



LEGISLATIVE AND COURT SERVICES MEMORANDUM

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TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

FROM: W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: COUNCIL AND COMMITTEE MEETING STATUS AND UPDATE TO PROCEDURAL BY-LAW 2019-100 – PUBLIC PARTICIPATION AT MEETINGS

DATE: APRIL 27, 2020

The purpose of this Memorandum is to provide members of Council with information associated with the Council/Committee schedule and amendments to the Procedural By-law to provide for Open Delegations, Deputations and those wishing to provide comments at Public Meetings the ability to do so other than in person. An amendment to the Procedural By-law is included on the Council Agenda for April 27, 2020.

On March 17, 2020, a declaration of emergency was made by the Province of Ontario pursuant to Section 7.0.1 of the *Emergency Management and Civil Protection Act* related to the COVID-19 pandemic. On March 23, 2020 a state of emergency was declared in the City of Barrie by Mayor Lehman in response to COVID-19.

On March 19, 2020, the Province of Ontario passed Bill 187, the *Municipal Emergency Act*, which amends the *Municipal Act* to provide that during emergencies, Councils, local boards and committees have the ability to participate electronically in open and closed meetings and count towards quorum.

On March 30, 2020, City Council passed an amendment to the Procedural By-law to provide for electronic meetings during a declared provincial and/or municipal emergency. These amendments provide for City Council to meet electronically during an emergency in order to move any necessary business forward. At this meeting City Council also passed a by-law to delegate authority to the Chief Administrative Officer in consultation with the Mayor in order to make immediate decisions associated with the emergency that may be required.

In order to keep the regular business of Council and Standing Committee meetings moving forward, scaled down agendas will be considered each week by Council or the appropriate Standing Committee. Planning Committee meetings will be moved to Monday nights and will occur in advance of General Committee and/or Council. Moving the Planning Committees to Monday nights accommodates the scaled back meeting schedule. Future meetings of Advisory and Reference Committees will continue to be evaluated by the City Clerk in consultation with applicable Chair in advance of publically cancelling the meetings.

In order to allow for deputations, open delegations and electronic participation at Council and Committee meetings, an amendment to the procedural by-law is required. This amendment will provide for telephone, videoconferencing and other methods of submission deemed appropriate by the City Clerk in consultation with the Director of Information Technology. Written submissions will continue to be permitted as part of the Planning Public Meeting/consultation process. If preferred by a member of the public, written submissions will also be permitted in lieu of an verbal deputation or verbal open delegation or speaking at a public meeting, however this would limit Council's ability to ask any questions of a deputant/open delegation. In order to ensure accountability, transparency and accessibility to members of the public, members of the public will be encouraged to provide any written correspondence or notice of intent to speak in advance of the meeting. This will provide staff the opportunity to review any comments received, have them circulated with the applicable agenda and reach out with the appropriate information for them to electronically/call-in



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to the meetings. Even though Reference and Advisory Committees are not meeting at this time, including provisions in the by-law to allow alternate forms of participation ie electronic, telephone are being included, as in-person participation at these Committee meetings may not be limited depending on future physical distancing and social gathering rules.

The City Clerk will prepare protocols for electronic/telephone participation by members of the public. This information will be posted on the City's webpage and communicated to the public as requests to speak at meetings are received through the Legislative Services Branch.

It is anticipated that even once members of Council are able to meet together in person, limitations and recommendations related to the number of people allowed for public gathering may continue to restrict public attendance at meetings. As a result, the amendments to the Procedural By-law concerning public participation will not be limited for the duration of an emergency, but will be at the discretion of the City Clerk in consultation with the Mayor.

Questions can be directed to Wendy Cooke, City Clerk/Director of Legislative and Court Services at 705-739-4220 Ext. 4560 or wendy.cooke@barrie.ca.