

Simplified Rules of Procedure for Advisory Bodies

1. Principles and Purpose

1. Purpose.

To establish the procedures for meetings of Council Advisory Bodies.

2. Principles of the rules of procedure.

The following members' rights are the principles upon which the procedures are based:

- A. The majority of members have the right to decide;
- B. The minority of members have the right to be heard;
- C. All members have the right to information to help make decisions, unless otherwise prevented by law;
- D. Members have a right to an efficient meeting;
- E. All members have the right to be treated with respect and courtesy; and
- F. All members have equal rights, privileges and obligations.

2. Interpretation and Application

1. What takes precedence in case of conflicts.

In the case of a conflict between these rules of procedure and an advisory body's terms of reference as adopted by City Council, the terms of reference govern.

2. Application of the simplified rules of procedure

- A. The Rules of Procedure are observed in all meetings of an advisory body, unless the advisory body's terms of reference provide otherwise.
- B. If a matter is not provided for in the rules, the Chair makes a ruling, in accordance with the Rules for Committee in Chapter 27, Council Procedures.

3. How an advisory body gives advice.

- A. An advisory body gives advice in the following manner:

- 1. making recommendations to City Officials in matters within their jurisdiction for consideration;

2. making recommendations to the appropriate Council Committee for consideration; and

3. making recommendations to City Council on a matter on the Council agenda.

B. An advisory body recommendation that requires action by City Officials or City Council must first be considered by the appropriate Council Committee and, when necessary, approved by City Council.

3. Roles and Conduct

1. Appointment of Chair, Vice-Chair, and Co-Chairs.

If the advisory body's terms of reference do not provide for the appointment of a chair or vice-chair, the advisory body elects a chair and a vice-chair, or co-chair, at its first meeting.

2. Duties of the Chair.

The Chair:

A. presides at all meetings of the advisory body, rules on all procedural matters and maintains the decorum of the meeting;

B. determines the order in which members will speak;

C. determines when all members who wish to speak have spoken and are ready to vote on a matter;

D. may re-state proposals to ensure that the wording is recorded properly and everyone understands the intent;

E. rules whether a motion or proposed amendment is in order; and

F. may call, cancel and/or reschedule a regular meeting or call a Special meeting as necessary.

3. Duties of the Vice-Chair or Co-Chairs.

The Vice-Chair or Co-Chair of an advisory body has all the powers and performs all the duties of the Chair of the advisory body in the Chair's absence.

4. Absence of Chair

A. If neither the Chair, the Co-Chair nor the Vice-Chair is present when the meeting starts, the advisory body appoints another member as Acting Chair.

B. The Acting Chair presides and discharges the duties of the Chair during the meeting, or until the arrival of the Chair or Vice-Chair

5. Duties of the Secretary

A. The City Clerk or designate is the Secretary of the advisory body unless the terms of reference state otherwise.

B. The Secretary is responsible for:

1. establishing and enforcing deadlines for agenda business.
2. preparing, publishing, and distributing an agenda for each meeting, and providing appropriate notice.
3. in the absence of the Chair or any other member designated to Chair in the Chair's absence, calling the meeting to order and presiding until the advisory body immediately elects a meeting Chair.
4. providing procedural advice to members on agenda business and on preparing motions.
5. informing the Chair and members when items need to be added to or removed from the agenda.
6. serving as the parliamentary expert to the advisory body by advising the Chair on the meeting rules and on matters of parliamentary procedures.
7. calling to the attention of the Chair any error in proceedings that may affect the rights of any member, or the advisory body.
8. informing the Chair, if, in the Secretary's opinion, an issue that the advisory body is discussing in a closed meeting is not procedurally appropriate under the Act or the procedures by-law.
9. taking minutes and keeping a record of all the proceedings, including the votes, of the advisory body.

6. Members' responsibilities during a meeting.

Members are responsible for:

- A. attending scheduled meetings.
- B. carefully considering and making decisions about meeting business.
- C. voting on motions put to a vote.
- D. respecting the rules of the procedure.
- E. speaking respectfully at all times.

- F. listening attentively, participating in a meeting, and not interrupting the proceedings.
- G. refraining from using any offensive, disrespectful or unparliamentary language about any member, any City Officials or other City employee, or the Council as a whole.
- H. speaking only on the matter under debate or related motions during debate.
- I. respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so.
- J. obeying the Chair's rulings and Council's decisions.

4. Meetings

1. Regular Meetings.

An advisory body meets at the call of the Chair or may adopt an annual schedule of meetings, unless the terms of reference provide otherwise.

2. Notice of Meeting.

A. Written notice of all meetings, and of cancelled meetings, must follow Chapter 162, Notice, Public, and:

1. must include the time, date and location of the meeting.
2. must state the purpose of the meeting.
3. must be delivered either in person or sent by e-mail to each member.

B. Members must be notified at least 24 hours before the scheduled beginning of the meeting.

3. Chair may call a Special meeting.

The Chair, on 24 hours' notice, may call a Special meeting of the advisory body.

4. Members' petition for a special meeting.

A. Secretary calls petitioned Special meetings.

If the Secretary receives a petition that the majority of advisory body members signed requesting a Special meeting, the Secretary gives notice and calls a Special meeting for the purpose, date and time the petition requests.

B. Petition requirements.

A petition under Subsection A must contain:

1. original advisory body members' signatures;
2. a clear statement of the meeting's purpose; and

3. the time and date for the meeting, which must be held before the next scheduled regular meeting, if applicable.

5. Quorum necessary for advisory body meeting.

A. Quorum requires a majority.

A quorum of the advisory body is a majority of members of the advisory body.

B. Vacancy does not reduce quorum.

A vacancy on the advisory body does not reduce the number of members required to form a quorum.

6. Absence of quorum.

If a quorum is not present 30 minutes after the time appointed for a meeting, the Secretary calls the roll and records the names of the members present and the meeting stands adjourned until the next scheduled meeting, or to a meeting at the call of the Chair.

7. Loss of quorum.

If a quorum is lost during a meeting for a period of 15 minutes, the Secretary calls the roll and records the names of those members present and the meeting stands adjourned until the next scheduled meeting, or to a meeting at the call of the Chair.

8. Absence of member.

A member's seat becomes vacant if they are absent from meetings for three consecutive months without being excused by the advisory body.

9. Meetings open to the public.

Except for meetings as described in Subsection 10, all meetings are open to the public, and no person is excluded from a meeting except for improper conduct.

10. Closed meetings.

A. Subjects for closed meetings.

An advisory body may close a meeting to the public to discuss the following:

1. the security of the property of the City or local board;
2. personal matters about an identifiable individual, including a city employee or a local board employee;
3. a proposed or pending acquisition or disposition of land by the City or local board;
4. labour relations or employee negotiations;

5. litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
6. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
7. a matter in respect of which the city council, board, committee or other body may hold a closed meeting under another Act;
8. information explicitly supplied in confidence to the City or local board by Canada, a province or territory or a Crown agency of any of them;
9. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
10. a trade secret or scientific, technical, commercial or financial information that belongs to the City or local board and has monetary value or potential monetary value; or
11. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City or local board.

B. Meeting begins and ends in public.

All meetings begin and end in public.

C. Motion details to close a meeting.

Before holding a closed meeting, the advisory body passes a motion to hold a closed meeting which states:

1. that the meeting is a closed meeting;
2. the general nature of the matter the advisory body is considering at the closed meeting; and
3. the reasons the matter requires a closed meeting under Subsection A.

5. Advisory Body Agenda

1. Deadlines and content for advisory body agendas.

A. The Secretary establishes agenda deadlines for all advisory body meetings.

B. If the Secretary receives any agenda business matters by the agenda deadline from the following, and the matters are within the advisory body's Terms of Reference, the Secretary places them on the agenda for the next regular meeting:

1. a member of the advisory body;
2. City Council;
3. a Council Committee;
4. a local board of the City;
5. a City Official.

C. The Secretary prepares, publishes and distributes the agenda for meetings of the advisory body, the order of which includes:

1. requests for declarations of interest under the Municipal Conflict of Interest Act;
2. confirmation of minutes (if available);
3. agenda items;
4. communications from the public related to a matter on the agenda.

2. Distribution of the agenda.

The Secretary provides the agenda to each member by electronic mail or regular mail.

3. Distribution of confidential agenda materials.

The Secretary distributes confidential material to members and selected City Officials under confidential cover.

4. Late agenda business matters.

A. If the Secretary receives any new agenda business matters after the agenda deadline for the meeting, the Secretary adds them to the agenda for the next meeting.

B. The advisory body may by majority vote add to the agenda new business matters the Secretary receives after the agenda deadline for the meeting.

5. Agenda order.

A. Unless otherwise decided by the advisory body, the advisory body considers the items on the agenda in the order in which they are listed.

B. The advisory body, without debate, may by majority vote alter the order of business but may not delete any item from the agenda.

6. Public Participation

1. Any person may address the advisory body.

Any person may address the advisory body with respect to an item on the agenda.

2. Presenters to register notice of intention to speak.

A. A person wishing to address the advisory body on an agenda item registers their intention to speak by notifying the Secretary by 12:00 p.m. on the business day before the meeting.

B. If a person who has not registered their intention with the Secretary wishes to speak on an agenda item, the advisory body may still hear from them.

3. Time allotted for a public presentation.

A. Unless the advisory body decides otherwise, a public presentation has a five-minute limit.

B. A person making a public presentation may use an interpreter, and the interpretation time does not count toward the five minute limit.

4. Language and procedures for public presentations.

Public Presenters must:

- a. not speak disrespectfully about anyone;
- b. not use offensive language;
- c. speak only about the subject on which the Advisory body has invited them to make a public presentation; and
- d. obey the advisory body's procedures and any Chair's ruling.

7. Motions

1. Purpose of motions.

A member may make a motion that:

- a. affects the meeting's procedures, as set out in the Rules of Procedure;
- b. proposes an action on the matter that is currently before the advisory body.

2. Motions proposing action.

The following motion types propose an action on the matter before the advisory body:

- a. motion to refer - to send a matter or part of a matter to a specific person or decision body for their consideration;

- b. motion to defer - to postpone consideration of the matter to a specific time or until a specific event happens;
- c. motion to receive - to acknowledge a matter and take no further action;
- d. motion to amend - to vary the main proposal or propose an additional action;
- e. motion to adopt - to approve the main proposal as presented to the advisory body.

3. No seconder required.

A motion does not need to be seconded.

4. Limits on motions and recommendations.

A. An advisory body cannot submit recommendations to a Council Committee that are contrary to a decision of City Council made within the previous twelve months.

B. A motion relating to a matter not within the terms of reference of an advisory body is not in order.

8. Voting

1. Members present must vote.

Every member present at a meeting must vote on every matter put to a vote, except a member who declares an interest and absents themselves from the vote.

2. Not voting is a negative vote.

The Secretary records as voting in the negative any member present at a meeting who does not or refuses to vote, except a member who has declared an interest.

3. Majority vote required for motion to pass.

Unless the Rules of Procedure state otherwise, a motion passes when a majority of members present vote in favour of it.

4. Motion fails with tied votes.

A motion does not pass if the same number of members vote in favour and opposed.

5. Dividing motions into parts.

A. If a motion under consideration contains distinct propositions, a member may request that the advisory body vote on each proposition separately.

B. If the Chair agrees that the matter contains distinct propositions, the Chair will rule that members vote on each proposition separately.

6. Order of voting.

When a vote is taken the order of the vote will be as follows, unless otherwise decided by the advisory body:

- a. a motion to refer;
- b. a motion to defer
- c. a motion to receive and take no action;
- d. any amendments to a motion, and then to the motion itself.

9. Procedures for Agenda Items

The advisory body generally considers an agenda item as follows:

1. Introduction of subject matter.

The Chair introduces the matter.

2. Presentation from City Officials.

The advisory body may hear a presentation from City Officials on the matter.

3. Presentations by public who register to present.

The advisory body hears public presentations from everyone who has registered to make a public presentation on the matter.

4. Members question public presenters.

A Member may question any person making a public presentation for up to 5 minutes including responses.

5. Advisory body decides to hear from non-registered public presenters.

After the advisory body has heard from all presenters who registered to make a public presentation on a matter, the advisory body may hear from other persons present.

6. Members question City Officials.

A Member may ask City Officials questions on the matter for up to 5 minutes including responses.

7. Members may speak and move motions

Members may speak and present motions on the matter for up to 5 minutes.

8. No limit on rounds of speaking or questioning.

Unless the advisory body decides otherwise, a member may ask questions or speak more than once, in multiple rounds, provided that every member who wishes to speak or question has done so in the previous round.

10. After debate, the advisory body votes.

After all members have spoken, the Chair puts the matter and any motions to a vote.

10, Minutes of meetings

1. Secretary prepares the minutes.

The Secretary prepares the minutes of every meeting and submits them to the advisory body for confirmation at the next meeting, or as soon as is reasonably practicable.

2. Method of Submitting the minutes.

The Secretary submits the minutes to the members by posting them online at toronto.ca/council.

3. Chair signs the minutes.

The Chair signs the minutes after the advisory body adopts them.

11. Definitions

ACT - The City of Toronto Act, 2006.

ADJOURN - End a meeting.

ADVISORY BODY – A body City Council establishes to advise on specific areas of interest, with members of the public making up more than 50 per cent of the membership and Members or other elected officials making up the rest.

AGENCY - An agency, board, commission, or corporation of the City (including administrative, and quasi-judicial bodies), which have a legislative basis in a provincial statute or a municipal by-law.

CHAIR - The person presiding at a meeting.

CITY OFFICIAL -

- A. The City Manager, a Deputy City Manager, the Chief Financial Officer, and the Treasurer;
- B. The Auditor General, the Clerk, the City Solicitor, and the Medical Officer of Health; and
- C. Any general manager, director, or executive director reporting to any of the positions in Subsection A.

CLERK - The Clerk of the City of Toronto.

CLOSED MEETING - A meeting, or part of a meeting, that is closed to the public under conditions described in the Act and the procedures by-law.

COMMITTEE - An advisory or other committee, subcommittee or similar group of which at least 50 per cent of the committee members are also Members or members of local boards, other than the Police Services Board or the Toronto Public Library Board.

COMMITTEE MEMBER - A member of a committee.

COUNCIL COMMITTEE - A committee of Members that Council establishes and that reports directly or indirectly to Council. The Executive Committee, Standing Committees, Community Councils, Special Committees, and subcommittees are all examples of Council Committees.

MEETING - Any regular, special, or other meeting of Council, a committee, or an agency.

MEMBER - A Member or a committee member.

MOTION - A member's formal proposal that Council or a committee take certain action.

PUBLIC PRESENTATION - An appearance before a Committee by any member of the public to speak to a matter before the Committee in accordance with the procedures by-law.

QUORUM - The number of members to be present at a meeting to legally conduct business at the meeting.

RECESS - A temporary break in a meeting.

RECORDED VOTE - A vote for which the Clerk records all members present and how they voted.

REPORT - A City official's report that makes recommendations to a committee or to Council.

RULING - The Chair's interpretation of the procedures by-law to settle a procedural matter. Such an interpretation is more than a simple restatement of the relevant by-law provisions and explains how the rule applies to the matter.