

## Policy Discussion Papers - Decision Requested

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### Request for Recommendation

#### Procedure By-law Review

Presented To:	Priorities Committee
Presented:	Wednesday, Jul 09, 2008
Report Date	Monday, Jun 30, 2008
Type:	Policy Discussion Papers - Decision Requested

#### Recommendations

That staff be directed to prepare a new Procedure By-Law which incorporates the recommendations contained in the report from the Executive Director, Administrative Services

And that Option \_\_\_\_\_ with regards to meeting times be selected for inclusion in the new Procedure by-Law.

#### Signed By

**Report Prepared By**

Caroline Hallsworth  
Executive Director, Administrative  
Services

*Digitally Signed Jul 4, 08*

**Recommended by the Department**

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**Recommended by the C.A.O.**

Mark Mieto  
Chief Administrative Officer

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## **Executive Summary:**

The Procedure By-Law Review was undertaken with a view to simplifying meeting procedures as well as streamlining and updating the actual by-law. This report summarizes recommendations related to changes to the Procedure By-Law as it relates to meetings of Council and its committees. The report also includes four options for meeting times, for discussion by members of the Priorities Committee.

## **Background:**

The Council Procedure By-Law 2006-100 was originally drafted at the time of the creation of the new City of Greater Sudbury and while it has subsequently been amended to reflect changes in process and procedures, including the creation of the Priorities Committee in 2002, there has been no comprehensive and systematic review of the by-law since that time.

As part of the consultations prior to January's Special Meeting of Council, a number of Councillors noted the need to streamline the work of Council and its committees and requested review of the frequency, structure and length of meetings. Further, staff identified the need to update the by-law to reflect current practices, as for example those related to the nomination process. Finally, as the organization moves to the production of agendas online, there are opportunities to simplify administrative processes which are currently embedded within the Procedure By-Law.

Over the course of the past two months, a staff team conducted individual interviews with eleven members of Council and members of the Senior Management Team and held small group sessions with key stakeholder departments, including Clerk's Services, Legal Services, Planning and Finance. The feedback received during these meetings was thoughtful, constructive and reflected the knowledge and experience of the participants, all of whom are thanked for their assistance in this regard.

Members of Council indicated that they wanted to structure meetings to be shorter, more effective and focus on decision making and the business of the municipality. Based on the feedback received at the meetings, there were several areas, including Presentations, Committees and Agenda Structure for which clear consensus or direction emerged from the participants. Recommendations related to these areas are summarized for the information of and confirmation by the Priorities Committee. The one area on which there were many, varied opinions and for which there is no clear consensus relates to meeting times. Accordingly, staff completed further research regarding practices in other jurisdictions and developed a series of three options for discussion and direction from the Priorities Committee.

## **Presentations:**

Every individual who was consulted spoke to the need to move away from the current practices related to presentations, reflecting that there were too many presentations, that many presentations do not relate to municipal business, that presentations take a disproportionate amount of time on all agendas and that presentations detract from the ability of Council to focus its attention on debate and decision making. Councillors spoke to the need to limit the number, length and content of presentations and to introduce more structured guidelines related to presentations. Many of those consulted suggested strongly that there should be strict criteria for having presentations on the Council Agenda and that the majority of presentations should be required to be made at the committee level. Further, all members of Council reflected the need to strictly enforce time limitations on presentations and some suggested structuring the agenda to clearly reflect the time intervals allowed for each presentation.

Accordingly, having reviewed the feedback received and the practices of other municipalities a number of guidelines related to presentations are recommended for inclusion in the new Procedure By-Law.

Members of Council felt that the focus of Council meetings should be on debate and decision making and that there are very few presentations which should appropriately be made to Council. It is recommended that presentations to Council will be limited to those presentations which relate to a decision item on the agenda, or which significantly move forward municipal business. Visiting dignitaries would also be permitted to address Council. Councillors requested that there be a maximum of two or three presentations on any Council agenda and this will be incorporated into the by-law. Presentations to Council, being of more substantial nature, will be limited to ten minutes in length.

The majority of presentations will be made to Committees of Council. While the Priorities Committee remains one venue for community and information presentations, it was also suggested that many presentations can be directed to the Advisory Panels, Community Action Networks, affiliated Boards and similar bodies, whose mandates include hearing from, and providing advice related to community issues and awareness. Bodies which are accountable to City Council through budgets or funding arrangements could be encouraged to make presentations at Finance Committee or Priorities Committee, depending on whether the update was of a financial or more general nature. Given that most of these presentations are informational in nature, it is recommended that community presentations be restricted to five minutes each, with ten minutes allocated for follow-up questions and that staff presentations related to policy discussions or business on the agenda be limited to ten minutes with more flexibility around questions. Again, it is recommended that there be limits on the numbers of presentations to committees, being a maximum of two community information and two business related presentations at any meeting.

Through the consultations, it was noted that some bodies appear before Council and its committees on a more frequent basis. Several individuals suggested that annual reports from community groups, boards, committees and affiliated bodies, as for example, the Irish Regiment and Land Reclamation be provided in written format only and that these groups and bodies be permitted to present to committee only once per term of Council, unless otherwise so directed by Council or its Committees. For example, Council has, by way of resolution, directed the GSDC to provide quarterly updates to Council and these GSDC updates would continue if this recommendation is included in the by-law.

### **Committees:**

Discussions related to committees can be divided into two groups; general items which relate to multiple committees and comments specific to a particular committee. Generally, there was a feeling that there are plenty of committees currently in place, that there is too much committee work and that there should be more control and thought given to when and how committees are created, when members of Council are required to sit on committees and when advisory work is made stronger by citizen engagement and involvement. While a few members of Council reflected on the potential roles of standing committees, more members reflected on the need for council to work together as committee of the whole to develop knowledge and make decisions on matters, like parks, roads and finances which impact the entire community. Recommendations related to presentations to committees have been noted above. Through the discussion process it was noted that there is a need to more clearly define the mandate and roles of each committee, so as to assist everyone in ensuring that decisions are referred to the appropriate committee or panel and this will be incorporated into the new by-law.

There was strong recognition of the need for a policy committee, with time and room for debate on policy

matters which impact to the community. Several members of Council expressed concerns that in its current format, the Priorities Committee is not achieving that goal and that agendas are too often informational and lacking substantive content. A number of members made suggestions related to the frequency and format of these meetings.

There was consensus that there are more Priorities Committee meetings than are necessary and that this is reflected in light agendas. It is recommended that the Priorities Committee move from meeting twice monthly, to meeting once monthly, with no meetings in the summer, and in December. This would have the additional benefit of freeing up one Wednesday evening per month, which evening can be used to schedule Finance meetings, or even to schedule the occasional additional Priorities Committee meeting if more time is required. Also, there was agreement that most policies can be dealt with in one meeting and so the two step process will be eliminated.

In terms of agenda content at Priorities Committee, councillors specifically asked for more time to discuss broader policy issues that impact on quality of life in the wards. In some cases, having an entire agenda dedicated to related policies or topics was thought to be of benefit, as for example having a whole agenda specific to infrastructure issues. Topics for which members of Council have requested more time and policy debate include:

- Blasting By-Law
- Development Charge Policy
- Infrastructure
- Parks and Recreation
- Road and Sidewalk Policies
- Sole Sourcing/Purchasing Policies
- Transit
- Water/WasteWater
- Winter Control Policies

While these specific items do not need to be embedded in the new by-law, they have been noted by staff who will begin work in this regard.

Members of Council felt that the most effective meetings are held at Tom Davies Square but noted that the idea of having periodic meetings with a focus on a specific ward should be preserved. When a Councillor has identified that a number of citizens are interested in attending the meeting, it has been suggested that a Transit bus might be used to bring those citizens to Tom Davies Square, rather than having the meeting move to other venues.

It has been suggested that the name of this committee, Priorities Committee, does not clearly convey the primary purpose of the committee and it is recommended that this committee be renamed to Policy Committee.

Through discussions with staff groups and members of Council, it is identified that there is potential to make better use of the existing Hearing Committee by having all matters which require a hearing body (with the exception of Planning matters which will continue to be heard at Planning) be referred to this committee. Examples of matters which would appropriately be heard by the Hearing Committee would include, but not be limited to: taxi license appeals; court of revision (drainage); development charge appeals; tax relief matters; business license appeals. It is further recommended that the membership of the Hearing Committee be structured in the same way as Planning Committee. This means it would be expanded from

three Councillors to five, so as to have a balanced hearing body and for ease in ensuring quorum and members would be appointed for the term of Council.

During discussions, several individuals commented about the budget process, which process has been addressed by the Chief Financial Officer, in a report to the Council meeting of June 25, 2008.

**Agenda Structure:**

Generally, most of those who mentioned the agenda format were pleased with current practice, and felt that the use of the consent agenda was an effective tool to manage more routine items of business.

Announcements and questions was an area to which much thought was given. Some individuals suggested that these two items be split and appear on different agendas as there is often insufficient time towards the end of the meeting. Accordingly, it is recommended that announcements be moved to the Priorities Committee agenda, with questions remaining on the Council agenda. Further, it was suggested that members be limited to speaking once in this portion of the agenda and that comments should be curtailed, either to two items per member or to two minutes per speaker. Through the fall, Clerk’s Services will experiment with different formats of electronic announcements, which might be displayed in Council Chambers prior to and after meetings so as to reduce the time required for announcements during the meetings.

Some members of Council requested that agendas be issued earlier to allow more time to read, reflect and follow-up with staff where questions arise. Effective for September, agenda packages will be produced and distributed on Thursday, instead of Friday.

It was noted that the current mix of minutes received by Council may not be the preferred mix. Accordingly, the Clerk will survey members of Council as to which minutes they wish to receive and which they may wish to discontinue receiving.

**Meeting Times:**

There was a considerable variety of preferred options identified as they relate to meeting times. While some members of Council expressed an interest in reducing evening meetings in favour of daytime meetings, other members indicated that it is their preference to have a break between daytime work and evening meetings.

On the other hand, staff were unanimous in requesting more day time meetings, citing the negative health and quality of life impacts of regularly scheduled twelve to fifteen hour work days. The comments made by staff reflect findings from the recently released Employee Feedback Survey. Across the corporation, the Impact of Job on Personal Life ranks 5th on the importance scale and workload rates 7th. The corporate results in these two areas reflect significant gaps between importance and ratings:

Impact of Job on Personal Life		
Perceived Importance 82.7%	Average Rating 51.4%	Importance Gap 31.3%

Workload		
Perceived Importance 81.7%	Average Rating 50.3%	Importance Gap 31.4%

In recent years, there has been a considerable body of research regarding quality of work life and work-life balance. As succession planning and recruitment become increasingly challenging, quality of life factors are increasingly important as individuals make career choices. Measures, like the Canadian Top 100 Employers consider several factors, including time away from work when evaluating work life. Polling has found that achieving a work-life balance is the number one indicator for a successful career, well ahead of other considerations, including, salary, title, and job responsibility. The benefits of achieving this balance exist for both the employee and the employer and include stronger employee retention, increased ability to effectively recruit talent, higher productivity, less work-related stress and absenteeism, and more female and family employees.

Earlier this year, the Ontario Government moved the working hours of the legislature to a 9:30 a.m. start time, with sessions to be concluded by 6:00 p.m. Question period is now held in the mornings. The government's stated rationale behind this move was an effort to be more family-friendly towards MPPs, and supporting workers. Commenting on the changes, in the Globe and Mail, Michael Bryant, the Liberal House Leader said:

*"The goal is a 21st century legislature, to bring it out of the time of the gas lights and into the time of the Blackberry."*

He also noted that the new sitting times

*"Would allow those with families to make it to the child-care centre on time and to attend hockey games, dance recitals and family dinners."*

Over the past few years, other legislatures have made similar changes, including British Columbia, Manitoba, and the Yukon Territories. A number of municipalities, including Toronto, Calgary, Saskatoon, Kingston, and Windsor have also moved to earlier meeting times. These changes have been a direct result of an attempt by employers to help employees achieve a work-life balance and to provide more family-friendly hours.

To assist Council in identifying an optimum time and duration for meetings, a summary of results from the Governance Municipal Survey which was conducted by the City of London in November 2007, is appended. The survey reflects a variety of meeting start times, including morning, early and late afternoon and evening meetings.

With regards to meeting times, there is some benefit to consistent meeting start times, making it easier for public, media and staff to follow and attend meetings, knowing with certainty when to expect all meetings to start. With the availability of webcasts of meetings, citizens who are not able to watch the live broadcast of meetings, can follow the meeting at a time of their own convenience.

### **Meeting Duration and End Times:**

Article 14:06(3) of the Collective Bargaining Agreement for the Inside Unit of Local 4705 and Section 18(3) of the Employment Standards Act may impact on Council's decision regarding the end time for all

meetings. The Act states that *"An employer shall give an employee a period of at least eight hours free from the performance of work between shifts unless the total time worked on successive shifts does not exceed 13 hours or unless the employer and the employee agree otherwise."* For employees who begin work at 9:00 a.m., the thirteen hour provision is reached at 10:00 p.m. For employees who begin work at 8:30 a.m., the provision is reached at 9:30 p.m. To ensure compliance with the Employment Standards Act, it is recommended that the Procedure By-Law be amended to require unanimous consent of Council, or Committee for any and all meetings to continue past the hour of 10:00 p.m. Unless the 10:00 p.m. provision applies to the meeting, it is recommended that the practice of requiring 2/3rd majority to continue evening meetings after 3 hours and unanimous consent to continue after 4 hours be reflected in the by-law.

### **Meeting Time Options:**

Option One:

Start all meetings at 2:00 p.m.

Option Two:

Start all meetings at 5:00 p.m.

Option Three:

Start Committee meetings at 2:00 p.m.

Start Council meetings at 6:00 p.m.

Option Four:

Start Committee meetings at 5:00 p.m.

Start Council meetings at 6:00 p.m.

### **Administrative Details:**

As previously noted, there are a number of administrative items which can be simplified or removed from the by-law. For example, the entire "Mapping the Vision" document is included within the by-law as are the Terms of Reference for the Accessibility Advisory Panel and the Bicycle Advisory Panel, while Terms of Reference for the balance of the Advisory Panels are not included in the By-Law which exclusion provides for greater flexibility as panels evolve and change. The by-law currently contains considerable administrative detail, as for example describing staff processes for submitting items to the agenda or allowing staff to use the Council Lounge. As part of the Procedure By-Law Review, every effort will be made to focus the by-law on necessary inclusions only.

### **Next Steps:**

Over the summer months, staff will take the direction received from the Priorities Committee and begin to develop a draft Procedure By-Law for finalization in the fall of 2008. It is anticipated that the new by-law will simplify meeting procedures and streamline process. Once the new by-law has been completed, a quick and simple guide to meeting procedures which can be easily referenced by members of Council and its Committees as well as by citizens will also be developed. In addition, the City Clerk will prepare a separate report regarding appointments to panels and committees.

## Summary of Council Meeting Start Times and Average Meeting Duration

Municipality	Council Meeting Start Time	Average Council Meeting Duration
Brampton	1:00 p.m.	2 hours
Burnaby	7:00 p.m.	1 – 3 hours
Calgary	9:30 a.m.	8 – 10 hours
Durham	10:00 a.m.	NA
Gatineau	7:30 p.m.	NA
Edmonton	9:30 a.m.	12 hours
Halifax	6:00 p.m.	3 hours
Halton	9:30 a.m.	2 – 3 hours
Hamilton	7:00 p.m.	3 hours
Kitchener	7:00 p.m.	3 – 4 hours
Laval	8:00 p.m.	NA
Longueuil	7:00 p.m.	NA
Markham	7:00 p.m.	2 hours
Mississauga	9:00 a.m.	3 hours
Montreal	7:00 p.m.	NA
Niagara	7:00 p.m.	4 – 5 hours
Oakville	7:30 p.m.	2 – 3 hours
Oshawa	7:00 p.m.	4 hours
Ottawa	10:00 a.m.	NA
Peel	9:30 a.m.	6 hours
Quebec City	5:00 p.m.	NA
Regina	5:30 p.m.	20 min – 7 hours
Richmond Hill	7:30 p.m.	30 min
Saskatoon	6:00 p.m.	3 hours
St. Catherine's	6:30 p.m.	2.7 hours
Surrey	7:00 p.m.	NA
Toronto	9:30 a.m.	2 – 3 days
Vancouver	2:00 p.m.	2 – 5 hours
Vaughan	1:00 p.m.	2 hours
Waterloo	7:00 p.m.	1.5 – 2 hours
Windsor	6:00 p.m.	2 – 2.5 hours
Winnipeg	9:30 a.m.	NA
York	9:30 a.m.	4 hours

Source: Governance Municipal Survey – November 2007.