



The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2019-20-Corporate Services
Prepared By: Manon Levesque, City Clerk
Meeting Date: October 15, 2019
Subject: Electronic Participation by Members of Council

Purpose

To provide Council with further information regarding changes to the *Municipal Act* introduced by Bill 68 which includes a provision to allow Members to participate electronically in meetings that are open to the public.

Recommendation

- (a) That Council receive Report 2019-20-CL; and
- (b) That Council endorse one of the two options provided in this report.

Financial Implications

Additional ITT equipment and resources may be required, depending on the direction taken by Council.

Strategic Priority Implications

Under the “Governance Model” of Cornwall’s Strategic Plan, the City of Cornwall offers live streaming of Council Meetings open to the public to facilitate openness and transparency for those who wish to view proceedings but cannot attend in person.

Background / Discussion

On February 11, 2019, Council directed Administration to explore the prospect of electronic participation by Council, Local Boards and Committee Members at Meetings open to the public. Council further directed Administration to prepare a report that would detail the logistics of electronic participation and amend the Procedural By-law to incorporate the new electronic participation provision at a subsequent Regular Council Meeting.

For the purposes of this report “electronic means” includes telephone, video or audio conferencing or other interactive method whereby Council Members, staff and the public are able to hear the Member participating by electronic means and the Member participating by electronic means is able to hear other Members, staff and the public.

The Act further states that electronic participation in closed meetings is not permitted.

Option 1: That Council authorize changes to the City’s Procedural By-law and endorse electronic participation by Council Members at Council Meetings that are open to the public.

The following would be included in the revised Procedural By-law:

1. Members of Council may participate in meetings by Electronic Means subject to the following:
 - (a) Electronic Means of participating in a meeting are available only for Meetings of Council that take place in the Council Chambers, located at City Hall, 360 Pitt Street, Cornwall, Ontario.

- (b) Requests to participate in a Council Meeting by electronic means must be made to the Clerk in writing at least five (5) business days before the Meeting.
- (c) Council Members may not participate electronically in any Council Meeting that is closed to the public.
- (d) A Council Member participating in a meeting by electronic means shall be considered to be present at such Meeting but shall not be counted towards quorum.
- (e) The Mayor must be present in person to Chair a meeting.

Should Council choose this option, Administration is recommending that these practices be followed when a Council Member participates in a Council Meeting by Electronic Means:

- (a) The Council Member participating in a Council Meeting by electronic means shall be available at least thirty (30) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- (b) The Council Member participating by electronic means will mute his or her electronic device when he or she is not speaking.
- (c) The Mayor will canvass the Council Member participating by electronic means about his or her intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak.
- (d) After putting a motion to a vote, the Council Member participating by electronic means will be required to identify verbally how he or she wishes to vote.
- (e) A Council Member participating by electronic means shall inform the Mayor about his or her intention to leave the Council Meeting either on a temporary or a permanent basis.
- (f) A Council Member participating by electronic means will be deemed to have left the Meeting when he or she is no longer electronically connected to the meeting.

- (g) In the case of a loss of connection, or any connection issue which impedes the ability of a Council Member to participate in the Meeting in real time, the Meeting will continue without attempts by either staff or the Member to reconnect.

Option 2: That Council not allow Electronic Participation by Council Members in Council Meetings open to the Public.

This option enables Council Meetings to continue the current practice of Council Members physically in attendance in the Council Chambers.

Electronic participation does not aid in achieving a quorum for Council Meetings as the Council Member attending by electronic means cannot be counted to achieve quorum.

The following would be included in the revised Procedural By-law:

1. Council Members may not participate electronically in any Council Meetings that are open to the public.
2. Council Members may not participate electronically in any Council Meeting that is closed to the public.

Committees, Boards and Commissions

Should Council choose Option 1, the electronic equipment will be available in the Council Chambers, located at City Hall, 360 Pitt Street, Cornwall, Ontario, for Council Members during Council Meetings that are open to the public.

Because Committee, Board and Commission Meetings are held at other locations and because the technology and resources would not be available, those Members will not be able to participate by electronic means.

Accordingly, the following clause would be included in the revised Procedural By-law:

1. Committee, Board and Commissioner Members may not participate in Council Meetings by electronic means.