

From: "Johnston, Sadhu" <Sadhu.Johnston@vancouver.ca>

To: "Direct to Mayor and Council - DL" <CCDTMACDL@vancouver.ca>

Date: 10/31/2016 1:36:01 PM

Subject: Memo - RTS 11563 - Public Participation at Council Meetings

Attachments: [RTS11563 Memo re Public Participation at Council Meetings.pdf](#)

Dear Mayor and Council,

Please see attached memo from Janice MacKenzie, City Clerk, where at the June 28, 2016 Regular Council meeting, Council passed a motion asking staff to investigate and report back on the pros and cons and possible criteria for:

- a) Holding a Council meeting, or a part of a Council meeting, during the evening or on weekends to better enable public participation;
- b) Holding a Council meeting, or a community consultation by Mayor and Council, in a neighbourhood location;
- c) Enabling a process for individual members of the public and public delegations to present information to Mayor and Council on subjects of concern to them; and
- d) Giving greater certainty to residents and stakeholders that sign up to speak as to the timing of their turn.

In conducting the above, staff were also instructed to review best practices and consider the additional impact on resources. Staff have now compiled a list of considerations for Council's information in the attached memo.

Should you have any questions, please do not hesitate to contact Janice MacKenzie at 8-6146 or Katrina Leckovic at 8-7998.

Best
Sadhu

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MEMORANDUM

October 27, 2016

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager
Janice MacKenzie, City Clerk
Lynda Graves, Manager, Administration Services, City Manager's Office
Rena Kendall-Craden, Director, Communications
Jessie Adcock, Chief Digital Officer and Acting CIO
Kevin Quinlan, Chief of Staff, Mayor's Office
Katie Robb, Director, Communications, Mayor's Office
Francie Connell, Director, Legal Services

FROM: Janice MacKenzie, City Clerk

SUBJECT: Public Participation at Council Meetings - RTS 11563

At the June 28, 2016 Regular Council meeting, Council passed the following motion:

WHEREAS

1. The City of Vancouver has committed in its Engaged City Strategy to increase public participation, build trust and "bring City Hall to the community"; and
2. Many citizens have written to Council complaining that the timing, location and format of Council meetings are barriers to their participation and engagement.

THEREFORE BE IT RESOLVED THAT City Council direct staff to investigate and report back on the pros and cons and possible criteria for:

- a) Holding a Council meeting, or a part of a Council meeting, during the evening or on weekends to better enable public participation;
- b) Holding a Council meeting, or a community consultation by Mayor and Council, in a neighbourhood location;
- c) Enabling a process for individual members of the public and public delegations to present information to Mayor and Council on subjects of concern to them; and
- d) Giving greater certainty to residents and stakeholders that sign up to speak as to the timing of their turn.

AND BE IT FURTHER RESOLVED THAT all investigations on the items outlined above:

- Be based on best practices;
- Consider additional impacts on existing staff time, in addition to financial implications;
- Seek to empower a greater number of residents across broad demographics to participate in public policy-making;
- Identify how to mitigate any confusion the public may feel over how new types of meetings impact the overall decision-making process

As directed, staff consulted comparable municipalities across Canada for the purpose of developing potential strategies to improve public participation. The following provides a summary of these findings.

1. Holding a Council meeting, or a part of a Council meeting, during the evening or on weekends to better enable public participation.

Under the Vancouver Charter and Procedure Bylaw, Council must hold regular meetings on such dates and at such times and places as Council resolves. Council may also hold special meetings on dates and times as required by the Mayor or a majority of Council members by written notice to the City Clerk.

Currently, Regular Council and Standing Committee meetings begin at 9:30 am on scheduled Tuesdays and Wednesdays, respectively. In 2015, Regular Council meetings ran an average of 3.5 hours while Standing Committee meetings averaged 6 hours in duration. This does not include the time Council allows for lunch and other breaks.

Public Hearings typically start on Tuesdays at 6 pm. The average length of a public hearing is 5.25 hours. They often run over the course of two evenings and, in some instances have required additional time - either a third evening or are reconvened on a Saturday and/or Sunday.

In addition to the above, on occasion, Council does hold special council meetings. These are special purpose meetings typically held for items of significant interest to the public. Special council meetings are often held on weekday evenings but have occasionally extended to weekend days.

Based on a review of similar-sized municipalities across Canada, staff found:

- Municipalities vary greatly in their meeting structures and procedures, making it challenging to compare practices amongst municipalities.
- Of the municipalities surveyed, all held Council meetings during weekdays with either morning or evening start times.
- Most of the Lower Mainland municipalities hold some of their meetings during weekday evenings - often on a Monday or Tuesday. The agendas for these meetings are typically limited and the meetings are completed in a single evening session. Examples include Surrey, Burnaby and Delta.
- Larger municipalities across Canada begin their meetings in the morning and often run for much of the workday. This is largely due to the volume of business being conducted. Examples include Edmonton, Calgary, Winnipeg, Ottawa, Toronto, and Halifax.

- Of the 20 municipalities surveyed, only the City of Winnipeg allows members of the public to speak to items on Council agendas. The remaining municipalities either a) have processes in place to allow up to three delegations to speak on matters of interest or b) do not allow speakers or delegations to address Council at meetings other than public hearings or community meetings that consist of a subset of Council members.

Staff have compiled the following list of considerations for Council concerning holding certain types of council meetings exclusively in the evening and/or on weekends:

- Many members of the public do not have 'regular' working hours (i.e. weekdays 9 am - 5 pm) and, therefore, evening and/or weekend meetings may not improve the ability of the public to address Council by speaking at a council meeting.
- Evening and/or weekend meetings may impact public participation of seniors, those attending places of worship on Saturday/Sunday, or those wishing to spend time with family, participating in community events, or doing errands.
- Public participation at council meetings is largely in the form of speaking at Standing Committee meetings. Based on the typical length of Standing Committee meetings and the City's existing practice of allowing speakers to speak to most items on the agenda, evening meetings could either run late in to the night or require two or more evenings to complete. Individuals wishing to speak to items toward the end of the agenda may be required to speak very late at night or on a following evening.
- Currently, for every Council meeting cycle, two weekday evenings (Tuesday and Thursday) are held for public hearings and once a month business licence hearings take place on a Monday evening. In addition, many of the advisory body meetings are held in the evenings and require the attendance of the Councillor liaison to that body. If Standing Committee meetings were held on evenings, Council would be limited in the number of weekday evenings available to meet for that purpose.
- All meetings of Council require significant staff attendance. Evening or weekend Standing Committee meetings would require notable changes to staff schedules - almost certainly resulting in increased overtime and may lead to a reduced service levels during regular office hours. Although staff have not quantified the likely additional staffing costs, it is reason to assume that it would be substantial.
- An increase in the number of evening and weekend meetings would reduce the ability of Council Members to attend public events.

Options

Should Council wish to proceed with holding either part or all of a Standing Committee meeting in the evening or on the weekend to accommodate members of the public, staff propose the following two options:

1. Hold special council meetings for items of high public interest

While Council does hold special council meetings on occasion, Council could increase the number of special council meeting by holding special council meetings for any item that is likely to have a high level of public interest. These meetings can be held in the evening or on weekends. Like the City of Vancouver, other municipalities surveyed sometimes hold special council meetings for items that have a high level of public interest.

2. *Reconvene Standing Committee meetings on evenings or weekends for agenda items generating a high number of speaking requests*

Recently, on occasion, Council has established start times for select agenda items that are of particular interest to the public and for which numerous speaking requests have been received. This is predominately used at Standing Committee meetings and the start times occur later on the same day as the Standing Committee. The reason for this is to provide the public with some advanced notice as to when their item of interest will be before Council.

Council could extend this practice and establish evening and/or weekend start times for select items having significant public interest. It would require that Standing Committee recess and reconvene for evening/weekend sessions until the agenda is completed.

There are different mechanisms available for making use of a) special council meetings or b) reconvened Standing Committees on evenings and/or weekends. For example, Council could:

- Use the current authority granted in section 2.4 of the Procedure Bylaw to hold special council meetings on dates and times as determined by the Mayor or a majority of Council members by written notice to the City Clerk;
- Resolve at the start of each Standing Committee meeting to consider specific, high interest items on specific evenings and/or weekend days.

Note that in order to ensure Council business is conducted in a timely manner; staff would need to pre-book sufficient Council meeting time both on weekday evenings and weekend days in anticipation of special council meetings and/or reconvened Standing Committee meetings. If the time is not required, staff would release the time from Council member's agendas. However, Council members would be unable to book other events until it was confirmed that the time was not required for Council business.

2. Holding a Council meeting, or a community consultation by Mayor and Council, in a neighbourhood location.

Council meetings in a neighbourhood location

For many years, Council meetings have been held in the Council Chamber at Vancouver City Hall. Although Council is required, by the Procedure Bylaw, to specify the dates, times, and location of meetings, there is no requirement that Council meetings be held in the Council Chamber.

Of the 20+ municipalities surveyed, only one, the Corporation of Delta holds formal Council meetings outside of the municipal hall. Due to the municipality's geographic size, for over 15 years Delta has held four of the 25 or so regularly scheduled meetings each year in North Delta. The remaining meetings are held at the municipal hall in Ladner. Although the original intent of holding meetings in North Delta was to increase public participation and enable greater public access to Council by those residents in that area, Delta staff have noted that this has not materialized.

In our discussions with other municipalities, the following advantages were identified for holding Council meetings in a single location i.e. the council chamber at each city hall. The advantages include:

- Every municipality has a city/municipal hall which is considered the centre for local government. City halls are generally centrally located and accessible through public transportation. Further, these buildings are accessible to those with a physical disability.
- Most modern council chambers are equipped with sophisticated audio-visual, computer, and meeting management systems that enable citizens to watch live Council meetings and receive ongoing updates regarding speaker status through the system functionality. These systems live stream meetings (TV broadcast and online); record the proceedings for archiving purposes; manage Council members' speaking queues re timing, motions/amendments; turn microphones and numerous cameras on and off; display presentations, videos, and other materials (such as member amendments); log members' votes; and provide social media updates concerning speaker status.
- Council meetings typically require the attendance of many staff members. Most of the staff members are located either at city hall or in the immediate area. Holding council meetings at city hall (council chamber) as opposed to elsewhere, allows for a more efficient and effective use of staff resources.

To hold Council meetings at locations other than City Hall, the following would be required:

- Adequate meeting space - The Chamber can accommodate approximately 100+ individuals and the foyer/town hall can accommodate an additional 150+ members of the public. Any alternate locations should be able to accommodate a similar number and the space should be in an accessible building that is easily accessed by public transportation. Suitable spaces of this size are very limited but may include some of the large meeting rooms or gymnasiums in community centres. It should be noted that the use of these rooms could negatively impact community programming.
- Audio/visual and meeting management systems - In order to properly manage the council meetings (microphones, cameras, timers, voting log, speaker queues, etc.) and ensure that the meetings are broadcast and recorded, it would be necessary to either purchase portable systems or contract with external service providers. The functionality of these systems or services would not match the functionality currently available in the Council Chamber which would impact service to the public. Because off-site meeting management systems may not be able to sync with our current system, there may be significant delay in publishing of vote data as all votes may have to be entered manually. In addition to potential delays in the release of vote data, live broadcast of Council meetings may be impacted due to potential limitations in off-site technical capacity. Between October 1, 2015 and September 30, 2016 there were 24,343 unique views of the live Council meetings on the City's website and 17,929 views of the recorded stream, with an average stream view of 33 minutes. Stream views originated from locations around the world with 4 % originating from outside of Metro Vancouver. Any disruption to this service would impact the ability of 24,000+ people viewing Council meetings on an annual basis.
- Technology requirements - Apart from the need for reasonable audio/visual and meeting management functionality, there are a number of technology requirements. For example, staff and Council members would require hardware, software, and reliable internet access as well as sufficient electrical and internet outlets. This requires the leasing or purchase of additional hardware which is estimated to cost

between \$30,000 to \$60,000 (plus staff and contractor expenses) to replicate the current technical equipment set-up of Council Chamber at an off-site location (provided that there is sufficient bandwidth and electrical connections).

- Staff resources - Several hours of preparation by staff go in to the holding of each Council meeting. Should council meetings be held off-site at an alternate location, a significant increase in staff resources (IT, Digital, Communications, City Clerk's) would be required to a) ensure the set-up of the meeting location, b) install the audio-visual and meeting management systems, c) test the systems, and d) dismantle the set-up. The per meeting cost for holding an off-site meeting would be approximately \$8,000 to \$16,000 to cover additional staff/contractor resources and internet connection options. In addition, staff having to attend off-site council meetings may find it necessary to be at the alternate for the duration of the meeting (until their item is considered by Council). This requirement may negatively impact their productivity.

It is possible to hold Council meetings in locations other than the Council Chamber at City Hall; however, there would be a substantial cost to doing so and accessibility to the public may be negatively impacted. In addition, City or Parks' facilities would need to be used as these are connected to the City's technical infrastructure and provide a minimum level of bandwidth quality for video/streaming requirement. Using such facilities would reduce community programming scheduled for such locations.

Should Council determine that it wishes to hold Council meetings in off-site location, staff would require sufficient advanced notice in order to secure a suitable facility and arrange for the required technology. Lead time for acquisition of appropriate hardware and technical assessment of a facility for suitability to conduct a Council meeting would take approximately 6 - 12 weeks.

Community Consultation in a Neighbourhood Location

The Mayor and Councilors have, in the past, conducted town hall type forums in locations other than City Hall. These meetings were held on various subject matters such as the annual budget and those interested in making their views known to Council attended. They are not formal meetings of Council, members are not required to attend, and no formal decisions are made. Typically, staff presented on the subject matter and members of the public spoke to the subject - there was no discussion. Similar such meetings are held by other municipalities - most typically in relation to the annual budget. These neighbourhood meetings are normally hosted in a location that is accessible to a target audience. It should be noted that these meetings tend to occur near the end of the public consultation process.

In recent years, the City has developed a rigorous public engagement program, managed by Corporate Communications, that encourages meaningful public engagement throughout the planning process. The program includes holding public consultation on a wide range of topics. Examples include: all rezonings, the annual budget, False Creek South, Arbutus Corridor, Zero Waste Strategy, empty homes, the Vancouver Public Library strategic plan, Blood Alley redesign, Park Board aquatics strategy, off leash dog parks as well as holding pop up City Halls in various locations (Dunbar, Westend, Sunset, Trout Lake, etc.) throughout the city. Council members are invited to attend but are led by staff and are intended to encourage public engagement.

3. Enabling a process for individual members of the public and public delegations to present information to Mayor and Council on subjects of concern to them.

Apart from Public Hearings, under the Procedure Bylaw, Council may hear speakers on most items of the Regular Council or Standing Committee agendas. Speakers are heard at the Standing Committee meetings. As Council knows, if a request to speak is received concerning an item on the Regular Council agenda, Council usually refers that item to the next Standing Committee meeting. The speaking time is limited to five minutes; however, the number of speakers is not limited.

Staff have compiled the following considerations for Council regarding a process for presenting information to Council on subjects of concern to them:

- Vancouver's practice of allowing an unlimited number of speakers for most items on the agenda is quite different from other municipalities across Canada. Based on staff's review, only the City of Winnipeg allows individuals to address Council on specific items on the agenda. However, Winnipeg limits the number of speakers to each item to two in favour and two against each item. No other speakers are allowed.
- All other municipalities only allow members of the public to speak as a public delegation at specified meetings of Council. At these municipalities, the number of delegations permitted to speak at the meeting is limited to no more than 30 minutes. Delegations are given up to 10 minutes and usually 3 delegations are allowed. The delegations must apply to speak well in advance of the meeting agenda being released (e.g. one week prior to the meeting) and must specify what the delegation will be speaking about. At the meeting, Council must approve hearing from the delegation prior to the delegation proceeding. These delegations may speak about items that are not on the agenda.
- In addition to the above, a few of the smaller municipalities surveyed hold informal Q & A sessions before the start of their Council meeting. Various rules apply and, typically, the sessions are no longer than 30 minutes and three delegations are permitted to ask a question at any given meeting. Limits are also placed on the frequency that a delegation may appear before Council. Delegations may ask questions about any matter within the municipality's jurisdiction that has a broad public interest.

While it is possible for Council to allow delegations to appear before Council - either at a Regular Council or Standing Committee meeting - an amendment to the Procedure Bylaw would be required in order to implement this change.

4. Giving greater certainty to residents and stakeholders that sign up to speak as to the timing of their turn.

Given the City's practice of not limiting the number of speakers on Council agenda items coupled with the ability of each Council member to ask each speaker questions, it is quite challenging to predict with reasonable accuracy the timing of each speaker.

That being said, there are a number of measures that are currently being taken and yet others that can be taken to give speakers a better idea of when they may speak to Council. The measures that are currently being taken include:

- City staff currently use the City Clerk's Twitter feed (@VanCityClerk) to inform the public (and speakers) what speaker number Council is currently hearing from. This feed is appears on the City's live stream of the Council proceedings on the City's website. Staff update the ' list status every 30 minutes.
- Speakers can directly contact the City Clerk's Office for updates.
- On site speakers can watch the proceedings in the Council Chamber or on the monitor in the 3rd floor foyer.

There are a few measures that could be taken. They include:

- Establish item start times for agenda items having significant public interest. Staff are aware of a few municipalities that utilize this measure. As indicated earlier in this memo, Council could establish start times for items with significant public interest. There are different mechanisms available for managing this including making use of a) special council meetings or b) reconvened Standing Committees on evenings and/or weekends.
- Invest in new technology to provide improved advance notification to speakers. Staff are exploring the options, however, IT staff resource funding would be required in order to proceed with any identified solution.
- Allow each speaker to speak for up to five minutes and not allow Council members to ask questions of speakers. By eliminating the questions being asked by Council, it becomes much easier to predict when a speaker will have the opportunity to address Council.
- Limit the number of speakers for each item. Currently, Council does not impose a limit. It is possible to have 100+ speakers and all speakers in favour of the report recommendations. Council could amend the Procedure Bylaw to allow a specified number of speakers for and against items on the agenda of a Council or Standing Committee meeting. This would not apply to public hearings. This measure could be combined with eliminating questions to speakers from Council members in order to predict when a speaker will address Council.

Should Council have any additional questions, please contact me (8-6146) or Katrina Leckovic (8-7998).



Janice MacKenzie
City Clerk