



Legislation Details (With Text)

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Presented by: David Leflar, Chief Legislative Officer

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11/8/2018	1	City Council	approved	Pass

TAMRMS#: B06

2019 Budget Deliberation Process

Presented by: David Leflar, Chief Legislative Officer

RECOMMENDATION(S)

1. That Section 11.5 of the *Procedure Bylaw* (3/2018) be suspended for the 2019 Budget Process to allow the reordering of agenda items and the addition of information as required without formally amending the agenda.
(requires unanimous consent of all members present - Procedure Bylaw s.3.6)
2. That Section 12.8 of the *Procedure Bylaw* be suspended for the 2019 Budget Process to allow the Mayor to make motions without relinquishing the chair.
(requires unanimous consent of all members present - Procedure Bylaw s.3.6)
3. That Section 17.1 of the *Procedure Bylaw* be suspended for the 2019 Budget Process to allow the mover of a motion to move an amendment to the same motion.
(requires unanimous consent of all members present - Procedure Bylaw s.3.6)
4. That consideration of proposed amendments to the proposed 2019 Operating and Capital Budgets made during presentations be automatically postponed without need of a motion to that effect, until all presentations have been completed.
5. That Council in Committee of the Whole be authorized to direct Administration, by resolution, to make changes to the proposed 2019 Operating and Capital Budgets.
6. That the Budget Information Requests and Postponed Motions received to date, set out as attachments to the report dated November 8, 2018 and entitled "2019 Budget Deliberation Process", are hereby accepted as presented and deemed fully a part of the 2019 Budget

Deliberation Process as though they were read *verbatim* into the record.

7. That Council move into Committee of the Whole.

PURPOSE OF REPORT

This report provides a proposed methodology for Council to use in the 2019 Budget Deliberation Process. Approval of the recommendations will allow Council a greater degree of flexibility in dealing with the first phase of presentations and discussions with respect the 2019 operating and capital budgets.

COUNCIL DIRECTION

The *Procedure Bylaw* provides that Council may convene as a Committee of the Whole which “may consider any matter that Council may consider, including but not limited to detailed consideration of . . . the budget”.

The *Procedure Bylaw* also provides that "Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so".

BACKGROUND AND DISCUSSION

Historically, Council has exercised its option to move into Committee of the Whole when dealing with the first phase of the budget process where much information is presented and a variety of spending and revenue alternatives may be considered. By taking this step, Council obtains significantly more procedural flexibility than is allowed in Regular Council meetings.

Section 26.12 of the *Procedure Bylaw* states:

In the Committee of the Whole, the procedures of council shall be relaxed as follows:

- a. a member of council may speak even though there is no motion on the floor, but if there is a motion on the floor a member of council shall only address that motion;
- b. a member of council may speak more than once, provided that each member of council who wishes to speak to the matter has already been permitted to do so;
- c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
- d. no notice need be given of any motion to be made.
- e. the mayor may make a motion on any matter without relinquishing the chair.

From time to time, especially during the budget process, even more relaxation of the normal rules of

procedure than is provided for by Section 26.12, may be appropriate. This can be done under Section 3.6 of the *Procedure Bylaw* if each Councillor present votes in favour of waiving all or part of the provisions of the *Procedure Bylaw* for a meeting.

Three types of circumstances where greater flexibility has proved to be useful are as follows:

1. Section 11.5 of the Procedure Bylaw states that:

“The order of business at a Council meeting shall be the order of the items on the adopted agenda”.

The 2019 Budget will be considered in a series of sessions commencing with the Departmental presentations (plus two outside agency presentations) on November 8, 2018, intended to give Council members the opportunity for detailed scrutiny of the budget documents including informal questions, formal Budget Information Requests, and Motions to amend the budget. During this process, in order to facilitate a smooth flow of business, there may be a need to reorder or add agenda items, or for Administration to respond to previous information requests. By suspending Section 11.5 this can be done without the necessity for Council repeatedly to amend the agenda by resolution. ***(This is the basis for Recommendation #1 above)***

2. Section 12.8 of the Procedure Bylaw indicates that the Mayor may make a motion on any matter on the agenda but before doing so the Mayor must relinquish the chair to the Deputy Mayor until the vote on the motion has been taken. This is essentially the same procedure as at regular Council meetings, and makes it more cumbersome for the Mayor to participate fully and easily in the process of scrutinizing the budget documents. By suspending this rule, business would flow more smoothly, particularly if the Mayor has a number of motions to propose. ***(This is the basis for Recommendation #2 above.)***

3. Section 17.1 of the Procedure Bylaw states that:

“a member of council who moved a motion may not move an amendment to it.”

As the budget process unfolds and more information becomes available, a member of Council may wish to amend his or her previous motion. This flexibility can be achieved by suspending Section 17.1. ***(This is the basis for Recommendation #3 above.)***

The Agenda as presented calls for divisional presentations before Council (in Committee of the Whole) moves into the fine-tuning phase in preparation for final approval of the operating and capital budgets.

Throughout this process it is important that members of Council have no procedural obstacles to asking questions, receiving additional information on specific issues, or proposing motions that, if adopted, would have an impact on the final mathematics of the budget.

Requests for information, where the response can be provided immediately, will not appear in the

minutes. When additional research is required, the request will be recorded in the minutes and Administration will provide the response to Council at the earliest possible opportunity.

Should a Council member wish to discuss a matter further and/or in greater detail to help in deciding whether to propose an amendment to the budget, the Council member may request that the matter be 'flagged' for further discussion. Administration will track any flagged items and ensure they are brought back at an appropriate time, which may include grouping them under an Agenda Heading "Flagged Items" for one or more of the budget sessions later in November. The relaxation of procedural rules means that no vote would be required for this to occur.

Recommendation #4 clarifies that voting on any motion seeking to amend the 2019 Budget, made during the divisional presentations, will be postponed until all the presentations have been heard.

Recommendation #5

While Section 26 of the Procedure Bylaw establishes Committee of the Whole and its role, it does not specifically empower Committee of the Whole to direct Administration. In the context of budget deliberations, allowing Committee of the Whole to direct Administration, by resolution, to make changes to the Draft 2019 Budget would streamline the process considerably.

Recommendation #6

The Budget Information Requests and Postponed Motions set out as attachments are somewhat lengthy (although not as long as in some past budget cycles) and are set out in a format that can be awkward to read through orally. Passing this motion would save Council some time and would also ensure that the BIRs and PMs are strictly accurate.

Recommendation #7

Following adoption of the procedural motions as outlined in Recommendations #1 through #6, a motion to move into Committee of the Whole would be appropriate.

Report Date: November 8, 2018
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