



OAKVILLE

## REPORT

### Council

Meeting Date: May 25, 2021

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**FROM:** Clerk's Department

**DATE:** May 11, 2021

**SUBJECT:** 2020 Closed Meeting Statistics

**LOCATION:**

**WARD:** Town-wide

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#### **RECOMMENDATION:**

That the report entitled *2020 Closed Meetings Statistics* dated May 11, 2021, from the Clerk's department, be received.

#### **KEY FACTS:**

The following are key points for consideration with respect to this report:

- Section 239 of the *Municipal Act* implements the requirement for transparency and accountability of municipalities.
- Council has an ongoing service agreement with LAS (Local Authority Services Ltd.) a subsidiary company of the Association of Municipalities of Ontario (AMO), to provide closed meeting investigation services to meet the requirements of the *Municipal Act*.
- There have been no requests for closed meeting investigations received by the town to date.
- As part of continued efforts to address transparency and accountability, the Clerk's department submits an annual report addressing previous years' statistics with regard to regular and closed meeting sessions and associated enhancements to procedures.

#### **BACKGROUND:**

Section 239 (1) of the *Municipal Act* requires that all regular or special meetings of Council or local boards or a committee of either, shall be open to the public. Section 239 (2) provides exceptions to this requirement, permitting a meeting to be closed to

the public and these exceptions are also listed in the Town's Procedure By-law Section 6.

Prior to proceeding into a closed meeting session, Council is required to pass a resolution stating the fact that a closed meeting is to be held and the general nature of the matter to be considered.

**COMMENT/OPTIONS:**

Appendix A, indicates the total number of all council and standing committee sessions from 2017 to the end of 2020, the duration of each meeting in total, along with the portion of those meetings spent in closed session. In 2019 Council passed a motion to disband the Administrative Service and Community Services Committees effective January 1, 2020 and that these items would go directly to Council meetings for consideration.

In March of 2020 COVID-19, a global pandemic, caused meetings to be cancelled and special meetings to be called. In 2020 there were an additional 14 special meetings of regular Council dealing with various matters; Cyber Security, Glen Abbey Update, Community Energy Plan, Cannabis, Procedure By-law revisions, Official Plan Review, COVID-19-Masking, COVID-19-Updates, Personal Matters about an Identifiable Individual, Downtown BIA Budget and the Mayor's Address. Planning and Development Council meetings were cancelled in April, May and June due to COVID-19. During this time staff were organizing how to deal with public hearing items when the Town's municipal offices were closed to the public. In June Planning and Development Council meetings were organized and three additional meetings were added to the 2020 meeting schedule, in order to move forward and address various planning matters that were delayed as a result of COVID-19.

Council entered into eight closed sessions in 2020 for a total of 6.13 hours, Planning and Development Council entered into five closed sessions for a total of 2.87 hours. These sessions dealt with matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, personal matters about an identifiable individual, including municipal or local board employees, and dealing with labour relations or employee negotiations. When dealing with confidential matters, in most cases, the confidential staff report title was noted on the public agenda, improving the level of transparency to the public instead of noting the confidential reason for proceeding into closed session.

In an effort to increase transparency, public reports are provided with confidential appendices, if required, rather than separate public and confidential reports, thereby increasing administrative efficiencies and ensuring that all possible documentation is

provided publicly with only the details relevant to the exceptions allowed by the *Municipal Act* being circulated as confidential documentation.

In addition to reviewing the closed meeting statistics, staff also undertook a review of the instances where the requirements of the Procedure By-law were waived at either Council or Planning & Development Council meetings. The Procedure By-law was waived on 7 occasions; once at Planning and Development Council to proceed beyond the hour of 10:30 p.m., and six times at Council to permit the consideration of Notices of Motion upon their introduction that evening and to allow members of the public to participate electronically at a meeting.

**CONSIDERATIONS:**

**(A) PUBLIC**

The provision of an annual report on closed meeting sessions enhances information available to the public and furthers accountability and transparency efforts.

**(B) FINANCIAL**

There are no financial implications associated with this report.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

There is no impact on other departments. The Clerk's department staff will continue to monitor closed meeting sessions on an ongoing basis to enable the submission of this report on an annual basis.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- Be accountable in everything we do.

**(E) CLIMATE CHANGE/ACTION**

N/A

**APPENDICES:**

Appendix A – Length of Meetings

Prepared by:  
Kathy Patrick  
Manager of Council and Committee Services

Submitted by:  
Vicki Tytaneck  
Town Clerk