Authority: Toronto Investment Board Item IB ,as adopted by the Toronto Investment Board on October 7, 2020

Toronto Investment Board

By-Law No. -2020

To amend By-law No. 1-2018 to enable remote continued electronic participation in board meetings.

Whereas the Toronto Investment Board (the "Board") is a city board and local board of the City of Toronto established under the authority of section 46 of Ontario Regulation 610/06, section 141 of the *City of Toronto Act, 2006* ("COTA") and Chapter 112 of the City of Toronto's Municipal Code; and

Whereas subsection 189(2) of COTA requires that the Board pass a procedure by-law for governing the calling, place and proceedings of meeting, and the Board adopted By-law No. 1-2018, being a By-law to govern the proceedings of the Toronto Investment Board, on May 31, 2018, which By-law was approved by City Council on June 26, 27, 28 and 29, 2018; and

Whereas section 190 of COTA requires that meetings of the Board will be open to the public unless an exception under subsection 190(2), (3) or (3.1) applies; and

Whereas on March 19, 2020, the *Municipal Emergency Act, 2020* (the "MEA") amended the City of Toronto Act, 2006 ("COTA") to provide that, where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act (the Act), a procedure by-law of a local board may provide that, despite previous prohibitions, a member who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time and can participate electronically in a meeting that is closed to the public; and

Whereas COVID-19 is a disease that is readily communicable from person to person carrying a risk of serious complications potentially result in death, and on March 17, 2020, an emergency was declared, by means of Order in Council 518/2020 for purposes of section 7.0.1 of the Act, and on March 23, 2020 an emergency was declared by the Mayor of the City of Toronto for purposes of section 4 of the Act and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management, all due to the risk to the health of the residents of the City of Toronto and the Province of Ontario arising from spread of COVID-19; and

Whereas at its meeting of July 8, 2020, the Board amended By-law No. 1 to allow for members to participate electronically in both open and closed meetings and to allow for such participation to count toward the calculation of a quorum; and

Whereas section 43(3) of the By-law No. 1-2018 requires the Board to submit any amendments to it to City Council for approval; and

Whereas on July 21, 2020, the COVID-19 *Economic Recovery Act 2020* received Royal Assent, which Act further amends COTA to allow local boards to extend the electronic meeting provisions introduced by the MEA beyond the period when a provincial or municipal emergency declaration is in effect, and to allow a local board to hold a special meeting to so amend its procedure by-law and allowing a member participating electronically in such a special meeting to be counted in determining whether or not a quorum of members is present at any time during the meeting; and

Whereas at its meeting of July 28 and 29, 2020, City Council adopted Item EX 15.21 which authorized local boards to amend their rules of procedure to allow for electronic participation by members in meetings of local board to continue for one year after the emergency declarations have been lifted, without the need for further Council approval; and

Whereas the Board continues to ensure its meetings are open to the public in accordance with section 190 of COTA through the provision of notice of the meetings to the public, the live streaming of the electronic meeting, and the provision of access to interested persons to depute where permissible under the relevant procedures using the same tele-conferencing system as is being used to facilitate the meeting; and

Whereas the Board has authorized changes to By-law No. 1-2018 of the Board to enable continued remote electronic participation in Board meetings for the period of one year after the latter of the emergency declarations has been lifted, in accordance with the provisions of the COTA;

The Toronto Investment Board enacts:

1. By-law No. 1-2018 of the Toronto Investment Board is amended by adding the following new sections:

(1) 31.2 Subsection 31.1 shall continue to apply for the period ending one year following the termination of the latter of the COVID-19 emergency declaration under section 4 of the Emergency Management and Civil Protection Act and the COVID-19 emergency declaration under section 7.0.1 of the Emergency Management and Civil Protection Act.

2. This by-law shall come into force on the date it is enacted and passed.

Enacted and passed on , 2020.

Chair