



2014-2018

CITY COUNCIL HANDBOOK

 **TORONTO**

VOLUME 2:
COUNCIL DECISION-MAKING

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GLOSSARY

The following terms are defined for the purpose of this handbook.

Agency	An Agency is a body to the board of which City Council delegates powers and duties for delivering a service or performing an adjudicative or quasi-judicial function. The term agency generally corresponds to the definition of local board in the <i>City of Toronto Act, 2006</i> . A full list of the City's agencies can be found at: http://www1.toronto.ca/City%20of%20Toronto/City%20Managers%20Office/Agencies%20and%20Corporations/Files/pdf/Agency%20Chart.pdf
Agenda closing	The deadline to have items added to an agenda. Agenda closings for each committee and Council can be found by going to www.toronto.ca/council , selecting the schedule (calendar) and choosing the date number of the meeting.
Bill	A draft by-law. Bills are drafted by the City Solicitor and become by-laws once enacted.
By-law	By-laws are the primary legislative instrument of municipalities in Ontario. A by-law becomes effective on the date it is enacted unless it specifies otherwise.
Centre table	The table in the centre of Council chamber that is used by the City Clerk and her staff during meetings.
Chair of Council	The Mayor is the Chair of Council outside of Council meetings. With the consent of the Mayor, Council can elect a Speaker and Deputy Speaker to preside over Council meetings.
City Clerk	The City Clerk or delegate.

Code of Conduct	The Code of Conduct for Members of Council approved by City Council and administered by the Integrity Commissioner.
Community council	A committee of Council made up of Members from specific wards representing Etobicoke-York, North York, Scarborough and Toronto-East York. Community councils make final decisions on some local matters.
Condolence motion	A motion submitted by a Member to recognize the accomplishments and contributions of persons who have passed away. The motions are ceremonial and included in the moment of silence at the start of each Council meeting.
Confidential documents	Information provided in confidence to Members solely for the purpose of their review and decision-making. Members are required to maintain the confidentiality of these materials. These items are not included in the regular Council agenda. They are printed on purple paper.
Corporation	A corporation wholly or partially owned by the City of Toronto and incorporated pursuant to the City of Toronto Act (Ontario), Business Corporations Act (Ontario), Corporations Act (Ontario), Corporations Act (Canada) or special legislation. A full list of the City's corporations can be found at: http://www1.toronto.ca/City%20Of%20Toronto/City%20Managers%20Office/Agencies%20and%20Corporations/Files/pdf/Agency%20Chart.pdf .
Council Procedures	Set out the responsibilities of Members of Council and are the main parliamentary authority governing meetings of Council and its committees. The procedures are found in Chapter 27 of the Municipal Code. (See Appendix 1A in this Handbook).

Media gallery	The upper level of the Council Chamber, which provides seating and facilities for members of the media.
Member motion	Several types of motions used to submit new business to City Council; they include notice of motion and motion without notice.
Members of Council or Members	The Mayor and Councillors.
Minutes	Minutes of meetings contain decisions, motions, votes, rulings and other information about proceedings. They are officially distributed by e-mail to Members of Council.
Motion without notice	New business submitted to Council by a Member after the agenda closing. Because they do not appear on the agenda, they must be considered urgent.
Municipal Code	A compilation of selected by-laws organized by subject, including administrative by-laws and by-laws that have general application to people and places across the City.
Notice of motion	Notification of new business to be considered at a meeting of City Council. Notices of motion must be submitted before the main agenda closing so they can appear on the Council agenda.
Order paper	A daily list of items to be considered or conducted.
Point of order	Used to point out an error in procedure or a breach of the rules and ask that the rules be followed.
Point of privilege	Used to request immediate action on a matter affecting the rights and privileges of (a) Council or Committee as a whole, or (b) a Committee or Council Member.

Public gallery	Council chamber seating area for members of the public.
Public petition	A petition from the public, often filed at a Council meeting by a Member. There are specific requirements in the Procedures By-law for presenting petition and meeting privacy requirements. Petitions are not debatable.
Secretariat	The City Clerk's Office unit that provides meeting management support to City Council, committees and a number of City boards, as well as procedural advice and guidance to meeting Chairs.
Special Committee	Established by City Council for specific purpose
Standing committee	Each Member serves on at least one standing committee.

MAIN CONTACTS

City Clerk	Ulli S. Watkiss	416-392-8010 uwatkis@toronto.ca
Director, Secretariat	John Elvidge	416-392-8641 jelvidge@toronto.ca
Agenda subscriptions	Kathleen Bartha, Administrator	416-397-4104 kbartha@toronto.ca
Audio Visual Services including DVDs of meetings	Audio Visual Services	416-392-7181
By-Laws and Municipal Code	Karen Lunn, Supervisor, By-Laws and Codes	416-392-6665 klunn@toronto.ca
City Council including Notice of Motion	Marilyn Toft, Manager, Council & By-Laws	416-392-7032 mtoft@toronto.ca
Committees and Boards	Frances Pritchard, Manager, Committees & Boards	416-392-4339 fpritcha@toronto.ca
Community Councils	Helen Smith, Manager, Community Councils	416-392-0146 hlsmith@toronto.ca
Condolence Motions	Marilyn Toft, Manager, Council & By-Laws	416-392-7032 mtoft@toronto.ca
Individual Committee matters	Committee or Council Administrator: Check www.toronto.ca/council for the currently assigned Administrator for each committee.	

I.T. Support in Meeting Rooms	City Clerk's Office I.T. Monday to Friday, 8 a.m. to 5 p.m.	416-392-0473 cnlhelp@toronto.ca
Member Appointments	Marilyn Toft, Manager, Council & By-Laws	416-392-7032 mtoft@toronto.ca
Presentations in Council	Barbara Sullivan, Director, Protocol	416-392-4273 bsulliv2@toronto.ca
Public Appointments	Kelly McCarthy, Manager, Public Appointments	416-397-7796 kmccart3@toronto.ca
www.toronto.ca/council	Peter Tebbutt, Manager, Legislative Information & Standards	416-392-8152 ptebbut@toronto.ca

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1 INTRODUCTION

This volume provides an overview of the Councillor's role in the decision-making process.

The City of Toronto Council operates in accordance with various pieces of provincial legislation and municipal by-laws, including:

- The City of Toronto Act, 2006
- The Municipal Freedom of Information and Protection of Privacy Act
- The Municipal Conflict of Interest Act
- The Planning Act
- The Heritage Act
- Chapter 27, Council Procedures
- Chapter 162, Notice, Public

This legislative framework together with a system of delegation to City staff, committees and boards ensures that the City can function.

1.1 Your role in the legislative process

Contact:

- Ulli Watkiss, City Clerk: 416-392-8010;
uwatkis@toronto.ca
- John Elvidge, Director, Secretariat: 416-392-8641;
jelvidge@toronto.ca

Members of Council play a variety of roles while holding office. One of the most important is taking part in the deliberations of the City Council, its committees, agencies and corporations.

1.1.1 Statutory role of City Council

Section 131 of the *City of Toronto Act, 2006* sets out the role of City Council as follows:

- to represent the public and to consider the well-being and interests of the City;
- to develop and evaluate the policies and programs of the City;
- to determine which services the City provides;
- to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- to ensure the accountability and transparency of the operations of the City, including the activities of the senior management of the City;
- to maintain the financial integrity of the City; and
- to carry out the duties of council under the *City of Toronto Act, 2006* or any other Act.

1.1.2 Council and Committee workload

Each Member of City Council serves on a variety of bodies.

City Council	<ul style="list-style-type: none"> • All Members serve on City Council
Community Councils	<ul style="list-style-type: none"> • Each Member serves on the community council for the ward represented
Standing Committees	<ul style="list-style-type: none"> • The Council Procedures require each Member to serve on at least one standing committee

Special Committees	<ul style="list-style-type: none">• Members may serve on additional committees and advisory bodies established by City Council
City Agencies and Corporations	<ul style="list-style-type: none">• Members may also serve on one or more agency or board
Boards by virtue of office	<ul style="list-style-type: none">• In many wards the Member is appointed to certain boards by virtue of being the ward councillor – e.g. Business Improvement Area boards
External Boards	<ul style="list-style-type: none">• Members may also choose to serve on one or more boards of external organizations to which the City appointments members.

These are the formal bodies to which City Council appoints Members. They are in addition to any local committees or working groups with which a Member may choose to get involved.

1.1.3 Members' responsibilities

Sections 27- 46 of the Council Procedures (Appendix 1A) sets out the responsibilities of Members:

- Attending scheduled meetings.
- Carefully considering and making decisions about meeting business.
- Voting on motions put to a vote.
- Respecting the rules of the procedures by-law.
- Speaking respectfully at all times.
- Listening attentively, participating in a meeting, and not interrupting the proceedings.

- Remaining silent in their seats while Council or a Committee votes and until the Chair announces the result of the vote.
- 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.
- Respecting and following Council's decisions.
- Speaking only on the matter under debate or related motions during debate.
- Not wearing political or biased slogans on clothing or buttons during a meeting.
- Respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so.
- Obeying the Chair's rulings and Council's decisions.
- Obeying the Councillor's Code of Conduct.

1.2 The City Clerk's Secretariat

Contact:

- John Elvidge, Director, Secretariat: 416-392-8641; jelvidge@toronto.ca
- Marilyn Toft, Manager, Council & By-Laws, Secretariat: 416-392-7032; mtoft@toronto.ca

The City Clerk and the staff of the City Clerk's Secretariat provide meeting management support to City Council, Committees and a number of City Boards by: preparing and publishing agendas; giving notice; taking minutes of meetings; publishing decisions; managing the City's Municipal Code and By-laws; and managing Council Member and public appointments.

1.2.1 Procedural advice

Secretarial staff can provide procedural advice to Members of Council before, during or after a meeting. This advice is provided on a confidential basis.

In meetings, Secretariat staff provide procedural advice to Chairs, and at the invitation of the Chair, to the committee or Council as a whole.

For matters requiring a ruling, the Chair makes ruling and not the Clerk or her staff.

1.2.2 Confidential motion drafting

Secretariat staff can assist Members in drafting motions so they are effective and in order. This service is provided on a strictly confidential basis. A Member's motion or intentions are not shared without the Member's consent.

Secretariat staff will tell a Member if they think a motion is out of order, but will not interfere if the Member's intent is to place it anyway and have the Chair make a ruling.

2 THE COUNCIL DECISION-MAKING PROCESS

2.1 The Council Procedures

2.1.1 Why we have rules

All municipalities in Ontario must adopt a procedures by-law to govern the proceedings of their Councils. The City of Toronto's Council Procedures are set out in Chapter 27 of the Toronto Municipal Code (Appendix 1A).

2.1.2 A principles-based approach

Council's Procedures are based on and interpreted in accordance with the following principles:

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

Council's Procedures are intended to provide stability to the proceedings:

- Council may only amend its procedures on a two-thirds vote. Advance notice must be given.
- Council can waive some but not all of its rules on a two-thirds vote.

2.1.3 Parliamentary authorities

The Council Procedures are the main parliamentary authority governing the meetings of City Council and Committees.

However, where rules conflict or no rules exist, a Chair or the City Clerk may consult the latest edition of *Robert's Rules of Order, Newly Revised*.

2.1.4 Where to find the rules

You can find Toronto's Municipal Code Chapter 27, Council Procedures on the *Resources for City Councillors* intranet site at <http://insideto.toronto.ca/councillors/index.htm>.

A copy of Council's Procedures can also be found in Appendix 1A.

2.2 The Council/Committee system

- All of the City's power is exercised by City Council unless Council decides otherwise (with some exceptions).
- The *City of Toronto Act, 2006* requires Council to act by by-law.
- The business of City Council is processed through its Committee system.

Committees meet to consider matters within their mandates including:

- Reports from City officials
- Reports from agencies and advisory committees
- Communications from Members of Council
- Matters referred to them by City Council

Council meets to consider:

- Reports from its standing committees, Community Councils, special committees and the Board of Health
- New business from certain City officials authorized to submit business directly to City Council
- Notices of Motion (new business submitted by Members of Council)
- The enactment of by-laws.

Council has delegated some decision-making to Committees:

- Community Councils make final decisions on some local traffic and parking, fence, and sidewalk use matters.
- The Government Management Committee hears appeals and makes decisions on certain tax matters.
- The Debenture Committee can borrow money or provide long-term financing for any capital work by issuing debentures, issuing revenue bonds, entering into bank loan agreements, etc.
- Committees also pass the necessary by-laws under their delegated authority.

Council is prohibited by law from delegating the following:

- The power to adopt or amend the budget of the City
- The power to appoint or remove from office an officer of the City whose appointment is required by this Act
- The power to impose a tax or make tax rules
- The power to incorporate corporations
- The power to adopt an official plan or an amendment to an official plan under the Planning Act

- The power to pass a zoning by-law under the Planning Act
- The power to establish small business counselling services
- The power to provide financial assistance to municipal capital facilities
- The power to adopt a community improvement plan under section 28 of the Planning Act in certain circumstances

For a complete list of delegated items, see Appendix 2A.

3 AGENDAS

3.1 How to get Council and Committee agendas

3.1.1 Electronic distribution

Electronic distribution is the primary method for agendas and meeting notices. Secretariat staff publishes agendas online first and distributes paper copies second.

- Agendas are published online at www.toronto.ca/council.
- Secretariat staff send an e-mail message to each Councillor and their executive, constituency and administrative assistants containing:
 - The date, time and location of the meeting
 - A list of the agenda items
 - A direct link to the agenda on the website www.toronto.ca/council
- A similar e-mail message is sent to a list of public e-mail subscribers at the same time. This means the public, including the media, will have access to agenda items at the same time as Members.
- Committee agendas are generally published five business days before the meeting.
- City Council agendas are generally published three business days before the meeting.

Note: Secretariat staff send e-mail messages to a Member's official City e-mail account. If a Member would like to receive e-mail notification at any additional e-mail addresses, he or she can subscribe to the public mailing list by visiting www.toronto.ca/council and choosing "Subscribe to Council and committee e-updates".

3.1.2 Paper distribution

Contact:

- Kathleen Bartha, Administrator, Secretariat:
416-397-4104; kbartha@toronto.ca

The City Clerk's Office makes printed copies of agenda materials and distributes them to the City Hall offices of Members of Council who subscribe to them.

Members can choose which agendas they would like to receive in printed form. Each office is entitled to one copy of each agenda but can request a second copy. A Member's office can also choose to receive no printed copies. City Clerk's Office staff will send agenda subscription information to Members so they can indicate their preferences.

3.1.3 Confidential agenda materials

Confidential agenda materials are not published online. Instead, these materials are printed on purple paper and delivered to Members' City Hall offices in sealed envelopes addressed to the Member.

Each Member is responsible for establishing and maintaining office routines that protect the confidentiality of these materials. The Member is ultimately responsible for the stewardship of the confidential information delivered to him or her.

Confidential information is provided in confidence to Members of Council solely for the purpose of their review and decision-making. Members are required to maintain the confidentiality of these materials and of matters discussed in closed meetings. Members may not disclose this information unless authorized by Council to do so.

Confidential documents should be filed or destroyed in a secure manner.

If Members have questions about confidentiality, they are encouraged to seek guidance from City Clerk's Office staff or from the Office of the Integrity Commissioner.

3.2 Going paperless!

It is possible to go paperless when attending Committee and Council meetings:

- All agenda materials (with two exceptions noted below) are posted online at www.toronto.ca/council.
- Supplementary and late materials are posted as they are received.
- The online version of the agenda is always up to date.
- There is a network connection at every Member's desk in the Council Chamber and the Committee rooms so a notebook computer can be used.
- There is both public and private WiFi in the Council Chamber and every Committee room.
- Mobile friendly versions of www.toronto.ca/council make it easy to access information from a wireless device.

The following are not posted online and are available in paper only:

- Confidential documents (i.e. purple paper)
- Correspondence from people writing in a personal capacity

City Clerk's Secretariat staff is available to help Members develop an online routine:

- Secretariat staff can assist Members and Members' staff with orientations to the online agendas including tips and tricks for finding and making notes on agenda items.
- Training can be arranged for Members' staff on how to use a wireless device or notebook computer to use agenda materials.

3.3 How Members can get things on the agenda

Members of Council have several ways to get things on to an agenda.

3.3.1 Write to Committee

The easiest way to add new business to Council's decision-making process is to write to the Committee with the appropriate mandate.

A Member's letter or memo should be:

- On a Member's letterhead (no special template required).
- Delivered to the Committee clerk before the agenda closing.
- Within the mandate of the Committee. If you need help determining which Committee to submit to, contact the Committee clerk for help.

If a Member's letter or memo meets the above criteria, the clerk will place the item on the agenda. No other consent is required. A Committee Chair cannot remove a Member's item from the agenda if it has been submitted properly and on time.

Under Council's Procedures (Appendix 1A), Committees can also add new business at the meeting by majority vote. New business can only be introduced by a Committee member.

Members of Council are strongly encouraged to submit items by the agenda deadline so they can be published with the agenda. This ensures that the public will have ample notice of the matters to be considered by the Committee.

Note: Some matters require public notice under federal or provincial law or City by-law. It may not be possible for the clerk to place a matter on the agenda if the notice requirements have not been met.

3.3.1.1 How to look up agenda closings

Go to www.toronto.ca/council, select the schedule (calendar) and click on the date number of the meeting to reveal additional information including agenda closings.

or

Visit <http://insideto.toronto.ca/secretariat/> and look under Resources.

3.3.2 Submit a Member Motion to City Council

Contact:

- Marilyn Toft, Manager, Council & By-Laws Secretariat:
416-392-7032; mtoft@toronto.ca

A Member can submit new business to City Council by Member Motion. The rules for Member Motions are different over three stages leading up to the Council meeting.

Before the main agenda closing – Notice of Motion

A Member can submit a Notice of Motion on new business to be considered at a meeting of City Council. Notice is deemed given because the Motion appears on the Council agenda.

Because there will be NO public opportunity to appear before City Council, all Notices of Motion (with the exception of re-openings) are subject to referral to Committee. City Council can waive referral to Committee by a majority vote of two-thirds of Members present.

Between the main agenda closing and noon the business day before the meeting – Motion without Notice

Because these Motions ask Council to consider matters without notice to the public (i.e., they did not appear on the published agenda), they must be urgent. If they are not deemed urgent the City Clerk will submit them to the relevant Committee.

During the meeting – Motion without Notice

A Member can also submit Motions without Notice during the meeting itself. Since there is NO public notice and NO opportunity for public comment, the rules require these Motions to be truly urgent:

- A Member must provide a reason for urgent consideration of the Motion.
- A Member must obtain the consent of the Speaker to introduce the Motion. The Speaker's decision is not appealable.
- City Council must agree to add the Motion, with at least 30 votes in favour of doing so.

Complete instructions on how to prepare Notices of Motions are included in Appendix 3A. The instructions are also available at <http://insideto.toronto.ca/secretariat/staffreport/index.htm>.

3.4 Public petitions

A Member may wish or be asked to file a petition at a Council meeting. Council's Procedures (Appendix 1A) set out the requirements for public petitions.

Before submitting a petition at Council, Members must examine it to ensure that it meets these requirements. As petitions often contain personal information, Members must confirm that the petitioners' intent is for the petition to be submitted to City Council or Committee as a matter of public record.

Sometimes Members submit all of the letters and e-mails they have received on a matter as a petition. These do not qualify as petitions, and we cannot accept them as such.

If you are not sure that a petition meets the requirements of Council's Procedures you can contact the City Clerk's Office staff for advice.

3.4.1 How Council deals with public petitions

The Chair will call for petitions during Routine Matters at the start of the meeting.

- Members may introduce petitions orally. No written notice is required.
- Petitions are not debatable.
- Petitions are generally received for information however Council can refer a petition to a Committee, or agency of the City.

Petitions filed at a meeting form a public record and are noted in the minutes of the meeting.

3.5 Correspondence from the public

Sometimes Members submit letters and e-mails they have received to the clerk for publication with an agenda item.

Unfortunately, unless Secretariat staff can determine if the writer intended for their letter or e-mail to become part of the public record, we cannot accept these communications.

3.6 Announcements and presentations at City Council

Contact:

- Barbara Sullivan, Director (Chief of Protocol), Protocol Services: 416-392-4273; bsulliv2@toronto.ca

Under the Council Procedures (Appendix 1A), there is time for announcements at the start of each Council day.

An exception to this rule will be considered by the Speaker if:

- The Speaker is notified privately before a Member seeks the floor;
- The announcement is truly urgent;
- The announcement is coordinated with the presence of a special guest in the Chamber.

Presentations in Council are generally scheduled at the start of each meeting day.

The City Clerk's Protocol Unit coordinates the presentations in Council to ensure that do not interfere or delay the conduct of Council's business.

3.7 Condolence Motions

Contact:

- Marilyn Toft, Manager, Council & By-Laws, Secretariat:
416-392-7032; mtoft@toronto.ca

Members can submit Condolence Motions to recognize the accomplishments and contributions of persons who have passed away. These Motions are ceremonial in nature and are part of the Moment of Silence at the start of each Council meeting.

3.7.1 How Council deals with Condolence Motions

Condolence Motions are distributed to the Members and listed on the Order Paper. They are not read aloud at the meeting. Prior to the moment of silence the Chair will read the name(s) of the persons being recognized.

4 MEETINGS

Contact:

- John Elvidge, Director, Secretariat: 416-392-8641; jelvidge@toronto.ca

4.1 Schedule of meetings

Council approves an annual Schedule. The Schedule complies with all relevant Council policies on respecting days and times of cultural or religious significance.

No meetings are scheduled on:

- Statutory holidays
- Orthodox Christmas (Eastern)
- Lunar New Year
- Eid al-Adha
- Eve of Passover
- First Day of Passover
- Good Friday (Western)
- Holy Friday (Eastern)
- Easter (Western)
- Orthodox Easter (Eastern)
- Mawlid al-Nabiy
- National Aboriginal Day
- Eve of Rosh Hashanah
- Rosh Hashanah
- Eve of Yom Kippur
- Yom Kippur
- Diwali
- Eid al-Fitr
- Christmas (Western)
- Kwanzaa

Council generally meets monthly starting on a Tuesday but the starting day can vary.

Council meetings are scheduled for two days. If business remains on the agenda, the meeting will continue until the business is completed.

Meetings will end prior to sundown on Fridays and other days where required in accordance with Council policy.

4.2 Special meetings

The Mayor may call a special meeting at any time on 24 hours' notice.

The Mayor can call an emergency special Council meeting without giving notice if:

- All Council Members are notified of the special Council meeting either personally, by electronic mail, or by any other means necessary, and
- A majority of Council Members agree to the Council meeting by giving written consent to the clerk personally before the beginning of the Council meeting.

Written or electronic notice for the special meeting must state the business to be considered.

A majority of the Members can petition the City Clerk to call a special meeting:

- Petitions must set out the purpose and the date and time of the meeting.
- Petitions must be submitted at least 24 hours before the time of the meeting, but no more than 48 before the time of the meeting.

- Please consult the City Clerk or the Director, Secretariat in advance of submitting a petition for additional advice. This advice will be provided on a confidential basis.

4.3 Meeting times

City Council meetings

- 9:30 a.m. to 12:30 p.m. – Morning session
- 12:30 p.m. to 2 p.m. – Lunch
- 2 p.m. to 8 p.m. – Afternoon session

City Council can vote to extend a session to complete an item, or the remaining items on the agenda.

Committee meetings

- 9:30 a.m. to 12:30 p.m. - Morning session
- 12:30 p.m. to 1:30 p.m. - Lunch
- 1:30 p.m. to 10 p.m. - Afternoon session

Committee meetings are scheduled to 10 p.m. and will include a dinner break where required.

4.4 Committee meetings

4.4.1 Meeting room features

City Hall has four Committee rooms. Committee Rooms 1 and 2 are the largest and are used by Council's standing committees and special committees. Committee Rooms 3 and 4 are smaller spaces which are generally used by other committees.

The former Council Chambers in the Etobicoke, North York and Scarborough civic centres are used by the respective Community Council.

4.4.2 Members' seating

Seating in the Committee rooms is determined by each Committee, usually at its first meeting. The seating protocol for Committees is available in Appendix 4A.

Each seat includes a network connection for a laptop. City Clerk's Office I.T. staff are available to help Members who have any technical difficulties.

A Member's desk has a microphone which the Member can control. When speaking into the microphones remember to speak clearly and slowly. This helps other Members, staff and the public to hear you and ensures good quality recording of your comments or questions.

The committee rooms have seating for the public, the media and City staff. All committee rooms have both public and private WiFi.

Committee Rooms 1 and 2 are also equipped with broadcast facilities. Committee meetings in these rooms are broadcast on the City's internal closed circuit television.

4.4.3 Public participation

The public are welcome to attend all meetings of Council and committees. The public can also participate in the decision-making process by writing to Council or committee, by submitting a public petition, or by making a public presentation (often referred to as a deputation).

Public presentations are generally heard at Committee. They are only allowed at City Council if:

- persons are entitled by law to be heard; or
- Council has decided, at a previous meeting, to meet in Committee of the Whole to hear from the public.

Presentations are limited to five minutes, unless the committee decides otherwise (on non-statutory matters only). Extra time is allowed to answer questions.

Committee members can ask questions of presenters. Council Members who are not members of the committee may also ask questions of presenters.

Council has adopted rules for both non-statutory and statutory public presentations.

4.4.4 Committee order of business

Committee meetings start with routine procedural business:

- Declarations of interest
- Confirmation of minutes

The Committee Chair will review the agenda. Committee members can hold items for debate. If an item is not held, it is adopted by the committee. The committee can also determine an order of business for the day. A committee can add new business to the agenda on a majority vote.

Once debate on an item begins, committees generally follow this order:

- Staff presentation (optional)
- Public presentations
- Questioning of officials
- Speakers to the items including the placing of motions
- Voting

The order of presentations and questioning of officials may be reversed depending on the context of the item under debate.

A committee may set other rules for its meetings, as long as these rules are consistent with parliamentary principles and are not in direct conflict with Council's procedures.

4.4.5 Making amendments at Committee

Committees do not use a consent agenda. Motions must be moved on each item. Members must place their motions at the start of their speaking time.

Visiting Members can speak on items, but only committee members can place motions.

There are different types of motions, each with their own set of rules described in the Council Procedures (Appendix 1A).

4.4.6 Non-members' participation

Members of Council who are not appointed to a committee are welcome to attend and participate in accordance with the following:

Non-members may:

- Question presenters (deputants)
- Question City officials
- Speak to a matter

Non-members may not:

- Place motions
- Raise points of order or points of privilege
- Vote

Committee Chairs will open questioning and speaking to non-members before taking the matter into Committee for debate by appointed members.

4.4.7 Voting

Once all debate on an item has ended, committees will vote. Committees generally vote by a show of hands. A committee member can request a recorded vote. Recorded votes are included in the minutes of the committee meeting.

4.4.8 Majority vote

At Committee, all motions require a majority vote to carry except for a reopening or a reconsideration of a delegated matter, which requires a two-thirds vote.

4.5 City Council meetings

4.5.1 Chair of Council

The Mayor is the Chair of Council outside of Council meetings. With the consent of the Mayor, Council can elect a Speaker and Deputy Speaker to preside over Council meetings. The Speaker and Deputy Speaker are elected for the term of the Council. Despite there being a Speaker and Deputy Speaker, the Mayor can choose to chair Council meetings at any time.

Council can only remove the Speaker or the Deputy Speaker with a two-thirds vote of all Council Members (30 Members).

4.5.2 Members' seating

Seating in the Council Chamber is assigned by ward and may only be changed with written agreement of both Councillors. The Council Chamber seating plan is available in Appendix 4B.

Each seat includes voting and request-to-speak buttons and a network connection for a laptop. City Clerk's Office I.T. staff are present at the start of each meeting to help Councillors who have any technological difficulties.

Each seat has a monitor where you will see live feed of the meeting, speaker requests and motions.

The microphone at a Member's seat is controlled by the Chair. When speaking into the microphones it is important to speak clearly and slowly. This helps other Members, staff and the public to hear the Member and ensures good quality recording of comments or questions.

Each Council seat is provided with a locked cabinet; one key to the cabinet is provided to the Councillor.

A Member's ID card grants access to the Council Chamber by any elevator. Non-members of Council are not allowed on the floor of the Chamber during meetings unless authorized by the City Clerk.

4.5.3 The Centre Table (Clerk's Table)

The City Clerk and her staff are located here. The City Clerk manages the meeting, advises on procedure and is a parliamentary expert.

The City Clerk records the proceedings of the meeting. She and her staff work with the Chair, assist Members with their motions, and record votes.

Additional Clerk's staff are located on the upper level and the back area of the Council Chamber. They take attendance, update the status of items in real time during the meeting and copy and distribute materials.

4.5.4 The audio visual booth

The Council Chamber is equipped with broadcast facilities. Audio visual staff located on the upper level of the Council Chamber support the meetings and broadcast the proceedings on the City's internal closed circuit television. Council meetings are also broadcast on Rogers Community Cable 10 and streamed live at www.rogerstv.com.

4.5.5 The Members' Lounge

The Members' Lounge is primarily for Members and invited guests.

4.5.6 The media gallery

Media are located in the media gallery on the upper level of the Council Chamber. If you are conducting an interview with the media, use the upper level or leave the Chamber. Interviews should not interfere with a meeting.

4.5.7 The public gallery

Members of the public are free to attend meetings of City Council.

The gallery generally opens to the public 15 minutes before the scheduled start time for each Council session.

4.5.8 Security in the Chamber

The Sergeant-at-arms is present at all times during Council meetings, and is present, as required, during Committee meetings.

If there is a threat or imminent threat to the health or safety of anyone in a meeting, the Sergeant-at-arms will immediately notify the Chair. The Chair will decide whether to recess the meeting and order everyone to leave immediately.

If the Chair makes an order to recess and clear the room the Sergeant-at-arms will immediately escort everyone, including Council Members out of the meeting place.

4.5.9 Council's order of business

Council's agenda is based on the following order:

- Call to Order
- National Anthem
- Moment of Silence
- Confirmation of Minutes
- Introduction of Reports of Council Committees and other Committees
- Declarations of Interests
- Routine Matters (this includes presentations scheduled for the meetings and brief Member announcements)
- Consideration of Committee Reports
- New Business from the Mayor and City officials
- Business Previously Requested
- New Business Notices of Motion from Members
- New Business Motions without Notice from Members
- General Bills
- Confirmatory Bills
- Adjournment

4.5.10 Holding items

Once the Council agenda is published, Members may submit a written list of items they wish to hold for debate. City Clerk's staff will send an e-mail to all Members to advise that hold requests can be made. Requests must be submitted by 4:30 p.m. the business day before the Council meeting.

Holds are on a first requested basis. The Member who holds an item will be listed on the Order Paper. That Member will speak first on the item, unless the Mayor or Committee Chair elects to do so.

Members can also hold items during the agenda review on the first day of the Council meeting.

4.5.11 The Council Order Paper

The City Clerk prepares an Order Paper for each day. The Order Paper lists:

- the business on the agenda
- Condolence Motions and scheduled presentations
- The Mayor's Key Matter(s) if any
- the names of the Members who have held items in advance
- additional materials made available for the meeting, including supplementary staff reports or communications from the public
- Items submitted without recommendation
- items that have confidential information, including the applicable reason under COTA
- Bills submitted on agenda items

Council reviews and adopts the Order Paper at the start of each day.

On the first day, the Chair will do an agenda review of the Items listed on the Order Paper. Members may hold additional items for debate (those not already held in advance).

Once Council adopts its Order Paper for the day, any change requires a two-thirds vote of members present.

4.5.12 Mayor's key matters

The Mayor can designate up to two key matters on the agenda for the Council meeting. City Council will consider these matters at the times the Mayor chooses.

If Council reaches a time set for other business before the Mayor's Key Matter(s) are complete, Council continues with the debate on the Mayor's Items unless the Mayor consents otherwise.

4.5.13 Making amendments at Council

The Committee recommendations are main motions and are deemed moved when the reports are introduced by the Committee Chairs.

Members must place their motions at the start of their speaking time. Motions must be in writing and signed by the Member.

There are different types of motions, each with their own set of rules described in the Council Procedures (Appendix 1A).

4.5.14 Voting

Council can vote by a show of hands. Any Member can request that a vote be recorded. Recorded votes are included in the minutes of the Council meeting.

The Council Chamber is equipped with an electronic voting system to record votes. During a recorded vote, the City Clerk will open the vote and Members will see a flashing message on their screens "vote open".

Members must be seated and silent when votes are taken. All Members present including the Chair must vote unless they have declared an interest in the item. If Members can vote and they refuse, they will be recorded as voting in the negative. If Members vote and leave the Council floor before the result is announced, the Clerk will delete the vote and record the Member as absent.

Once all Members who can vote have voted, the City Clerk will close the vote and announce the results. The vote results will also be projected on the large screen in the Council Chamber.

Unless Council's procedures specify otherwise, a motion passes when a majority of Members present vote for it. A tie means a lost vote. Members can request the Chair to split the vote on distinct proposals.

4.5.14.1 Order of voting

Unless decided otherwise by Council, and subject to amendments that change numbers as noted below, the Chair, in consultation with the Clerk, puts all motions on a matter to a vote in the following order:

- Motion to refer
- Motion to defer
- Motion to receive
- Motion to amend, dealing with an amendment to an amendment immediately before the amendment it proposes to amend
- Main motion, or the main motion as amended, if any amendments have carried

- Separating the vote on the "main motion, as amended" into more than one part, which may only be done to comply with the *Municipal Conflict of Interest Act*.

When an amendment changes numbers, the amendments are put to a vote in ascending order dealing with the smallest number first.

4.6 Points of order and privilege

4.6.1 Point of order

Definition: To point out an error in procedure or a breach of the rules and ask that the rules be followed.

Examples include:

- "The motion is out of order"
- "This item is not within the jurisdiction of this committee"
- "We did not have the opportunity to ask questions of officials"
- "The order of voting on these motions is not correct"

4.6.2 Point of privilege

Definition: To request immediate action on a matter affecting the rights and privileges of (a) Council or Committee as a whole, or (b) a committee or Council Member.

Rights and privileges of the assembly (i.e., Council or committee)	These include <ul style="list-style-type: none"> • Things like heating, ventilation, sound, lighting, comfort and security. • They also include the dignity and integrity of the assembly and its proceedings, or obstructions to it carrying out its functions.
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Rights and privileges of a Member – "personal privilege"	These include: <ul style="list-style-type: none"> • Requests for personal assistance • Objections to personal remarks or wrongful accusations made by another person at the meeting • Relief from any obstruction or interference with a Member performing his or her duties
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More information about points of order and privilege is available in Appendix 4C.

4.7 Open and closed meetings

4.7.1 Rules regarding closed meetings

Generally, the City and its local boards are required by law to give notice and hold all meetings in public.

The City takes a number of steps to ensure the highest degree of openness and transparency for meetings of Council and committees.

- Notice is given of all meetings of City Council and its committees.
- Agendas and reports are posted online before meetings and decisions and minutes are posted as soon as possible after meetings.
- Meetings are closed only when legally permitted or required to do so, and in those sessions debate is confined to the confidential information contained in reports.
- The amount of confidential information in reports and documents before committee and Council is minimized. Where an item may contain confidential information, that information is reproduced on purple paper marked "confidential".
- A date for release of confidential information in agenda documents, if it can be released, is established at the time it is considered.
- All meetings begin and end in public.

4.7.2 Closing a meeting

Although the *City of Toronto Act, 2006* permits Council and its committees to close a meeting to the public to discuss certain matters, this power is permissive. If Council chooses to, it can consider these matters completely in open session.

Matters that may be considered at a meeting closed to the public:

- Security of the City's or a local board's property;
- Personal matters about an identifiable individual, including City or local board employees;
- A proposed or pending land acquisition for City or agency purposes;
- Labour relations or employee negotiations;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board;
- Receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- A matter for which Council, a board, a committee or other body has authorized a meeting to be closed under another Act; or
- Holding an education and training session for the Members. No business can be conducted or advanced in an education or training session.

4.7.2.1 Procedures to close a meeting

Before meeting in closed session Council or committee must first pass a motion that states the nature of the matter to be considered and the reason for meeting in closed session.

This description must be of sufficient detail to ensure that the public understands the general nature of the matter to be considered in closed session.

When Council meets in closed session, it meets as Committee of the Whole. Committee of the Whole is all Members of Council present sitting as a committee.

Council or committee in a closed meeting does not vote except for:

- a procedural matter; or
- to give directions or instructions to City officials or agents, agencies, or persons retained by, or under a contract with, the City or a local board.

4.7.2.2 Consequences of improperly closed meetings

If a meeting is improperly closed there can be both legal and reputational consequences.

4.7.3 Closed meeting investigations

If someone believes a meeting of City Council, an applicable local board, or a committee has been improperly closed to the public, he or she may request the City to investigate the matter.

The City will arrange for an independent investigation by a qualified person appointed for that purpose.

If the investigator finds that a meeting was improperly closed, he or she will report that publicly to City Council or the local board and make public recommendations as he or she sees fit.

A negative finding from an investigator could cause the City embarrassment or reputational damage. It might also form the basis for further legal action.

The City has retained Lorne Sossin, Dean of Osgoode Hall Law School as its Open Meeting Investigator.

4.7.3.1 Applications to a court

As an alternative to filing a complaint with the City, a complainant may also file an application to the court to overturn or quash a decision or by-law on the ground a meeting was improperly closed.

4.7.4 Conduct during closed sessions

Members are required to keep information about closed sessions confidential, unless otherwise authorized by City Council.

Do not tweet and/or post to instagram, facebook and/or other social media about the proceedings during closed sessions.

4.8 Declaring interests

Members of Council are bound by the provisions of the *Municipal Conflict of Interest Act*.

City officials cannot give Members advice on their interests. Members must independently determine if they have an interest for the purposes of the Act.

Members must declare interests at each meeting that an applicable matter appears on an agenda. Members should not rely on City officials, including the City Clerk, to remind them of interests previously declared.

4.8.1 How to declare an interest

Meeting Chairs will ask for declaration of interests at the start of meetings. Members should declare known interests at that time.

If a Member discovers an interest later in the meeting or at a subsequent meeting, a Member should obtain the floor on a point of privilege and declare the interest as soon as possible.

A Member must identify the matter and state the nature of the interest.

Here is how to declare an interest:

"I would like to declare an interest on item number _____ headed '_____'. The nature of my interest is _____."

Members declaring an interest should leave the meeting room and not influence the debate in any manner.

4.9 Your voting and attendance records

The City Clerk records Members' attendance on a sessional basis.

A session starts when a meeting is called to order and ends when a meeting is temporarily recessed or adjourned when complete. A meeting may be composed of two or more sessions, e.g. morning and afternoon.

The City Clerk records a Member as being present if he or she is present for any part of a session. There is no minimum duration required to be marked present. If the Member is not present for any portion of a session, the City Clerk marks the Member absent from that session.

The City Clerk does not record the times that Members enter and leave the meeting room.

At the end of each Council meeting, Council will consider a motion to excuse the absence of any Members of Council who have been absent for the entire meeting.

The *City of Toronto Act, 2006* provides that the office of a Member of City Council becomes vacant if the member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council.

4.9.1 Attendance and voting records

The City Clerk records each Member's attendance and votes in the minutes of meetings.

The City Clerk also makes attendance and voting records available in tabular form as part of the City's Open Data program. To see this information, visit www.toronto.ca/council and click on Open Data Reports.

4.10 Minutes and decisions

The City Clerk posts the decisions of Committee and Council meetings as they are completed. Some decisions are posted before the end of the meeting. More complicated decisions will follow in the days following the meeting.

Minutes of meetings contain decisions, motions, votes, rulings and other information about the proceedings.

The City Clerk posts minutes online at www.toronto.ca/council and sends an e-mail message to all Members of Council with a direct link to them. This e-mail constitutes the official distribution of the minutes to Members.

5 APPOINTMENTS

5.1 Member appointments

Contact:

- John Elvidge, Director, Secretariat: 416-392-8641; jelvidge@toronto.ca

City Council appoints Members of Council to committees and boards on the recommendation of the Striking Committee.

The Striking Committee is appointed by City Council on the recommendation of the Mayor. The Mayor can chair or assign the Deputy Mayor as Chair.

Appointments to most bodies are made for a half-term after which a second appointments process will be conducted. There are some bodies where the appointment term is different or is for the full term.

5.1.1 Process

The City Clerk will canvass all Members for their interest in appointment to Committees and boards. The City Clerk will ask Members to submit their preferences by a deadline. The City Clerk will submit the summary of Members' preferences to the Striking Committee. The Striking Committee will submit its recommendations for appointments to City Council for its consideration.

At the midpoint of the term and when vacancies occur throughout the term, the City Clerk will canvass Members for their interest in being appointed.

5.2 Mayor's appointments & memberships

The Mayor is a member of various committees and boards by virtue of office. The Mayor also has the power to make some appointments directly and to recommend some other appointments to City Council.

The Mayor chairs the Striking Committee but may assign the Deputy Mayor as Chair.

The Mayor also recommends to City Council the appointment of the members of the Striking Committee.

The Mayor appoints the Deputy Mayor and the Chairs of the following Standing Committees:

- Community Development and Recreation Committee
- Economic Development Committee*
- Government Management Committee
- Licensing and Standards Committee
- Parks and Environment Committee
- Planning and Growth Management Committee**
- Public Works and Infrastructure Committee

*The Chair of the Economic Development Committee is also appointed to Build Toronto, Invest Toronto and the Toronto Financial Services Alliance by virtue of position

**The Chair of the Planning and Growth Management Committee is also appointed to Build Toronto by virtue of position.

The Mayor is appointed to the following committees and boards by virtue of office:

- Executive Committee, as Chair
- Debenture Committee, as Chair
- Canadian National Exhibition Association, Municipal Section
- Canadian National Exhibition Association, Board of Directors
- Royal Agricultural Winter Fair, Board of Governors

The Mayor is appointed to the following boards but can appoint another Member of Council as a designate:

- Heritage Toronto
- Hummingbird (Sony) Centre for the Performing Arts
- Invest Toronto
- Metro Toronto Pension Plan
- Metro Toronto Police Benefit Fund
- St. Lawrence Centre for the Performing Arts
- Toronto Atmospheric Fund
- Toronto Centre for the Arts
- Toronto Public Library
- Toronto Zoo

The Mayor is appointed to the following committees and boards but can recommend that Council appoint another Member of Council as a designate:

- Affordable Housing Committee
- Build Toronto
- Civic Appointments Committee, as Chair
- East York Foundation Nominating Committee
- Exhibition Place Board of Governors
- Greater Toronto Marketing Alliance
- Toronto Community Housing Corporation Board of Directors
- Toronto Financial Services Alliance
- Toronto Hydro Corporation Board of Directors
- Waterfront Toronto

5.2.1 Toronto Police Services Board

The *Police Services Act* provides that the Mayor can elect to sit on the Police Services Board. If the Mayor does not choose to do so, the Act requires City Council to appoint another Member in his or her place.

If the Mayor takes the seat, he/she can do so until the end of the term or until the Mayor wishes to vacate the seat by resignation. If the Mayor resigns the seat, City Council will appoint another Member to fill the vacancy.

If the Mayor declines at this time and City Council appoints another Member, as the appointment is for the first half of the term, the Mayor will have an opportunity to revisit this in 2016 for the second half of the term.

5.2.2 Corporations Nominating Panels

The Mayor appoints the Nominating Panels for public appointments to the following corporations:

- Build Toronto
- Greater Toronto Airports Authority
- Invest Toronto
- Toronto Community Housing Corporation
- Toronto Hydro Corporation
- Toronto Waterfront Revitalization Corporation

5.3 Public appointments

Contact:

- John Elvidge, Director, Secretariat: 416-392-8641; jelvidge@toronto.ca
- Kelly McCarthy, Manager, Public Appointments: 416-397-7796; kmccart3@toronto.ca

City Council appoints more than 1,100 people to 129 boards.

The City relies on the contributions of members of the public who serve on the City's agencies, boards, committees and corporations. These appointments are an important way of engaging citizens and obtaining desired skills and expertise.

5.3.1 Eligibility requirements

An appointee must be:

- A resident of Toronto; and
- 18 years of age or older.

For some boards, such as the Library Board, provincial law requires appointees to be Canadian citizens.

Relatives of Members of Council are not eligible for appointment. This includes spouses or partners, children and parents.

Former Members of Council who served on the 2010-2014 Council are not eligible to serve on the City's quasi-judicial and adjudicative boards:

- Committee of Adjustment
- Property Standards Committee/Fence Viewers
- Rooming House Licensing Commissioner and Deputy
- Sign Variance Committee
- Toronto Licensing Tribunal

5.3.2 Term of appointment

Until recently, most terms were four year terms coincident with the term of Council.

In August 2014, City Council amended the policy to permit staggered four-year terms for those boards where not otherwise prohibited by law. As a result, going forward there will be a variety of terms of office for appointees, each of which will be approved by City Council when the appointments are made.

With some exceptions, the limit on length of service for any member of the public is two consecutive terms on the same board.

5.3.3 Board information

Information about each board is available at www.toronto.ca/ServeYourCity.

You will find:

- List of current appointees
- Description of the role of the board
- Eligibility requirements for appointment
- Qualifications for appointees
- Frequency of meetings
- Compensation of members

5.3.4 Recruitment process

The City Clerk's Office is responsible for public appointments, including the recruitment and application process.

The City accepts applications for appointment on a continuous basis. Any eligible person can apply online at any time by visiting www.toronto.ca/ServeYourCity.

Applicants can also download a form to complete by hand and mail in.

The City Clerk's Office reviews all applications against the Council-approved eligibility requirements and qualifications.

Applications will be kept in the applicant pool for four years before being marked inactive.

5.3.5 Nomination process

The nomination process is carried out by the Civic Appointments Committee and several additional nominating panels established by City Council. These committees are supported by the City Clerk's Office.

These committees are responsible for interviewing and recommending candidates for appointment. They are composed of Members of Council appointed by Council on the recommendation of the Striking Committee. (The Civic Appointments Committee is chaired by the Mayor or the Mayor's designate).

If you are interested in serving on one of these nominating committees, indicate your interest when the City Clerk canvasses for Members' preferences and your name will be placed before the Striking Committee. See section 5.1 for more information on Member appointments.

5.3.6 Public reporting of recommended candidates

Starting with the 2014-2018 term, the names of recommended candidates will be public in the Committee's report to City Council. This ensures that the public has the opportunity to scrutinize the recommendations before the appointment is made.

All other applicants' names, including those interviewed but not recommended for appointment, will remain confidential.

5.3.7 References for candidates

The Integrity Commissioner has established guidelines for Members regarding references for applicants.

- Do not provide a reference for an applicant unless you have a "relevant relationship" with the applicant. This includes an employment or volunteer relationship.
- Do not provide a reference for someone you only know as a constituent, neighbour or friend.
- Do not provide a reference for a family member.
- Any reference you give must be "on-the-record" by either:
 - Appearing before a committee or panel meeting in person to provide a verbal reference
 - Submitting any reference letters to the City Clerk for formal consideration by the nominating committee or panel.

Please see section 8.7.2 in volume 1 of this handbook for more information on providing references.

5.3.8 How to help promote public appointments

Members can help promote the public appointments process in a variety of ways:

- Direct interested persons to www.toronto.ca/ServeYourCity for information and to complete an application.
- Provide information in your newsletter or e-mail mailers.
- Invite Public Appointments staff to make a presentation at a community or ward event.

