

Making Electronic Participation for the Toronto Parking Authority Permanent

Date: May 8, 2023
To: Toronto Parking Authority
From: City Clerk
Wards: All

SUMMARY

The purpose of this report is to recommend amendments to the Toronto Parking Authority Procedural By-Law to make electronic participation a permanent option for meetings of the Board and its committees.

At its meeting of March 29, 30 and 31, 2023, City Council adopted Item EX3.7, authorizing 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 to change the time required to achieve quorum from 15 minutes to 30 minutes, and authorized 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.

RECOMMENDATIONS

The City Clerks recommends that Toronto Parking Authority:

1. Amend Procedures By-law 1-2021 to:

a. Permit electronic participation in all meetings and amend section 31 so it reads as follows:

31. Electronic Participation in Meetings

(1) Despite any other provisions of this By-law, the Board and its Committees may hold a meeting where some or all of the Members participate electronically; and

(2) Where a meeting is being held in accordance with this section:

(a) any Member participating in the meeting electronically shall be deemed present for the purposes of determining whether a quorum is present under section 32, and for the

purposes of voting on any matter put to a vote under section 30, and for all other purposes.

(b) any member participating in the meeting electronically shall be entitled to participate in any portion of the meeting closed to the public in accordance with section 30.

b. Change the time required to achieve quorum from 15 minutes to 30 minutes.

FINANCIAL IMPACT

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

DECISION HISTORY

On April 21, 2023 the Toronto Parking Authority in accordance with Section 46(2) of By-law 1-2021, the Procedures By-law of the Toronto Parking Authority Board of Directors, considered a letter from the Chair serving notice that the Board will consider amendments to the Procedures By-law at the next meeting of the Toronto Parking Authority Board of Directors. The proposed amendments would permit the continuation of electronic participation at meetings and increase the time required to achieve quorum from 15 minutes to 30 minutes.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PA3.12>

At its meeting of March 29, 30 and 31, 2023, City Council adopted Item EX3.7, authorizing 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 to change the time required to achieve quorum from 15 minutes to 30 minutes, and authorized 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.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EX3.7>

At its meeting of April 7 and 8, 2021, City Council adopted Item EX22.11, approving the Procedures By-law for the Board of Directors of Toronto Parking Authority, as amended.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.EX22.11>

On February 8, 2021, the Toronto Parking Authority adopted, as amended, Item PA21.3, which adopted the Procedures By-law of the Toronto Parking Authority Board of Directors, subject to approval by City Council;

<https://secure.toronto.ca/council/agenda-item.do?item=2021.PA21.3>

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, 2006, 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; and, authorized its City Board to extend or adopt remote electronic meeting rules for a the same one year period.

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

At its meeting on January 30 and 31, 2019, City Council adopted Item 2019.EX1.2 - Toronto Parking Authority Governance; approving the current composition of the Board of Directors of the Toronto Parking Authority, and requesting the new Toronto Parking Authority Board, once appointed, to develop a governance and procedural policy addressing various matters, including the holding of meetings of the Board.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX1.2>

The municipal emergency was terminated on May 9, 2022, after the Provincial emergency had been terminated.

COMMENTS

Electronic Participation in Toronto Parking Authority Meetings

Boards of City agencies are required, under subsection 189(2) of the City of Toronto Act, 2006, to conduct their proceedings according to a procedures by-law, which must be approved by City Council. In 2019, City Council approved of the current composition of the Board of Directors of the Toronto Parking Authority; and requested that upon appointment, the members of the Board of Directors of the Toronto Parking Authority, establish appropriate governance and procedural policies and procedures, including a "procedures by-law" concerning the Board of Directors of the Toronto Parking Authority meeting and decision-making requirements.

During the declared municipal emergency relating to COVID-19, various steps were taken to further electronic participation by members of and the public, in meetings of City Council, its committees, and City Boards. Initially, while the process of determining and establishing a "procedures by-law" was underway, the Board of Directors of Toronto Parking Authority used the procedures for Committees of Council in Toronto Municipal Code Chapter 27, Council Procedures, to regulate its meetings. In 2021, By-law 1-2021, the procedures by-law for was approved by the Board, and City Council and adopted. By-law 1-2021 provided for electronic participation at meetings of the Board of Directors of the Toronto Parking Authority and its committees for a period, concluding one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency.

Members of the public have expressed the opinion that having the option to participate remotely allows for improved access by mitigating issues around arranging childcare, or time off work; and, other factors that may have previously limited their ability to attend a meeting in person. The electronic meeting model allows the public to choose how they wish to address the Board of Directors of the Toronto Parking Authority, encouraging meeting participation, and increasing accessibility.

This report recommends electronic participation in Toronto Parking Authority meetings be continued and allowed for in By-law 1-2021 after the period ending one year from the termination of the COVID-19 emergency declaration in Toronto. This mirrors the approach taken at City Council and other local boards and city boards in the City.

This report also recommends extending the time required to achieve quorum in recognition that technical difficulties and other impacts make 30 minutes a more reasonable timeframe for this Board. A draft by-law implementing these recommended amendments to Toronto Parking Authority By-law 1-2021 is provided in Attachment 1 to this report.

CONTACT

Gary Clarke, Manager, Tribunals Boards and Council Advisory Bodies, 416-392-8088, gary.clarke@toronto.ca

SIGNATURE

John D. Elvidge
City Clerk

ATTACHMENTS

Attachment 1 - Draft Bill to Amend Toronto Parking Authority Board of Directors By-law 1-2021, governing the proceedings of the Board