



City of Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE ADDENDUM

Meeting #: 18-004
Date: August 29, 2018
Time: 1:00 p.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

6. PUBLIC HEARINGS / DELEGATIONS

- *6.1 Cameron Kroetsch, respecting the proposed changes to the Procedural By-law 14-300

9. MOTIONS

- *9.1 Speakers Queue

Proposed Changes to Bylaw 14-300

Delegation to the Governance Review Sub-Committee

August 29, 2018

Cameron Kroetsch

What brings me here today

- I reviewed the City's procedural bylaw (14-300), provided comments to the City's Clerk at the end of March 2018, and have delegated to this Sub-Committee twice (November 21, 2017 and June 26, 2018)
- I'm here to provide feedback on the latest report and recommendations from staff on bylaw 14-300

Thank you to staff

- I first want to thank staff for addressing some of the recommendations I put forward (21 of the 26 in Appendix C appear to come from my original submission in March)
- I did submit many more recommendations that were not addressed, but I understand that those may be taken up in the next term where I hope this process is started much earlier

Overview of my points

- The bylaw is clearer
- The bylaw and this process are still not accessible enough
- The bylaw still requires major changes
- The bylaw is still confusing in places

Clarity

- All votes will now be recorded through the electronic system (when this system is being used) - this is an important improvement; now we need to ensure that this information is easily available to the public
- A “track changes” document still needs to be provided to see exactly what has been changed, rather than a “summary” document

Clarity

- There are now more definitions at the beginning of the bylaw - this will help people who aren't familiar with some of the terms used
- There is now only one term used to indicate a “delay” of a motion; staff have recommended “defer” - this will make things less confusing

Clarity

- The issue of the relationship between the Mayor and Deputy Mayor is now clearer
- Definitions that were self-referential have been updated
- The version of *Bourinot's Rules of Order* is included
- The process for withdrawing a motion is much clearer

Accessibility

- The process of submitting comments and delegating was not an easy one; there needs to be a streamlined way to communicate about changes to the city's documents
- A track changes document is essential to this process; it was used in 2014 when this process was conducted and should be included in any future reviews

Accessibility

- The process we use for a “standing vote” is unnecessarily problematic; persons with disabilities who are unable to stand are necessarily excluded from this practice
- Changing the number of this bylaw (14-300) by repealing and replacing it, rather than just making changes, makes it confusing to track the history of revisions

Accessibility

- Use Clear Writing Principles to make the language simpler to understand - this will benefit everyone who uses and relies on this document
- Always cite sections of legislation when including them in a body of a document; it's important for the public to know when the City is referring to their own rules or to the rules put in place by other levels of government

Major Changes

- The practice of gaining and losing quorum due to breaks/meals needs to end; we need to implement standard meal times, break times, and meeting end times to ensure that we get through the business in front of Council in a way that is less disruptive and more respectful to the citizens who participate in our local democracy

Major Changes

- The staff's report on the bylaw recommends an important change about the manner in which votes are called and recommends that language be included that makes it clear whether individual members are "In Favour" or "Opposed" to a motion
- This is a suggestion I made and I strongly encourage you to take the staff's recommendation

Major Changes

- The staff's report on the bylaw says "Staff have therefore recommended that electronic voting be implemented for all votes with the exception of procedural motions (refer, defer, call the question, withdraw, recess, move into Closed Session and adjourn) and consent items."
- I think this is a reasonable recommendation and I ask that you support it (based on the current technology)

Confusion

- A new definition of the term “Question” states that a “question” is **an issue before a meeting on which a decision has to be made. A question cannot be debated, amended or voted on until it has been proposed as a motion.**
- In terms of rules of procedure; the “question” is whether a body is in favour of or in opposition to a motion (i.e. to call the question) not what is defined above

Confusion

- Section 7.1 states that: “No person in attendance at a Council or Committee meeting shall: (a) fail to maintain mutual respect and order or disrupt the Meeting in any manner;
- The wording is better, but inaccurate and problematic, it should read something like: “No person in attendance at a Council or Committee meeting shall (a) be disrespectful or disrupt the Meeting in any manner”

What I'm asking for

- That a few things be changed immediately and that the process for review be started early in the next term of Council (in the first year) so that there is adequate time for consultation, revision, and review

Immediate changes

- Definition of the word “question”
- Wording of 7.1 with respect to the conduct of attendees at meetings