

To provide input on an item on the agenda, please call (250) 632-8900 or email dok@kitimat.ca by 4:30 p.m. on Monday, November 9, 2020.



KITIMAT

A Marvel of Nature and Industry

COMMITTEE OF THE WHOLE
MEETING TO BE HELD AT MUNICIPAL HALL,
270 CITY CENTRE
ON MONDAY, NOVEMBER 9, 2020

1. Call to Order
2. Public Input / Questions on Agenda Items
3. Media Inquiries - For Clarification Only
4. New Business/Adoption of Agenda
5. Report – Councillor Gibson – Organizing an Effective Committee of the Whole for Local Government

**CLOSED MEETING TO BE HELD FOLLOWING
THE COMMITTEE OF THE WHOLE
ON MONDAY, NOVEMBER 9, 2020**

Call for Closed New Business Items and Agenda Changes

Moved by _____, Seconded by _____.

THAT the agenda be adopted and Council deal with these matters in closed session.

At this point the public leaves.

- Page 1 1. Land Item – S.90(1)(e)
- Page 35 2. Closed Meeting Minutes – 2 November 2020
- Page 39 3. Land Item – S.90(1)(e)
- Page 69 4. Municipal Service Item – S.90(1)(k)
- Page 73 5. Municipal Service Item – S.90(1)(k)
- Page 77 6. Municipal Service Item – S.90(1)(k)
- Page 81 7. Municipal Service Item – S.90(1)(k)
- 8. Release of Closed Items
- 9. Adjournment

COUNCIL REPORT

Date: November 5, 2020
 To: Mayor and Council
 From: Councillor Gibson
 Re: Organizing an Effective Committee of the Whole for Local Government
 File No. 1.1.2.1



Action:

That Council discuss the attached report, *Suggestions for Organizing an Effective Committee of the Whole for Local Government*, and consider options for implementing the recommendations.

Recommendation:

1. **THAT the District's Committee of the Whole procedures be amended to incorporate recommendations A - E below.**

Alternative Options:

2. **THAT Council create a Standing Committee on Strategic Planning to meet regularly (e.g., 6 - 8 times per year), and that the rules of procedure incorporate recommendations A - E below.**
3. **[If either options 1 or 2 are adopted,] THAT a professional facilitator be retained to act as chair for the first three meetings and to provide Council with basic training in consensus oriented discussions and decision making.**
4. **Another option determined by Council through discussion.**
5. **THAT this report be tabled to the next meeting of Council to allow further time for reflection on the discussion and staff comments.**

Background:

The purpose of a Committee of the Whole ("COW") meeting is quite distinct from that of a regular meeting. During a regular meeting, the expectation is that Council will move relatively quickly through a lengthy agenda and come to a majority-based decision regarding specific actions. In contrast, COW meetings should provide all members of Council an opportunity to engage in informal discussion on general ideas and proposals which may eventually result in future action during a regular meeting. COW meetings allow Council to work towards common understanding of an issue by listening and reviewing reports together with staff and other stakeholders in the same room at the same time. COW meetings can help Council reach consensus-based decisions after exploring a variety of perspectives and options.

Kitimat faces many challenges and many opportunities as a result of the current construction boom. In order to effectively lead the community through this critical time in our history, it is important for Council to make decisions that reflect a broad range of interests and align with Council's strategic objectives and a collective vision.

Currently, regular meetings of Council and COW meetings are almost indistinguishable. The rules of order, which are the same for both meetings, are designed to facilitate debate for or against one specific proposal and not to facilitate the exploration of various perspectives or to generate a variety of ideas and options. The recording and broadcasting of the meetings can be intimidating and may reduce participation in discussions. These conditions make it difficult for Council to explore complex topics and to develop a collective vision and strategy.

Adopting the following procedures for COW meetings (or for a new Standing Committee on Strategic Planning), can improve Council's ability to develop a common vision and to make decisions that are proactive and strategic.

- A. Modify the rules of debate to allow for more informal discussion, perhaps including 'rounds' to ensure all voices are heard, and smaller break-out groups to share perspectives and rapidly generate ideas and solutions to bring back to the whole group.**
- B. Allow staff and other advisors to participate in the deliberations.**
- C. Allow members of the public to attend (including through Webex), except for items which must be discussed *in camera*, but do not make a video recording of the meeting.**
- D. Determine a chair for the meeting who is different from the chair of the regular meeting, including the option of a rotating chair.**
- E. Set a time of day and duration for the meeting that allows for a meaningful discussion of the issues, and limit the items on the agenda.**

Council Initiative/Other Relevant Plans:

These recommendations are intended to promote the successful implementation and further refinement of Council's 2018 - 2022 Strategic Plan.

Submitted by:
Councillor Lani Gibson

Attachment: Suggestions for Organizing an Effective Committee of the Whole for Local Government

Suggestions for Organizing an Effective Committee of the Whole for local Government

Julie Pioch, PRP

Michigan State University Extension

Updated October 2013

A committee is typically a subset (one or more people) of a board assigned by appointment to investigate certain matters of importance to the government unit. A committee does not carry with it the powers of the entire board, but can only carry out the functions that are prescribed to them by the board. According to Roberts Rules of Order, Newly Revised, (11th edition), “An assembly can also designate all of its members present to act as a committee, which is called a committee of the whole and is distinguished from an ordinary committee” (p. 489 ll. 30-33). A committee of the whole is different than a regular committee because it includes all of the members of a board. It is like an ordinary committee in that the only authority a committee of the whole has is that which is assigned to it by the board. The purpose of such a committee is to allow all of the members of a board an opportunity to engage in informal discussion on ideas and proposals which may eventually result in a recommendation to the board.

A Committee of the whole is used primarily by legislative bodies. Robert’s Rules of Order, Newly Revised (RONR) provides a description of how a large board may use a committee of the whole as an opportunity for informal discussion during a meeting (RONR (11ed.), pp 529 – 542). In practice, committees of the whole have differed from RONR and have taken the form of a standing committee, for which boards have developed a regular schedule of meetings, order of business and committee rules of order. The most effective use of committee of the whole for county boards is to combine the practice of a stand-alone committee of the whole with the rules prescribed by RONR.

A committee of the whole may or may not take the place of other board standing committees. Often times, there is still a need for specialized committees to perform in-depth research on a topic or take leadership in a specific area significant to the county. The difference is that a committee of the whole allows for the whole board to work towards common understanding of an issue by listening and reviewing reports together in the same room at the same time. Working in a committee of the whole can help boards reach consensus and develop recommendations for action over a series of meetings. In a committee of the whole, formal rules of debate such as the number of times and how long a member can speak are modified or dispensed with altogether. Committee of the whole meetings can include listening to reports and expert speakers and if the board allows may allow nonmembers (such as staff) to participate in the deliberations.

Topics for recommendation are brought to a committee of the whole by a board member, a board committee, a staff member or any other stakeholder allowed by the board. Within the committee, board members listen to reports, ask questions of members and guests, and request additional information or research to be done to be able to fully understand an issue.

The primary outcome is for the board to feel they have enough information or have had enough conversation around an issue to be able to make a recommendation to the full board for action. Just like other committees of a board, a committee of the whole does not make final decisions. That work is done in the regular board meeting. Votes taken in committee of the whole are related only to recommendations and to decide if issues are ready to be taken to the board. It may also be determined that an issue is not within the jurisdiction of the board. Decisions to refer an issue to another board or constituent group might also be made in the committee of the whole.

To effectively manage a committee of the whole and to make sure members have a clear understanding of how it differs from the regular board meeting, the board should adopt some committee rules. These rules should be formally adopted in a regular board meeting. Protocol should be determined as to how information will flow between the committee of the whole and the regular board meetings and who will manage that process. Here are some suggestions for a successful committee of the whole structure:

- Determine who will be the chair of the committee. It is suggested to have someone other than the board chair preside for several reasons: 1) the board chair could participate in debate more freely helping to craft a recommendation when appropriate, and if disengaged during committee conversation may be in a better position to preside effectively during the final consideration of the issue by the board, 2) from a public standpoint, it will be clearer to nonmembers that the meeting is in committee and not the regular board meeting since the chair is not presiding and 3) allows an opportunity for other members to gain some experience in presiding. Some boards assign the role of committee chair to a certain member such as the vice-chair; some alternate the chair assignment to different members of the group. It is up to each board to determine the most effective option.
- Set a schedule for getting items on the agenda for committee of whole and communicate that to all board members and staff. Determine who will be responsible for receiving items, what descriptive information must accompany that item, how agendas and packets will be distributed to members and by what time prior to the meeting they should be submitted. Boards with administrative staff should determine if this will be solely a staff function or if leadership of the board will be involved in deciding what issues will be placed on the committee's agenda. Whether or not you allow things to be added to the agenda at the beginning of the committee meeting is dependent upon the culture of your organization but should also be determined when making your rules.
- Set a time of day and duration for the committee of the whole that allows for discussion of issues. Be cognizant of the time allotment made for the committee of the whole and don't load too much work into one meeting. Conversely, adjust the length of the meeting if there are many items to work through. Over time, boards develop their own

best practices once they get comfortable with the workflow and timing of committee of the whole meetings.

- Determine if you want all board issues to go through committee of the whole before going to the full board for action. If such a policy is set make sure that the timing of your meetings is such that issues can be discussed in committee and taken up at a board meeting in a logical time fashion. A board can suspend the rules if an issue needs immediate action, however timing a committee of the whole the same day or a few days prior to a board meeting can remediate this situation before it happens. For example, committee of the whole is set for two hours prior to the regular monthly board meeting. The board has decided that all items ready to move from committee to the board get placed on the agenda on the following month's meeting agenda which allows time for preparing the agenda, notice etc. However, if an urgent issue arises which needs action that month, the issue can be discussed in committee then immediately taken to the board for action that same day if the board allows it. If taken to the board that evening, any prepared agenda would need to be amended.
- Make sure there is clarity in reporting for other standing or special committees, that is, are committee reports heard in committee of the whole or during the regular board meeting. This may change depending on the nature of the report. For example, if a special committee is making a final recommendation for action, that report would likely come directly to the board meeting but if the committee is making a status report or asking for input from other members on direction or next steps that may fit better into the committee of the whole agenda.
- Public boards governed by Michigan's Open Meetings Act must provide public notice of the meetings of the committee of the whole because a majority of the board members will be present. No official actions are made in committee of the whole; however, recommendations may be made to not take something to the board. The press will be eager to attend committee of the whole meetings because that is where a great deal of the real debate on issues important to them will be done. Boards should be very open with the press and public about the timing of these meetings. It is up to the board whether or not they have public comment as an item on the agenda of the committee of the whole. Because of the informal nature of the meeting, audiences have been seen to join in on the deliberations; boards should be diligent in making sure the audience understands proper meeting protocol.
- When a contentious issue comes before the committee where consensus on a particular recommendation cannot be reached or where a majority determines that it should not be recommended for adoption, the issue should still be taken to the regular board meeting so that the board can vote on its final disposition. The motion placed before the board should always be phrased in the positive where yes means yes and no means no. During debate on the motion, the majority and minority opinions heard in committee should be succinctly voiced then a vote taken on the issue for final resolution. This does

not mean that the motion could not be amended from its original form during debate in the board meeting - the point here is to bring things to the board for a vote so that there can be action or closure and not leave issues unresolved in committee.

- The use of a consent agenda in a board meeting is an efficient way to carry information forward from committee of the whole to the board. Issues that have been thoroughly discussed, are routine, or otherwise not in need of further debate can be placed on the consent agenda for quick approval allowing time in the board meeting for other important matters.

In summary, using a committee of the whole to allow for in-depth, informal consideration of topics can be useful to county boards. Although the use of a committee of a whole as a standing committee differs from what is described in RONR (11th edition), the committee of the whole carries with it the same characteristics and serves the board in a similar way. A committee of the whole should not become a bottleneck where business gets stuck. Rather the use of this form of committee should expedite business by encouraging valuable discussion of the issues, provide a forum where members and staff can bounce ideas to get feedback and create excitement about opportunities to improve programs and services. Rules for a committee of the whole should be practical and meetings scheduled in a timely fashion. A board will develop their own patterns for workflow and timing over time and should modify their committee rules as they develop to be most effective. Two positive outcomes that come from effective use of a committee of the whole are 1) the opportunity for greater input from board members and stakeholders yielding better board decision making and 2) increased transparency of the decision-making process.