAW/2021-Vol 01

Re: **Amendments to the Council Procedure Bylaw – Participation By Means of Electronic or Other Communication Facilities**

Staff Recommendation

That Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202, which introduces amendments relating to participation by means of electronic or other communication facilities, be introduced and given first, second and third readings.


Claudia Jesson
Director, City Clerk's Office
(604-276-4006)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
SENIOR STAFF REPORT REVIEW	INITIALS: N/A
APPROVED BY CAO 	

Staff Report

Origin

The Province, by way of Ministerial Order M275, cancelled the Provincial State of Emergency effective at the end of day June 30, 2021. During the State of Emergency, municipalities have had the authority to conduct all meetings electronically pursuant to Ministerial Order M192.

With the cancellation of the State of Emergency, municipalities now have a limited window of 90 days under the *COVID-19 Related Measures Act* to continue to rely on the authority of Ministerial Order M192 for the purposes of conducting all meetings electronically. This expires on September 28, 2021.

This report recommends amendments to the Council Procedure Bylaw No. 7560 that will enable Council members to continue to participate by means of electronic or other communication facilities in regular circumstances when they are unable to attend meetings in person.

This report supports Council's Strategic Plan 2018-2022 Strategy #8 An Engaged and Informed Community:

Ensure that the citizenry of Richmond is well-informed and engaged about City business and decision-making.

Analysis

To enable local governments to hold regular and council committee meetings electronically and to conduct public hearings electronically going forward in non-emergency times, the Ministry of Municipal Affairs, through Bill 10, introduced amendments to the *Local Government Act* and the *Community Charter*. This legislation received Royal Assent on June 17, 2021, but does not come into force until a Regulation is promulgated. Based on discussions with Ministry staff, these amendments will likely not come into force until the end of September 2021.

In order to ensure that members of Council may continue to participate electronically in Council and Committee meetings immediately after the expiry of the 90 day period provided for under the *COVID-19 Related Measures Act*, this report recommends amendments to the Council Procedure Bylaw. These amendments to the Council Procedure Bylaw would be made under the current authority of s.128 of the *Community Charter* which provides the ability, if authorized by procedure bylaw, for a member of Council who is unable to attend a Council or Committee meeting to participate by means of electronic or other communication facilities.

It is anticipated that additional amendments to the Council Procedure Bylaw to allow for electronic meetings and electronic public participation generally will be presented for Council's consideration in the fall of 2021 after the amendments to the *Local Government Act* and the *Community Charter* are brought into force by Regulation.

Financial Impact

None.

Conclusion

Staff recommends that Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202, which introduces amendments to enable Council members to participate by means of electronic or other communication facilities when they are unable to attend Regular Council, Regular Council for Public Hearings, or Standing Committee Meetings, be introduced and given first, second and third readings.



Claudia Jesson
Director, City Clerk's Office
(604-276-4006)



Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202

The Council of the City of Richmond enacts as follows:

1. "Council Procedure Bylaw No. 7560", as amended, is further amended as follows:

Delete Section 1.4 and replace it with a new Section 1.4 as follows:

"1.4 In accordance with the provisions of *The Community Charter*,

- (a) Special Council Meetings may be conducted by means of electronic or other communication facilities;
- (b) Any one or more members of Council may participate in a Special Council Meeting by means of electronic or other communication facilities;
- (c) A member of Council or a Standing Committee who is unable to attend a Regular Council Meeting, Regular Council Meeting for Public Hearings or a Standing Committee Meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities; and
- (d) The facilities used must permit the meeting's participants to hear, or watch and hear, each other and, except for any part of the meeting which is closed, permit the public to hear, or watch and hear, the participation of the members during the meeting."

2. This Bylaw is cited as "**Council Procedure Bylaw No. 7560, Amendment Bylaw No. 10202**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
CS
APPROVED for legality by Solicitor
TC

MAYOR

CORPORATE OFFICER