

# CITY OF KELOWNA

## BYLAW NO. 11849

### Amendment No. 6 to Council Procedures Bylaw No. 9200

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Council Procedures Bylaw No. 9200 be amended as follows:

1. THAT all references to the words "he", "his", "himself", "she", "her" and "herself" be deleted and replaced with "they", "their" and "themselves".
2. AND THAT all references to the words "a true copy" be deleted and replaced with "copy".
3. AND THAT all references to "Land Use Management Department" be deleted and replaced with "Planning and Development Services Division".
4. AND THAT PART 2 – **SCHEDULE AND NOTICE OF COUNCIL MEETINGS, Schedule of Meetings** be amended as follows:

a) Deleting sub-section 2.1 in its entirety that reads:

"An inaugural Council meeting shall be held on the first Monday in December following a general election of Council, unless a quorum of Council has not yet taken office in which case the inaugural Council meeting shall be called as soon as reasonably possible after a quorum has taken office"

And replacing it with:

"An inaugural Council meeting shall be held on the first Monday in November following a general election of Council, unless a quorum of Council has not yet taken office in which case the inaugural Council meeting shall be called as soon as reasonably possible after a quorum has taken office."

5. AND THAT **PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, Notice of Regular Council Meetings and Public Hearings** be amended as follows:

a) Adding a sub-section 2.9 (d) that reads

"posting agendas on the City's internet website."

b) Deleting subsection 2.10 in its entirety that reads:

"The Office of the City Clerk shall also endeavour to post agendas on the City's internet web site."

6. AND THAT **PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, Notice of Special Council Meetings** be amended as follows:

a) Deleting that part of sub-section 2.13 that reads:

"Notwithstanding sections 2.10 and 2.11"

And replacing it with:

"Notwithstanding sections 2.11 and 2.12"

7. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS, Proceedings at Regular Meetings (afternoon)** be amended as follows:

a) Deleting sub-section 4.8 in its entirety that reads:

"The following person(s) shall be permitted the opportunity to make a presentation to Council, to a maximum of five (5) minutes, to express their views regarding an application under consideration by Council on a Regular Monday meeting agenda:

(a) the owner or applicant, or their representative, whose Land Use development application has received a negative recommendation by staff, or

(b) any tenant(s) or their representative who deem their interest to be affected by a multiple housing strata conversion application."

And replacing it with:

"The following person(s) shall be permitted the opportunity to make a presentation to Council to express their views regarding an application under consideration by Council on a Regular Monday meeting agenda:"

(a) the owner or applicant, or their representative, whose Land Use development application has received a negative recommendation will have a maximum of fifteen (15) minutes to express their views, or

(b) any tenant(s) or their representative who deem their interest to be affected by a multiple housing strata conversion application will have a maximum of five (5) minutes to express their views."

8. **AND THAT PART 4 – PUBLIC IN ATTENDANCE AT COUNCIL MEETINGS, Proceedings at Public Hearings** be amended as follows:

a) Deleting sub-section 4.16 in its entirety that reads:

"Presentations by representatives of Resident Associations shall be limited to a maximum of ten (10) minutes each. If a person has additional information that he is unable to provide within that time frame, he shall be given further opportunities to address Council after all other interested members of the public have been heard a first time. Without limiting the opportunity provided for in section 4.11 of this bylaw, speakers shall be encouraged to confine their comments to new information."

9. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, Agenda Preparation and Order of Proceedings** be amended by:

a) Deleting the phrase in sub-section 5.2 that reads:

"must be delivered to the City Clerk prior to 12:00 pm (noon) on the Wednesday preceding a Monday or Tuesday meeting."

And replacing it with:

"must be delivered to the City Clerk prior to 12:00 pm (noon) on the Wednesday preceding a Monday meeting."

b) Deleting subsection 5.4 (a) in its entirety that reads:

"Monday Regular Meeting (morning)

- Call to Order
- Issues Arising from Correspondence & Community Concerns
- Reports
- Resolution to approve those items on the agenda proposed for a closed meeting pursuant to the *Community Charter* and to close the meeting to the public
- Closed session
- Termination"

And replacing it with:

"Monday Regular Meeting (morning)

- Call to Order
- Confirmation of Minutes
- Reports
- Resolution closing meeting to the public pursuant to the Community Charter
- Closed Session
  - Convene Closed Session
  - Confirmation of Minutes
  - Reports
  - Issues Arising from Correspondence & Community Concerns
- Reconvene to Open Session
- Issues Arising from Correspondence & Community Concerns
- Termination"

c) Adding under sub-section 5.4 (b) Monday Regular Meeting (afternoon) following "Call to Order":

- Territorial Acknowledgement

d) Deleting sub-section 5.4 (c) in its entirety that reads

"Tuesday Regular Meeting (following Public Hearing, if applicable)

- Call to Order
- Prayer
- Confirmation of Minutes
- Bylaws considered at public hearing
- Liquor license application reports
- Development permit, development variance permit and Provincial Referral Reports
- Reports

- Resolutions
- Reminders
- Termination

And replacing it with:

“Tuesday Regular Meeting (following Public Hearing, if applicable)

- Call to Order
- Reaffirmation of Oath of Office
- Confirmation of Minutes
- Bylaws considered at public hearing
- Liquor license application reports
  - Summary of correspondence received (number and type)
- Development permit, development variance permit and Provincial Referral Reports
  - Summary of correspondence received (number and type)
- Reports
- Resolutions
- Reminders
- Termination”

e) Deleting sub-section 5.4 (d) in its entirety that reads:

“Public Hearing

- Reading or summarizing the notice of public hearing
- Staff presentation
- Summarizing any correspondence received in relation to the item being heard
- Presentation by owner or applicant
- Call for any person to speak or to present a written submission in relation to the item being heard
- Applicant to respond to concerns raised by speakers or Council
- Termination”

And replacing it with:

“Public Hearing

- Call to Order
- Territorial Acknowledgement
- Staff presentation
- Summarizing the number and type of correspondence received (number in support;, number in opposition) in relation to the item being heard
- Presentation by owner or applicant
- Call for any person to speak in relation to the item being heard
- Owner or applicant to respond to concerns raised by speakers or Council
- Termination”

f) Deleting sub-section 5.4 (e) in its entirety that reads:

“Committee of the Whole Meeting

- Call to Order
- Unfinished Business
- Public Input/Staff presentation

- Resolution to approve those items on the agenda proposed for a closed meeting to the Community Charter and to close the meeting to the public
  - Closed Session
  - Terminations”

And replacing it with:

“Committee of the Whole Meeting

- Call to Order
- Confirmation of Minutes
- Resolution closing meeting to the public pursuant to the Community Charter
- Closed Session
  - Convene Closed Session
  - Confirmation of Minutes
  - Reports
  - Issues Arising from Correspondence & Community Concerns
- Reconvene to Open Session
- Termination”

g) Deleting sub-section 5.6 in its entirety that reads:

“During the agenda item “Mayor and Councillor Items” members of Council may make motions, introduce new business, pose inquiries and make suggestions upon being recognized by the presiding member. Items of new business which are not included in the agenda and are of a complex nature or that may affect existing City bylaws or policies shall be introduced as a “Notice of Motion” for placement on an agenda for a future meeting. Other items of new business which are not of a complex nature may be accepted as verbal reports from any member of Council. Members of Council who request that a letter of appreciation be sent on behalf of the Council shall be responsible for preparing a draft of the letter for signature by the Mayor.”

And replacing it with:

“During the agenda item “Mayor and Councillor Items” members of Council may make motions, introduce new business, pose inquiries and make suggestions upon being recognized by the presiding member as follows:

- (a) Notice of Motion: new business of a complex nature that may affect existing City bylaws or policies that will be placed on an agenda for a future meeting.
- (b) Other Items: new business which is not of a complex nature will be accepted as verbal reports from any member of Council.”

10. AND THAT **PART 9 – COUNCIL COMMITTEES, Duties of Standing Committees** be deleted in its entirety as follows:

“9.3 Standing Committees must consider, inquire into, report on, and make recommendations to Council about any of the following:

- (a) matters that are related to the general subject indicated by the name of the committee;
- (b) matters that are assigned by Council;
- (c) matters that are assigned by the Mayor

9.4 Standing Committees must report and make recommendations to Council as required by Council or the Mayor."

And replacing with:

9.3 "Standing Committees are established by the Mayor, for matters considered best dealt with by committee:

- At least half of the members must be Councillors appointed by the Mayor
- Duties will be defined by a terms of reference established by the Mayor for that committee"

11. AND THAT **PART 9 – COUNCIL COMMITTEES, Duties of Select Committees** be deleted in its entirety as follows:

"9.5 Select Committees must consider, inquire into, report on, and make recommendations to Council about matters referred to the committee by Council.

9.6 Select Committees must report and make recommendations to Council as soon as possible, unless a date and time is established by Council."

And replacing with:

9.5 "Select Committees are established by Council to consider or inquire into a matter and report their findings and recommendations back to Council:

- At least one member must be a member of Council
- The duration, duties and reporting requirements will be defined by a terms of reference established by Council for that committee"

12. AND THAT **PART 9 – COUNCIL COMMITTEES, Duties of Other Committees** be amended as follows:

a) Delete sub-section 9.8 in its entirety that reads:

"**Other Committees** must report and make recommendations to Council at least annually as specified by the Terms of Reference or at the request of Council."

13. AND THAT **PART 9 – COUNCIL COMMITTEES, Notice of Committee Meetings** be amended as follows:

a) Delete section 9.12 in its entirety that reads: "After a committee has established a regular schedule of meetings, including times, dates and places, notice of the schedule shall be given to each member of the committee."

14. AND THAT **PART 9 – COUNCIL COMMITTEES, Attendance non-Committee Members at Committee Meetings** be amended as follows:

a) Delete section 9.15 in its entirety that reads: "Council members who are not members of the committee may attend the meetings of the committee."

15. AND THAT PART 9 – COUNCIL COMMITTEES, Minutes of Committee Meetings be amended as follows:
  - a) Delete that portion of sub-section 9.19 that reads:  
"Section 9.17 of this bylaw"  
And replacing it with:  
"Section 9.18 of this bylaw"
16. AND THAT **PART 9 – COUNCIL COMMITTEES, Conduct and Debate** be amended as follows:
  - a) Delete sub-section 9.25 in its entirety that reads:  
"Section 5.11 of this bylaw applies to a Council member's conduct and debate at a committee meeting, in the same manner as it does in relation to a Council meeting."  
And replacing it with:  
"Section 5.10 of this bylaw applies to a Council member's conduct and debate at a committee meeting, in the same manner as it does in relation to a Council meeting."
17. This bylaw may be cited for all purposes as "Bylaw No. 11849 being Amendment No. 6 to Council Procedures Bylaw No.9200"
18. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 10<sup>th</sup> day of June, 2019.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk