



## **Staff Report for Council Meeting**

**Date of Meeting:** March 9, 2022

**Report Number:** SRCFS.22.009

**Department:** Corporate and Financial Services

**Division:** Office of the Clerk

**Subject:** **SRCFS.22.009 – Continuation of Electronic Council and Committee Meetings after COVID-19**

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### **Purpose:**

To seek Council's direction on the continued use of electronic (or Hybrid) Council and Committee meetings following the lifting of all COVID-19 restrictions.

### **Recommendation(s):**

- a) That staff report SRCFS.22.009 be received;
- b) That Council provide direction on the continued use of electronic Council and Committee meetings following the lifting of all COVID-19 restrictions.

### **Contact Person:**

Stephen M.A. Huycke, Director, Legislative Services/City Clerk, extension 2529.

Ryan Ban, Manager, Legislative Services/Deputy City Clerk, extension 5547.

### **Report Approval:**

**Submitted by:** Sherry Adams, Commissioner of Corporate and Financial Services

**Approved by:** Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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### Background:

Council and Committees have been meeting electronically since the start of the COVID-19 pandemic in March 2020. On September 9, 2020, Council adopted a resolution “That Council and Committee Meetings be conducted as hybrid meetings in the Council Chamber beginning with the first Council meeting in November 2020.”

On October 28, 2020, Council passed a resolution to delay the implementation of hybrid meetings until January 21, 2021. This was due to York Region being placed in Stage 3, the most restrictive stage, of the Government of Ontario’s reopening plan in force at that time. On December 9, 2020, Council further delayed the implementation of hybrid meetings until April 2021 due to continued provincial restrictions. The implementation of Hybrid meetings with Members of Council was further delayed past April 2021 as a result of York Region being placed in Red Zone, or the second most restrictive zone, of the revised provincial framework.

On March 24, 2021, Council considered Staff report SRCFS.21.014 (Attachment “A”), and adopted the following resolution that would implement Hybrid (electronic/in person) Council and Committee meetings in stages as COVID-19 restrictions start to be removed:

- “a) That staff report SRCFS.21.14, Implementation of Hybrid Council and Committee Meetings, be received;
- b) That the plan to implement hybrid Council and Committee meetings as generally described in staff report SRCFS.21.14, be approved;
- c) That in respect of hybrid Council Meetings, Special Council Meetings, Council Public Meetings, and any Committee whose membership does not include any citizen members:
  - (i) In person participation or attendance at a meeting be limited to Members of Council and City staff for the months of April and May, 2021;
  - (ii) In person delegations or Public Forum addresses begin no earlier than June 2021;
  - (iii) The Mayor (or Acting Mayor), in consultation with the City Manager and City Clerk, be delegated the authority to delay in person participation by members of the public as a result of any COVID-19 public health restrictions;
  - (iv) Where less than three Members of Council, including the Chair, are able to participate in a meeting in person, that meeting be conducted wholly as an electronic meeting; and
  - (v) The meeting Chair must participate in person.
- d) That where the Chair is not able to participate in person in a hybrid meeting, in accordance with Clause (c)(v) of this resolution, the Chair shall have the discretion

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to designate an alternate Chair for that meeting while still being permitted to attend and vote at that meeting, or direct that the meeting be conducted wholly as an electronic meeting;

e) That Council Meetings, Special Council Meetings, Council Public Meetings, and any committee whose membership does not include citizen members, be conducted wholly electronically at any time that York Region is placed in the Grey – Lockdown category of the Government of Ontario’s COVID-19 Response Framework, or any other similar lockdown or stay-at-home order implemented by the Government of Ontario;

f) That meetings of Heritage Richmond Hill, the Accessibility Advisory Committee, Committee of Adjustment, and any other committee that includes citizen members, continue as wholly electronic meetings until such time as COVID-19 public health restrictions limiting access to the municipal offices has ended;

g) That the City Clerk be authorized to place on a future Council agenda any by-law required to amend Article 12 of the Procedure By-law to give effect to this resolution.”

Subsequent to the adoption of this resolution, Council passed By-law 23-21 on April 28, 2021 to amended Article 12 to the Procedure By-law. A copy of the amended Article 12 is attached as Attachment “B”.

Council held its first Hybrid Council meeting on September 13, 2021 in Council Chambers however, due to continuing provincial restrictions enacted from time-to-time since April 28, 2021, in-person participation by the public (e.g. in person delegations) has not yet taken place.

The Government of Ontario has made a series of announcements and regulatory changes which began in early February 2021 and will effectively end most, if not all, COVID-19 restrictions within the next few weeks or months. The amended Article 12, as well as Council’s March 24, 2021 decision, effectively means that any electronic participation or meetings, except for the Accessibility Advisory Committee (“AAC”), will come to an end when all COVID-19 restrictions end in the near future.

Informal discussions have occurred that would suggest that continuing to provide the option for electronic participation in meetings following the ending of all pandemic health and safety restrictions may be a benefit to Council, Committees and the public.

This report seeks Council direction on the future use of electronic Council and Committee meetings following the end of COVID-19 restrictions. Council has two options, which are discussed in greater detail below, as follows:

- Option 1 – Maintain the current direction and end electronic participation for all Council and Committee meetings (except the “AAC”) when the last of the COVID-19 restrictions are lifted;

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- Option 2 – Continue to provide the opportunity for electronic meeting participation indefinitely

### **Option 1 – End electronic participation for Council and Committee meetings when the last of COVID-19 restrictions are lifted**

As noted above, Council's currently policy and Procedure By-law will effectively end any electronic meeting participation, except for the AAC, as soon as all COVID-19 restrictions are lifted. If Council wishes to end electronic meetings once all COVID-19 restrictions are lifted, the following resolution should be adopted:

#### Option 1 – Resolution

- a) That Staff Report SRCFS.22.009 be received for information only.

### **Option 2 – Continue electronic participation in Council and Committee meetings indefinitely**

Council could choose to continue to provide the opportunity for electronic participation in Council and Committee meetings after all COVID-19 restrictions are lifted. If this is Council's wish, Article 12 and additional sections of the procedure by-law will need to be amended. Those amendments are included in Attachment "C", and are generally described as follows:

#### Public Participation

To continue electronic meetings after COVID-19, including the option for electronic delegations and Public Forum, Council current practices need to be made permanent or clarified. Article 12 needs to be updated to remove the rule that prohibits electronic delegations when no emergency or health and safety restrictions exist (for example, see amended section 12.2.1 as shown in Attachment "C").

In addition to this, specific practices related to public participation in meetings that have formed part of electronic meetings need to be made permanent. For Public Forum, the current practice requiring persons who want to address Council during Public Forum to pre-register by noon the day prior to the meeting, as well as limiting the maximum number to five (5) persons, needs to be made permanent (see amended Section 5.5.3 in Attachment "C").

Additionally, the rules for Delegations at a Council Public Meeting (CPM) need updating. If there were no electronic meetings, the public could attend a meeting and address Council without pre-registering. To facilitate permanent hybrid CPM meetings, the rules need to be clarified so that pre-registration is required for electronic delegations, but in-person delegations that are not pre-registered will be permitted to speak (see amended Section 8.6 in Attachment "C"). In-person non-registered delegations will be permitted to speak as per practice prior to COVID-19. Pre-registered delegations would speak before non-registered delegations (see amended Section 8.6 in Attachment "C").

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### Committees

It is recommended that Committees that include Citizen Members (e.g. Heritage Richmond Hill) not be permitted to conduct Hybrid meetings. Rather, these committees must choose to be either wholly electronic or wholly in-person (see amended Section 12.2.1(c) in Attachment “C”). This is required due administrative and operational matter, including, but not limited to, technological and staff limitations. Consequential changes are also made to the Electronic Delegations rules for Committees to ensure that Committees meeting in-person only have in-person delegations, and wholly electronic Committees only have electronic delegations (see amended Section 12.4.3 in Attachment “C”).

### Member of Council and Chair

Under the current rules, a minimum of four (4) Members of Council, including the Chair, are required to attend a meeting in-person for there to be a Hybrid meeting. It is recommended that if Council is moving to a permanent electronic or hybrid meeting model, this requirement be changed and that only the Chair be required to attend a hybrid meeting in-person (see amended Section 12.3(b) in Attachment “C”).

### Option 2 – Resolution

- a) That Staff Report SRCFS.22.009 be received;
- b) That Council directs that the ability to participate electronically in Council and Committee meetings be maintained following the end of COVID-19 pandemic;
- c) That the amendments to the Procedure By-law No. 74-12 as amended, as set out in Attachment “C” to staff report SRCFS.22.009, be approved and the Clerk be directed to place the necessary amending By-law on the March 23, 2022 Council agenda for enactment.

### **Financial/Staffing/Other Implications:**

There are no financial implications from the continuation or discontinuation of Electronic Council and Committee Meetings after all COVID-19 restrictions have been lifted.

### **Relationship to Council’s Strategic Priorities 2020-2022:**

This staff report relates to Council’s Strategy Priority of a Strong Sense of Belonging. This staff report provides Council with options to continue Electronic Council and Committee Meetings in order for Members of Council, staff and the Public to continue to engage with Council and Committee meetings after all COVID-19 restrictions have been lifted.

### **Climate Change Considerations:**

Climate change considerations are not applicable to this staff report.

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### **Conclusion:**

Staff are seeking direction from Council on whether to continue Electronic Council and Committee Meetings after all COVID-19 restrictions are lifted and whether to make Electronic Council and Committee Meetings permanent.

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment “A” – Staff Report SRCFS.21.014
- Attachment “B” – Article 12 of the Procedure By-law as amended on April 28, 2021 by By-law 23-21
- Attachment “C” – Draft Amendments to the Procedure By-law

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### Report Approval Details

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|----------------------|--|
| Document Title:      | SRCFS.22.009 - Continuation of Electronic Council and Committee Meetings after COVID-19.docx   |
| Attachments:         | - SRCFS.22.009 - Attachment A - SRCFS.21.014 - Implementation of Hybrid Council and Committee Meetings.pdf<br>- SRCFS.22.009 - Attachment B - Procedure By-law - Article 12.pdf<br>- SRCFS.22.009 - Attachment C - draft amendments to the Procedure By-law.docx |
| Final Approval Date: | Mar 1, 2022  |

This report and all of its attachments were approved and signed as outlined below:

**Stephen Huycke - Mar 1, 2022 - 3:33 PM**

**Sherry Adams - Mar 1, 2022 - 4:25 PM**

**Darlene Joslin - Mar 1, 2022 - 4:41 PM**