



Item .....
Meeting..... 2020 March 23

**SPECIAL COUNCIL REPORT**

**TO:** CITY MANAGER **DATE:** 2020 March 20

**FROM:** CITY CLERK

**SUBJECT: ELECTRONIC PARTICIPATION IN COUNCIL, COMMITTEE,  
COMMISSION AND BOARD MEETINGS**

**PURPOSE:** To amend the Burnaby Procedure Bylaw 2004 to allow electronic participation in regular Council meetings or board, committee or commission meetings in the event of a Federal, Provincial or local State of Emergency, Provincial Health Emergency, or pandemic declaration by the World Health Organization.

**RECOMMENDATIONS:**

1. THAT the 2020 March 23 Regular Council meeting and 2020 March 24 Public Hearing be cancelled.
2. THAT all regularly scheduled Committee, Commission and Board meetings be cancelled up to and including 2020 April 30.
3. THAT Council approve the electronic participation in regular Council, Committee, Commission and Board meetings in the event of a Federal, Provincial or local State of Emergency, Provincial Health Emergency, and/or a pandemic declaration by the World Health Organization.
4. THAT Council authorize the City Solicitor to bring forward a bylaw to amend the Burnaby Procedure Bylaw 2004, as outlined in the report.

**REPORT**

**1.0 INTRODUCTION**

On 2020 March 18, the B.C. government declared a State of Emergency in response to the COVID-19 pandemic. To stop or slow down the spread of this highly contagious disease, Public Health officials recommend social distancing and self-isolation at home. To protect the health and safety of the public, staff, and members of Council, electronic participation in meetings is a necessary step to decrease contact and the potential spread of COVID-19. To continue to provide essential services during the

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COVID-19 pandemic, amendments to the Burnaby Procedure Bylaw 2004, are required to allow Council members to electronically participate in regular Council meetings. Although it is unknown at this point if electronic participation in meetings will be needed for Committees, Commissions and Boards, the proposed bylaw amendment outlined in this report will allow for electronic participation in all meeting types should the need arise.

Further, it is recommended that the following meetings be cancelled:

- 2020 March 23 Regular Council Meeting;
- 2020 March 24 Public Hearing; and
- all regularly scheduled Committee, Commission and Board meetings up to and including 2020 April 30.

Any urgent items of business may be considered at a Special meeting.

## **2.0 PARTICIPATION IN MEETINGS BY ELECTRONIC MEANS**

The *Community Charter*, Section 128 [Electronic meetings and participation by members] allows electronic participation by members of Council if it is authorized by the City's procedure bylaw.

Section 10 of the Burnaby Procedure Bylaw 2004 allows members of Council or Board, Committee or Commission members who are unable to attend a Special meeting to participate in the meeting by electronic means. The Procedure Bylaw does not currently permit electronic participation in meetings that are not Special meetings. Special meetings are those that are called by the Mayor or two members of Council to address urgent items of business.

Electronic participation is not authorized under the Burnaby Procedure Bylaw 2004 for regularly scheduled meetings until such time as the Bylaw is amended to allow for electronic participation by members.

## **3.0 BURNABY PROCEDURE BYLAW PROPOSED AMENDMENT**

To protect the health and safety of the public, staff and Council, and enable the provision of essential services to the community, it is recommended that Section 10 of the Burnaby Procedure Bylaw 2004 be amended to allow electronic participation in meetings by Council, Committee, Commission and Board members during the regular meetings in case of a State of Emergency, Provincial Health Emergency or pandemic situation.

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## **Current**

### **10. Participation in Meetings by Electronic Means**

- 1) *In accordance with Section 128 of the Community Charter, a member of Council or a member of a board, committee or commission who is unable to attend at a Special Council meeting or a Special board, committee or commission meeting, may participate in the meeting by means of electronic or other communication facilities whereby that member can communicate with the members present at the meeting.*
- 2) *The member presiding at the Special Council, board, committee or commission meeting must not participate electronically.*
- 3) *A member unable to attend a Special Council, board, committee or commission meeting, that wishes to participate electronically in the Special Meeting must provide notice to the City Clerk of their intent at least four hours in advanced of the start time of the Special meeting.*
- 4) *A member participating in a Special meeting electronically is deemed to be present in the meeting as though he or she was physically present.*
- 5) *The Clerk or recording secretary shall record in the minutes the members present including those participating electronically.*

## **Proposed**

Adding Sub-section 6 to read as follows:

- 6) *Subsections 10(1) to (5) also apply to a regular Council meeting and a regularly scheduled board, committee or commission meeting in the event of:*
  - a. *a State of Emergency declaration by the Federal Government and/or Province and/or the City;*
  - b. *Provincial Health Emergency; or*
  - c. *a pandemic declaration by the World Health Organization.*

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#### 4.0 CONCLUSION

This report outlines changes to the Burnaby Procedure Bylaw 2004 in response to the evolving COVID-19 pandemic situation. An amending bylaw to authorize participation in regular meetings by electronic means is being brought forward for three readings for Council's consideration at this time. Following the three readings, a Notice of Amendment and explanation of the purpose of the bylaw amendment will be advertised in the local newspaper for two consecutive weeks (2020 March 26 and 2020 April 2), in accordance with Section 94 of the *Community Charter*. The Amendment Bylaw would then return to Council for reconsideration and final adoption after 2020 April 2. Until such time as the Burnaby Procedure Bylaw 2004 is amended, it is recommended that the 2020 March 23 Regular Council Meeting and the 2020 March 24 Public Hearing Meeting be cancelled, and regularly scheduled Committee, Commission and Board meetings be cancelled until 2020 April 30. Any urgent items of business may be considered by way of a Special meeting.



Kate O'Connell  
CITY CLERK

Cc: City Manager  
Director Corporate Services  
Director of Parks, Recreation and Cultural Services  
City Solicitor