

Focus on: Member Motions

City Clerk's Office

October 2019



Note to reader

All Member Motion data contained in this presentation is for the first 10 meetings of the 2018-22 term

i.e., City Council meetings held between December 1, 2018 and October 2, 2019.



Principles of Parliamentary Procedure

Majority rule

Minority rights

Absentee rights



Member Motions are one of two ways Councillors can add new business to the legislative process

- **Option 1 - Members can submit new business to the appropriate committee**
 - If the Clerk receives it by the main agenda closing, the Clerk places it on the agenda. This is not subject to review by the Chair or the committee.
 - If the Clerk receives it after the main agenda closing, it can only be added at the meeting by majority vote of the committee
 - If the item requires statutory notice, the Clerk will advise the Chair the item should not be added without risk to the City
- **Option 2 – Members can submit new business to City Council by Member Motion**
- **Member Contributions to date**
 - 226 Committee and Community Council Items
 - 317 Member Motions

Member Motions are also the only instrument for City officials to add urgent new business after the main agenda closes

- Certain City Officials are entitled to add urgent new business to the Council agenda up to the main agenda closing 5 days before the meeting.
- However, if new urgent business arises after the agenda closing, City Officials must ask a Member of City Council to submit it by motion without notice.
- Approximately 20% of all Member Motions this term have been at the initiative of City Officials instead of the Member.
- It is in the best interests of the City that truly urgent business can be added to Council's agenda when necessary
 - The alternative to a rule permitting truly urgent business is to call special meetings of City Council when truly urgent business arises

There are three stages of Member Motions

Notice of Motion (due 5 days before meeting)

- Makes main agenda deadline
- Published on main agenda 3 days before meeting
- Should be referred to committee unless 2/3 vote to waive referral

Motion without notice (due noon day before meeting)

- Makes supplementary agenda closing
- Mayor must agree it is urgent
- Requires 2/3 vote to waive notice
- If notice is waived, should be referred to committee unless 2/3 vote to waive referral

Motion without notice (in-meeting)

- Introduced in the meeting
- Speaker/chair must agree it is urgent
- Requires 2/3 vote of full council (18 votes) to add

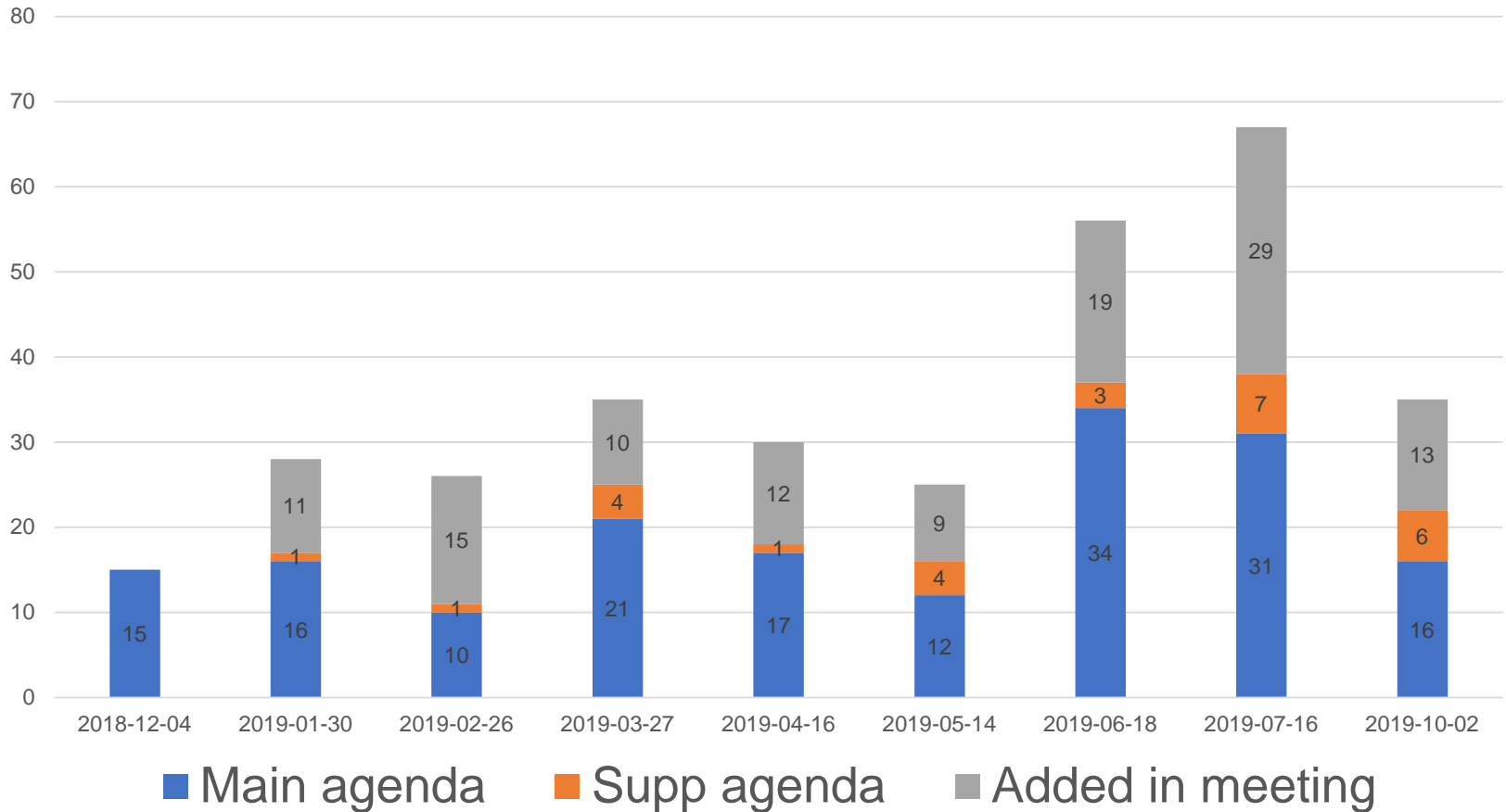
Our Council Procedures emphasize new business starting in committee

- It's a reason we have standing committees – i.e. new business can be brought to the committee with the appropriate mandate without referral by Council
- Starting in committee gives the public, Councillors and City officials the maximum amount of notice to allow them to exercise their rights to participate in the decision.
- Stage 1 and 2 Member Motions are to be referred to committee
 - Unless by a 2/3 vote of members present, Council waives referral (or notice and referral) and adds the matter to the agenda
- Stage 3 Member motions were intended to be added to the agenda in only the most urgent and unique circumstances
- Council only hears from the public in committee; an item that skips committee deprives the opportunity for public presentations

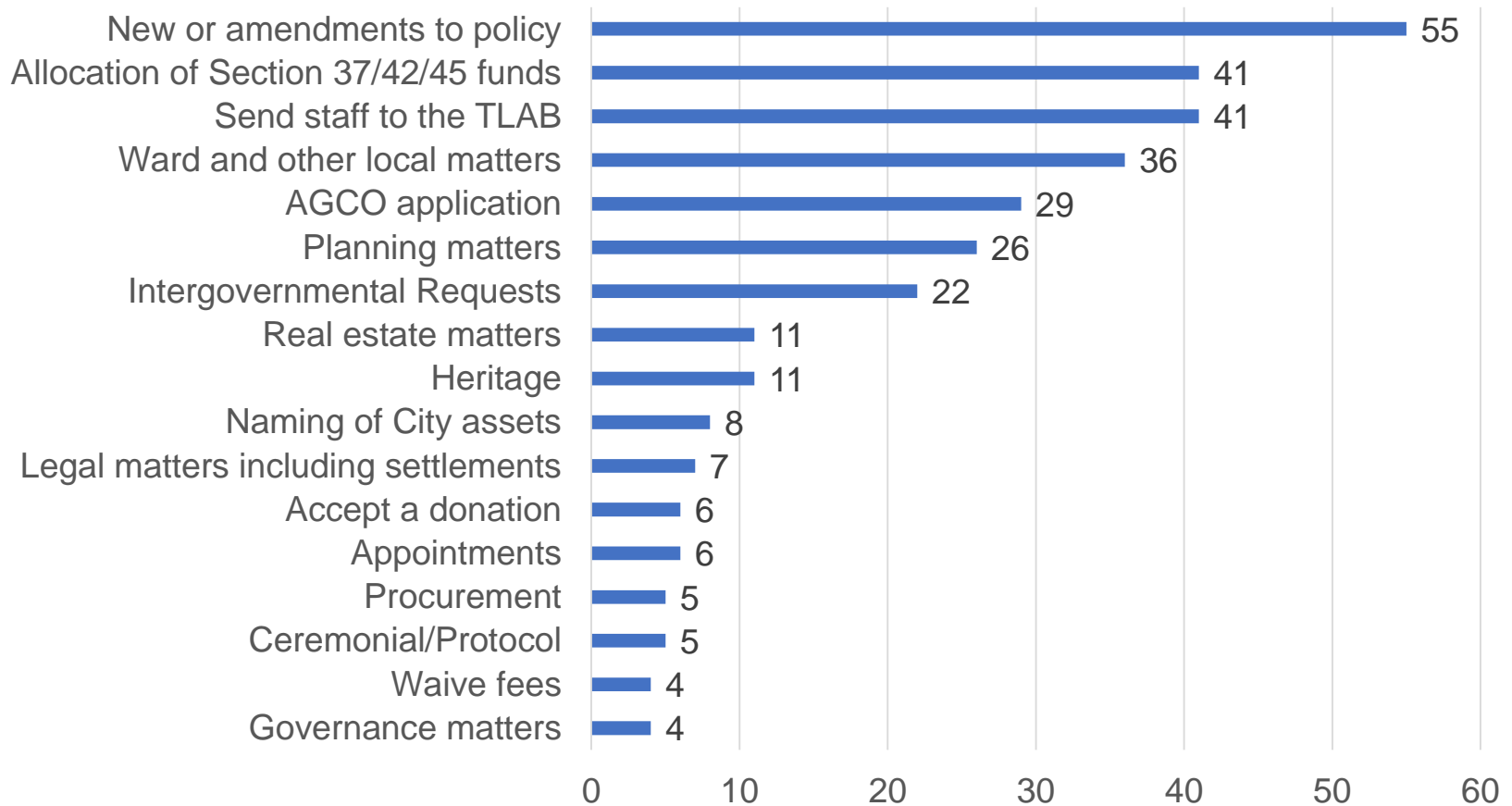


Member Motions by the Numbers

Council has considered 317 Member Motions so far this term



Member Motions by subject matter



1/3 of Member Motions were report requests

City Council Decision

City Council on July 16, 17 and 18, 2019, adopted the following:

1. City Council direct the Chief Planner and Executive Director, City Planning to report to the Planning and Housing Committee in the fourth quarter of 2019 on options and a timeline to increase housing options and planning permissions in areas of Toronto designated as Neighbourhoods in Toronto's Official Plan and that Planning staff consult with registered community associations prior to submitting their report.

City Council Decision

City Council on March 27 and 28, 2019, adopted the following:

1. City Council direct the Deputy City Manager, Infrastructure and Development Services, and the General Manager, Transportation Services, consulting with other divisions as necessary, to report on the viability and requisite steps to create a program that incentivizes businesses and commercial property owners to achieve Accessibility for Ontarians with Disabilities Act compliance through the coordination of City sidewalk construction, utility upgrades, and repair contracts with private, commercial property improvements and, using the Priority Lead Water Service Replacement Program as a reference, to report back to the September 9, 2019 meeting of the Infrastructure and Environment Committee on the following items:

City Council Decision

City Council on October 2 and 3, 2019, adopted the following:

1. City Council request the Toronto Transit Commission Board to explore options for discounted post-secondary student single-fare and monthly passes that take into account Provincial changes to university and college fee systems, and report back in the 2020 Budget process on revisions to the system.

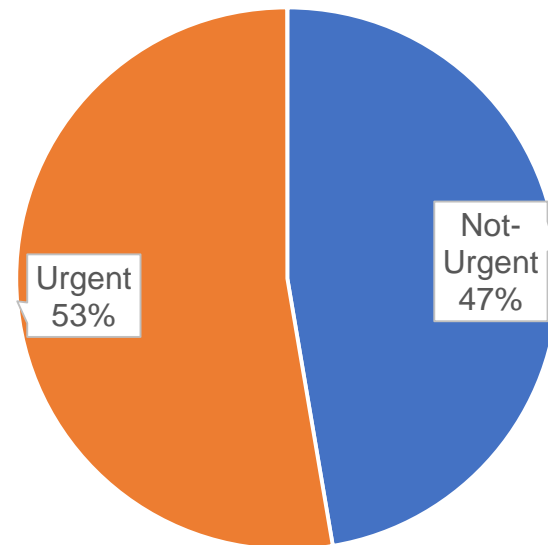
- So far this term 90 of 317 motions have been requests for reports on a variety of topics.
- Most, if not all, could have been submitted to the committee with the standing responsibility for the subject matter.
- In many of these cases submitting directly to committee might have actually shortened the time to produce the requested report for a future committee cycle since the extra steps of having Council make the request would be eliminated.

Half the Member Motions don't meet the test of urgency

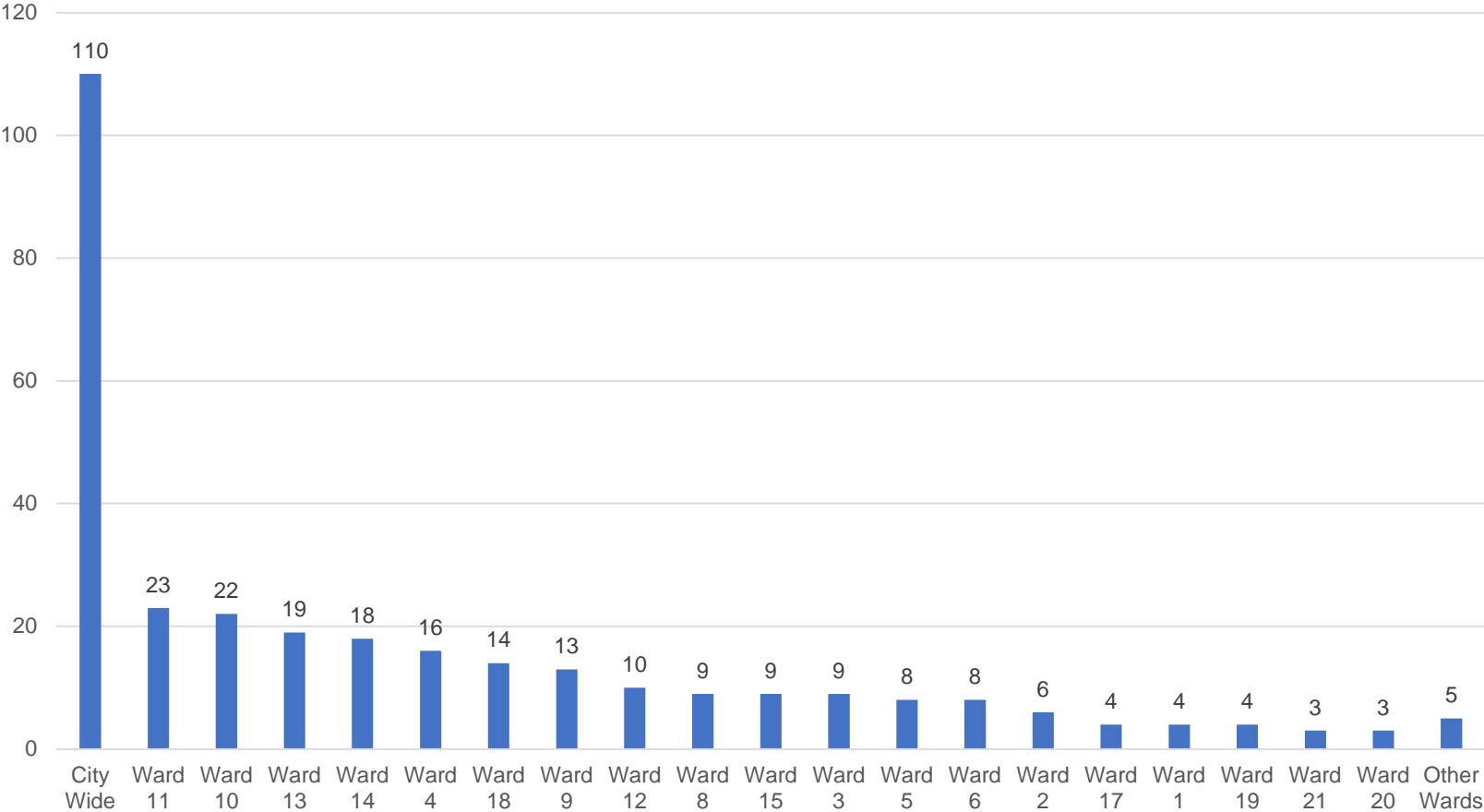
The Council Procedures define an **urgent matter** as:

“A matter that relates to a significant emergency health or safety matter, or relates to a significant financial, legal, or contractual deadline before the next Council meeting.”

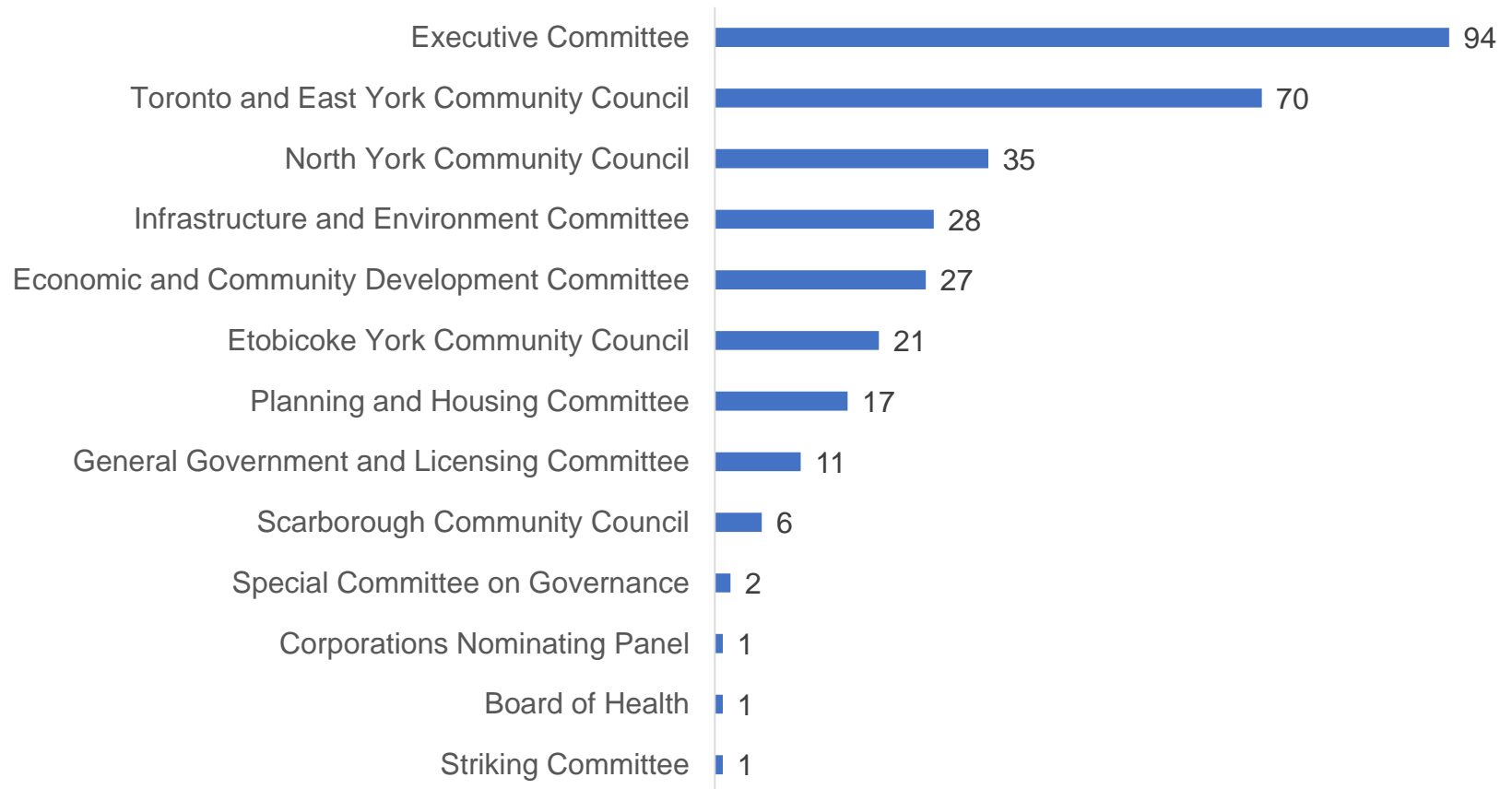
Member Motions Term to Date



1/3 of the motions are city-wide in scope



Member Motions by committee jurisdiction



City Council adopts most Member Motions without debate

- **Of the 170 Notices of Motion (Stage 1), Council:**
 - Waived referral on all but 4 Motions
 - Adopted 151 Motions without debate
 - Actually debated 15 Motions
- **Of the 28 Motions Without Notice (Stage 2), Council:**
 - Waive notice on all but 1 Motion
 - Waived referral on all other Motions
 - Adopted 25 Motions without debate
 - Actually debated 2 Motions
- **Of the 119 Motions Without Notice (Stage 3), Council:**
 - Agreed to add all of the Motions in the meeting except 2
 - Adopted 112 Motions without debate
 - Actually debated 7 Motions, 2 of which were referred

Considerations regarding Member Motions

- Council will always require a vehicle to add truly urgent business to the Council agenda
- Member Motions added to the agenda deprive the public, City officials and other Members of notice, especially compared to committee agenda items
- Adding motions without notice at Council should be reserved for truly urgent matters as there is virtually no notice to stakeholders
- If motions asking for reports and new or amended policies had been submitted or referred to committee, there would have been a material increase in:
 - Committee agenda volumes
 - Committee meeting times
 - Public presentations at committees