

Making Electronic Participation for Council and its Local Boards Permanent

Date: March 7, 2023

To: City Council

From: City Clerk

Wards: All

SUMMARY

The purpose of this report is to recommend amendments to the Council Procedures to make electronic participation a permanent option for meetings of City Council and its Committees, and to authorize local boards to make amendments to their own rules of procedure.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council amend Toronto Municipal Code Chapter 27, Council Procedures, to permit electronic participation in all meetings and provide that:
 - a. any member participating in the meeting electronically to be deemed present for the purposes of determining whether a quorum is present under 27-5.12A, and for the purposes of voting on any matter put to a vote under 27-12.2A, and for all other purposes.
 - b. any member participating in the meeting electronically to be entitled to participate in any portion of the meeting closed to the public in accordance with 27-5.15.
2. City Council amend the Council Procedures to change the time required to achieve quorum from 15 minutes to 30 minutes.
3. City Council amend the Council Procedures to permit members of the public to participate electronically at meetings where electronic participation occurs and in a manner as determined by the Clerk.
4. City Council authorize local boards governed by the City of Toronto Act, 2006 to amend their own rules of procedure to permit electronic participation by board members and the public, and authorize such boards to continue to meet electronically in

accordance with the previously adopted electronic participation rules past the May 9, 2023 deadline until they can meet to consider procedural amendments.

FINANCIAL IMPACT

There are no financial impacts as a result of adopting the recommendations.

Any additional funding required for meeting support or technology will be included in the annual budget submissions for the affected divisions.

DECISION HISTORY

In July 2020 the Provincial government introduced Bill 197, the COVID-19 Economic Recovery Act, 2020. Among other things, it amends the meeting rules of the City of Toronto Act including electronic participation. It makes similar amendments to the Municipal Act so that these rules apply to every Ontario municipality

<https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-197>

On July 28 and 29, 2020 City Council extended the electronic participation rules applicable only during a declared emergency contained in Municipal Code Chapter 27, Council Procedures, for a period of one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency.

<https://secure.toronto.ca/council/agenda-item.do?item=2020.EX15.21>

Mayor Tory terminated the City of Toronto COVID-19 emergency on May 9, 2022.

COMMENTS

City Council and its committees have permitted electronic participation since April 2020

Since April 2020, meetings of Council and its Committees have permitted electronic participation in response to the declaration of the state of emergency during the Covid-19 pandemic. When City buildings were closed to the public, legislative meetings continued in an open and accessible way utilizing video conference technology and online livestreams.

665 meetings were held from April 2020 until March 2022. 3193 people registered to speak and spoke using the video conference application.

Hybrid meetings allow for both in-person and electronic participation

In March 2022 meetings of City Council and its Committees moved to a hybrid model. When City buildings re-opened, the City Clerk moved to a formal hybrid model providing Members, staff and the public the option to participate in person in a meeting room or remotely via video conference.

The hybrid meeting model has been developed to ensure that meeting participants have an equitable experience regardless of their method of participation. For example, remote public speakers are permitted to turn on their video cameras during their speaking time is shared in the video conference application so it can be seen by remote and in-person participants.

From March 2022 until November, 14 2022 there were 68 hybrid meetings of City Council, Committees, Community Councils and Boards, with meeting participants attending both virtually and in person. The City Clerk has continued to apply the hybrid meeting model since the start of the 2022-2026 term.

The City Clerk lists the physical location of the meeting along with "video conference" when a meeting follows the hybrid model.

Access to remote participation by members of the public has been a success

The public has expressed that having the option to participate remotely allows for improved access and limits issues around childcare, time off work and other factors that may have previously limited their ability to attend a meeting in person. The hybrid meeting model allows the public to choose how they wish to address Committee, encouraging participation and increasing accessibility..

A total of 774 members of the public spoke at hybrid meetings in 2022, with the majority of them doing so via video conference.

Electronic-only meetings allow for access and efficiency

With the introduction of the formal hybrid meeting model in March of 2022, a number of panels, advisory bodies and boards opted to continue to meet by electronic methods only.

The electronic-only meeting model allows members, staff, public and media access to the virtual meeting room via the video conference tool. No physical meeting room or space is required which has allowed for ease in scheduling and booking. The City Clerk has worked with Chairs to determine the best approach to meet for each of these decision bodies.

Between March 20 and November 14, 2022 a total of 27 decision bodies held a total of 89 meetings using the electronic-only model.

The City Clerk lists "video conference" as the location of the meeting for those that follow the electronic-only model. The meetings are made open to the public with the publication of the connection details online at www.toronto.ca/council

Council could consider whether any provisions or limitations should be placed on electronic participation

With amendments to Chapter 27, Council Procedures, City Council could provide guidance or limitations on electronic participation in certain circumstances such as:

- Limiting electronic participation for certain purposes such as medical reasons, parental leave or while travelling on City business;
- Requiring Chairs to participate in person;
- Requiring members to remain either remote or in-person for the duration of a meeting, or until a recess.

Regardless, Council should continue to permit electronic participation for Council and its Committees during a declared Emergency in order to ensure City Council can continue to meet in an emergency without having to amend the Council Procedures before doing so.

Modernization of meeting procedures requires dependency on infrastructure and technology

Electronic and hybrid meetings have a reliance on technology and as a result, meeting processes and procedures need to consider the tools required to operate successfully.

When buildings were closed, members of the public accessed meetings by watching the livestream or connected directly to the video conferencing application. When the livestream or the video conference experienced failures, meetings recessed. Hybrid meetings rely on physical in-room infrastructure and technology as well as video conference software and livestreams. All elements need to function for the meeting to operate smoothly.

The City Clerk is working with Corporate Real Estate Management and Technology Services Division to keep meeting room infrastructure stable and continues to explore options for improvements and modernization of these spaces.

The City Clerk's Office introduced the Clerk's Meeting Portal in 2019. The application provides digital access to meeting material. In 2020 the application was enhanced to provide voting and request to speak functions for City Council in addition to a timer that is controlled by the Speaker or Deputy Speaker. This application will continue to be employed whether Members or staff are participating in the meeting room or remotely via video conference.

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SIGNATURE

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