



City Council Handbook: Volume 2

Governance

Please note that the information contained in this handbook relates to regular operating procedures. Certain procedures may be updated or altered due to the pandemic.



Table of Contents

1. ROLE OF COUNCIL	129
1.1 Role of a Councillor	129
2. ROLE OF STAFF	131
2.1 Role of CAO/Administration	131
2.2 Role of Staff.....	131
2.3 Intergovernmental Relations	131
2.4 Federation of Canadian Municipalities, Association of Municipalities of Ontario and Mayors’ Caucus	133
3. YOUR ROLE IN THE LEGISLATIVE PROCESS	135
3.1 Statutory Role of City Council	135
3.2 Council and Committee Workload.....	135
3.3 Member Responsibilities	136
3.4 Role of the Chair	137
4. THE CITY CLERK AND DIVISION.....	138
4.1 Role of the City Clerk.....	138
4.2 Procedural Advice	138
4.3 Motion Drafting	139
5. THE COUNCIL DECISION-MAKING PROCESS	140
5.1 Council Procedures	140
5.1.1 Why there are rules	140
5.1.2 Procedures of Council	140
5.1.3 Parliamentary Authorities.....	141
5.1.4 Where to Find the Rules	141
5.2 The Council and Committee System	141
5.2.1 Strong Mayor Powers.....	142
6. AGENDAS	147
6.1 Electronic Distribution	147
6.2 Closed Session Agenda Materials	148
6.3 Going Paperless!	149
6.4 How Members Add Items to the Agenda	150
6.4.1 Adding an Item to the Agenda	150



6.4.2 Notice of Motion (before the main agenda deadline)	150
6.4.3 Motion Without Notice (between the main agenda closing and start of the meeting)	151
6.4.4 Delegation	151
7. MEETINGS	153
7.1 Schedule of Meetings	153
7.2 Special Meetings	153
7.3 Meeting Times	154
7.4 Committee Meetings	154
7.4.1 Meeting Room Features	154
7.4.2 Member Seating	154
7.4.3 Public Participation	155
7.5 City Council Meetings	156
7.5.1 Head of Council	156
7.5.2 The City Clerk’s Role	156
7.5.3 The Audiovisual Booth	156
7.5.4 The Members’ Lounge	156
7.5.5 The Media Gallery	157
7.5.6 The Public Gallery	157
7.5.7 Security in the Chambers	157
7.5.8 Council’s Order of Business	157
7.5.9 Voting	158
7.6 Points of Order and Privilege	159
7.6.1 Point of Order	159
7.6.2 Point of Privilege	159
7.7 Council Workshop	160
7.8 Open & Closed Meetings	160
7.8.1 Rules Regarding Meetings	160
7.8.2 What Constitutes a Public Meeting	161
7.8.3 Closed Meetings	161
7.8.4 Closed Meeting Investigations	163
7.8.5 Conduct during Closed Meetings	164
7.9 Declaring Interests	164



7.9.1 How to Declare an Interest	165
7.10 Your Voting and Attendance Records	165
7.10.1 Attendance and Voting Records	166
7.11 Minutes and Decisions	166
7.12 Electronic and hybrid meetings	167
8. APPOINTMENTS	168
8.1 Member Appointments	168
8.2 Public Appointments	168
8.2.1 Eligibility Requirements	168
8.2.2 Term of Appointment	168
8.2.3 Board Information	169
8.2.4 Recruitment Process	169
8.2.5 Nomination Process	169



1. ROLE OF COUNCIL

Members of Council each have an equal voice at the Council table and Council only has power as a deliberative body; no individual Councillor or informal group of Councillors can make a decision on behalf of Council, unless authorized by Council or statute. Every Council Member has one vote and a majority is required to make most Council decisions.

As decisions of Council are made by the majority and become the decisions of the City, after discussion or debate has concluded within a Council meeting and a decision has been approved, all Members of Council are expected to respect and honour those decisions regardless of personal opinion. A Member may state that they did not support a decision or voted against the decision but must do so in a respectful manner and should refrain from making disparaging comments about the decision, the decision-making process, or other Members.

In the City of Brampton, the Head of Council is referred to as the Mayor. Although the Mayor is a prominent and highly public figure of the Council, generally the Mayor does not have any more power than any other Member to make decisions on behalf of the City.

1.1 ROLE OF A COUNCILLOR

Councillors play three main roles in the City:

- **Representative Role:** Councillors represent their ward residents. They provide a bridge between the community and the Council by being an advocate for the local residents, keeping them informed about issues that matter to them and directing them to the appropriate City department to assist with their requests.
- **Policy-Making Role:** Council is responsible to establish general principles to assist in guiding future actions. Councillors, as a collective group, are the primary policy-making body of the City while administration carries out the policy decisions of Council.



- Stewardship Role: It is an objective of Council is to ensure administrative policies, practices and procedures are in place to safeguard the City's resources and to maintain financial integrity through an open, accountable and transparent process.



2. ROLE OF STAFF

The role of City staff is to manage people and resources to achieve Council's vision.

2.1 ROLE OF CAO/ADMINISTRATION

The Chief Administrative Officer (CAO) of the City is responsible for:

- Ensuring that City policies and programs are implemented;
- Providing management of day-to-day operations;
- Making certain that appropriate staffing is in place; and
- Advising and informing Council on the operations of the City.

2.2 ROLE OF STAFF

The Municipal Act, 2001, defines the role of municipal administration.

In accordance with section 227: It is the role of the officers and employees of the municipality to:

- a) Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) Carry out other duties required under this or any other Act and other duties assigned by the municipality.

2.3 INTERGOVERNMENTAL RELATIONS

The Mayor and Members of Council represent the City of Brampton in developing and strengthening positive relationships with the Regional, Provincial, and Federal governments, local Members of Parliament (MP), Members of Provincial Parliament (MPP) and senior government officials, as well as agencies, boards and commissions. This is accomplished through regular



collaboration and engagement to advance public policies supporting Council-endorsed positions of the City.

The Mayor acts as the Head of Council, thereby, the lead on the City's intergovernmental relations and matters with other government orders. This authority is derived from the *Municipal Act, 2001*, specifically:

Section 225. It is the role of the head of council,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
 - (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- d) to represent the municipality at official functions; and
- e) to carry out the duties of the head of council under this or any other Act.

As well, section 226.1 of the Act states:As chief executive officer of a municipality, the head of council shall,

- a) uphold and promote the purposes of the municipality;
- b) promote public involvement in the municipality's activities;
- c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

Council's intergovernmental relations activities are supported by Government Relations staff who work to advance Council-endorsed positions. In collaboration



with all City departments, Government Relations staff coordinates analysis, research and ongoing monitoring and provides updates on relevant issues, to all Members of Council and senior management. They support the drafting of public policy positions and the development of advocacy strategies for Council's consideration and adoption.

Members of Council participating in various municipal sector associations, such as the Association of Municipalities of Ontario, Federation of Canadian Municipalities, Big City Mayors Caucus and Ontario's Big City Mayors, are provided with relevant materials and analysis to assist in any events and/or activities that involve lobbying other orders of government, including Members of Provincial Parliament (MPPs) and Members of Parliament (MPs).

2.4 FEDERATION OF CANADIAN MUNICIPALITIES, ASSOCIATION OF MUNICIPALITIES OF ONTARIO AND MAYORS' CAUCUS

The [Federation of Canadian Municipalities \(FCM\)](#) and the [Association of Municipalities of Ontario \(AMO\)](#) are two organizations that provide advocacy and support for municipalities. Elected Officials are encouraged to attend and become actively involved with both, as they provide networking and lobbying opportunities.

The Region of Peel, with a population of over one million residents, has an automatic seat on the FCM Board of Directors. At one of the first meetings of Regional Council, any Regional Councillor has the opportunity to put their name forward to become the Region's representative on the Board.

The City of Brampton is also a member of the [Big City Mayors' Caucus \(BCMC\)](#), and the [Ontario's Big City Mayors \(OBCM\)](#). BCMC is a national body that represents the 23 largest cities in Canada, and provides a forum for the mayors of Canada's largest cities to conduct national advocacy on common issues of importance. Four of BCMC's main priorities include partnership, housing, public transit, and climate change. OBCM represents 29 Big Cities with populations



over 100,000 residents in Ontario. OBCM provides a voice for big city mayors in policy debates that affect Ontario cities. Through policy development, advocacy, discussion and partnerships, Ontario's Big City Mayors support strong and effective cities.

Appointments to the AMO Board of Directors occur every two years, while appointments to the FCM Board occur annually.



3. YOUR ROLE IN THE LEGISLATIVE PROCESS

Members of Council play a variety of roles while holding office. One of the most important roles is taking part in the deliberations of the City Council, its committees, boards, agencies and corporations.

3.1 STATUTORY ROLE OF CITY COUNCIL

Section 224 of the *Municipal Act, 2001*, sets out the role of City Council as follows:

- To represent the public and to consider the well-being and interests of the municipality
- To develop and evaluate the policies and programs of the municipality
- To determine which services the municipality provides
- To ensure that administrative and controllership policies, practices and procedures are in place to implement the decisions of Council
- To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality
- To maintain the financial integrity of the municipality; and
- To carry out the duties of council under this or any other Act

3.2 COUNCIL AND COMMITTEE WORKLOAD

Each Member of Council serves on a variety of bodies:

- All Members serve on City Council
- Committee of Council – consists of all Members of Council
- Planning and Development Committee – consists of all Members of Council
- Additional Standing Committees of Council – a subset of Members of Council are appointed to sit on each
- Advisory Committees – Members may serve on additional citizen-based advisory committees, as established by Council

- Special Committees – Members may serve on additional specific committees established by City Council
- City Agencies and Corporations – Members may also serve on one or more board of directors for various agencies or Corporations related to municipal matters
- Boards by virtue of office – In many wards, the Member is appointed to certain boards by virtue of being the ward Councillor – for example, a Business Improvement Area board
- External Boards – Members may also choose to serve on one or more boards of external organizations to which the City appoints Members. These are the formal bodies to which City Council appoints Members. These are in addition to any local committees or working groups with which a Member may choose to be involved.

3.3 MEMBER RESPONSIBILITIES

The [Procedure By-Law](#) sets out the responsibilities of Members during council and committee meetings, such as:

- Attending scheduled meetings
- Order of Business at meetings
- Rules of Debate
- Voting on Motions put to a vote
- Respecting the rules of the procedure by-law
- Speaking respectfully at all times
- Listening attentively, participating, and not interrupting the proceedings
- Remaining silent in their seats while Council or a Committee votes and until the Chair announces the result of the vote
- Refraining from using any offensive, disrespectful or unparliamentary language about any member, any City officials or other City employee, or the Council as a whole
- Respecting and following Council's decisions



- Speaking only on the matter under debate or related motions during debate
- Not wearing political or biased slogans on clothing or buttons during a meeting
- Respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so
- Obeying the Chair's rulings and Council's decisions
- Obeying the Councillor's Code of Conduct

3.4 ROLE OF THE CHAIR

The role of the Chair in Council or Committee is to direct the meeting by ensuring quorum, clarifying roles, ensuring the meeting proceeds in an orderly and efficient manner, enforcing the rules and decorum of Members and participating as one of the members. The Chair summarizes key decisions and recommendations made during the meeting while ensuring members remain accountable. The Chair ensures the meeting commences on time and adjourns the meeting when the business concludes. The Chair's role also includes preparation in advance of the meeting by reviewing the agenda thoroughly to understand the topics, delegations, presentations and key matters being considered. Pre-meeting discussions may be required with applicable operational staff in advance of the meeting. If required or requested, the City Clerk's division may provide specific training related to the role of the Chair.

Section 6 of the City's [Procedure By-law](#) further outlines the specific duties of the Chair.



4. THE CITY CLERK AND DIVISION

4.1 ROLE OF THE CITY CLERK

The City Clerk plays an important function in the City's governance and understanding this role is critical. The City Clerk is appointed by City Council and reports to Council for statutory responsibilities and to the CAO for administrative purposes.

The Office of the City Clerk is responsible for a variety of corporate, administrative and legislative functions. Because of its cross-functional responsibilities, the City Clerk's Office is in continual contact with all municipal departments, elected officials, other orders of government and the general public. The mission of the City Clerk's Office is to build public trust and confidence in local government. The City Clerk's Office provides the foundation for municipal government in Brampton through various service areas: council and committee operations, elections, records and information management, business and lottery licensing, accessibility, lobbyist and gift registry, vital statistics, and privacy and freedom of information.

The City Clerk and the staff within the Council and Committee Operations section provide meeting management support to City Council, Committees and a number of City Boards by preparing and publishing agendas, giving notice, taking minutes of meetings, publishing decisions, managing the City's Procedure By-Law and managing Council Member and citizen appointments.

4.2 PROCEDURAL ADVICE

The City Clerk, or designate, provides procedural advice to Members of Council before, during or after a meeting.

In meetings, the City Clerk, or designate, provides procedural advice to the Chair, and at the invitation of the Chair, to the decision body as a whole.

For matters requiring a ruling, the Chair makes the ruling.



4.3 MOTION DRAFTING

It is the responsibility of a Member to provide motions in writing, as indicated by the Procedure By-law, in advance of a meeting. Should a Member require it, the City Clerk, or designate, may assist Members in drafting motions so they are effective and properly structured. This service can be provided on a confidential basis. A Member's motion or intentions are not shared without consent from the Member.

Such a motion may then be submitted to the City Clerk, within designated timelines, for inclusion as an item of business on an upcoming agenda, or may be placed by a member within a meeting in relation to a specific agenda item.

The City Clerk may advise a Member if they perceive a motion may be deemed out of order, but will not interfere if the Member's intent is to place it, for a ruling of the Chair to be made.

The introduction and placing of a motion and verbalizing it in the form of reading it aloud, in a meeting, remains the responsibility of the Member, whether or not they have had assistance from, or have provided it to, the City Clerk's Office.



5. THE COUNCIL DECISION-MAKING PROCESS

5.1 COUNCIL PROCEDURES

5.1.1 Why there are rules

The *Municipal Act, 2001*, dictates that all municipalities in Ontario must adopt a procedure by-law to govern the proceedings of its Council and committees. The City of Brampton Council Procedures are set out in [Procedure By-law 160-2004](#), as amended, and also various other by-laws passed to facilitate the conduct of electronic meetings. In order to ensure it remains relevant and current, the Procedure By-law is periodically reviewed by staff, and a specific Committee of Council, and is amended as deemed appropriate by Council.

5.1.2 Procedures of Council

Procedures of Council are based on and interpreted in accordance with the following principles¹:

- The majority of Members have the right to decide;
- The minority of Members have the right to be heard;
- All Members have the right to information to help make decisions, unless otherwise prevented by law;
- All Members have a right to an efficient meeting;
- All Members have the right to be treated with respect and courtesy; and
- All Members have equal rights, privileges and obligations.

Council's Procedures are intended to provide stability to the proceedings:

- Council may amend its procedures on majority vote, with public notice
- Council can waive some but not all of its rules on a two-thirds majority vote

¹ Toronto Municipal Code Procedures, 2006



5.1.3 Parliamentary Authorities

The Council Procedures are the main parliamentary authority governing the meetings of City Council and Committees.

5.1.4 Where to Find the Rules

The procedures guiding a Member's role in the decision-making process can be found in the Procedure By-law. However, where rules may conflict or where the Procedure By-law is silent on a matter, or no rules exist, the Chair or the City Clerk may consult the latest edition of *Bourinot's Rules of Order*.

You can find Brampton's [Procedure By-law](#) on Brampton.ca.

5.2 THE COUNCIL AND COMMITTEE SYSTEM

- All of the City's power is exercised by City Council unless Council decides otherwise (with some exceptions)
- The *Municipal Act, 2001*, requires Council to act through by-laws
- The business of City Council is processed through its Committee system, with some matters being brought forward directly to a Council meeting

Committees meet to consider matters within their mandate including:

- Matters brought forward by local residents and businesses
- Reports from City officials or staff
- Reports from Agencies, Boards and Advisory Committees
- Communications from Members of Council
- Matters referred to them by City Council

Council meets to consider:

- Reports from its Advisory Committees and Boards, Standing Committees, special committees, and directly from staff
- Notices of Motion (new business submitted by Members of Council)
- Matters brought forward by local residents and businesses
- The enactment of by-laws



Council is prohibited by law from delegating its authority in the following areas:

- The power to adopt or amend the budget of the City
- The power to appoint or remove from office an officer of the City whose appointment is required by provincial legislation
- The power to impose a tax or make tax rules
- The power to incorporate corporations
- The power to adopt an official plan or an amendment to an official plan under the *Planning Act, R.S.O., 1990*
- The power to pass a zoning by-law under the Planning Act
- The power to establish small business counselling services
- The power to provide financial assistance to municipal capital facilities
- The power to adopt a community improvement plan under section 28 of the Planning Act in certain circumstances

5.2.1 Strong Mayor Powers

In 2022, Bill 3, *Strong Mayors, Building Homes Act, 2022*, amended the *Municipal Act, 2001*, by adding a new [Part VI.1](#), which set out special powers and duties of the head of council (Mayor) related to advancing prescribed provincial priorities and various other provisions, including rules regarding delegation, and immunity and transition. Bill 39, *The Better Municipal Governance Act, 2022*, further expanded the mayoral powers by amending Part VI.1 of the *Municipal Act, 2001*, and enhanced the powers regarding proposing and amending by-laws related to the prescribed provincial priorities. Strong Mayor powers were extended to the City of Brampton on July 1, 2023. These powers offer tools to help the head of council expedite delivery of provincial priorities. If the Mayor is of the opinion that considering a particular matter could advance a priority, the Mayor may require the council to consider the matter at a meeting.



The provincial priorities with which the Mayor is to have regard for in exercising some of the powers and duties are prescribed in [Ontario Regulation 580/22](#), and include the following:

- Building 1.5 million new residential units by December 31, 2031
- Constructing and maintaining infrastructure to support housing, including:
 - Transit
 - Roads
 - Utilities
 - Servicing

The following provides an overview of the special powers and duties of the Mayor:

Administrative Powers

- Appointing and dismissing the Chief Administrative Officer *
- Hiring and dismissing senior City administrators and managers *
- Creating Council Committees, assigning their functions, and appointing Chair/Vice-chairs (powers apply only to committees comprised solely of Council Members) *
- Determining the organizational structure of the City
- Requesting City staff to undertake research and provide advice to Council on City policies and programs

* The Mayor may choose to delegate these powers and duties

Legislative Powers

- Bringing forward matters for Council consideration if the Mayor is of the opinion that considering the matter could potentially advance a provincial priority
- Propose By-laws for Council vote if the Mayor is of the opinion that enacting the by-law could potentially advance a provincial priority



- By-law veto powers, if the Mayor is of the opinion that all or part of a by-law may interfere with a provincial priority (subject to 2/3 Council override)
- Approving Commissioner-enacted By-laws
- Approving Council By-laws

Budget Powers

- Duty to prepare and present the annual budget, on or before February 1 of each year
 - Proposed budget must be provided to each Member of Council, the City Clerk, and made available to the public
 - If not presented by February 1, Council shall prepare and adopt the budget
 - Within 30 days of receipt, Council may pass a resolution making an amendment to the budget. Council may also pass a resolution to shorten the 30-day period
 - If there is no council resolution to amend the budget within 30 days, or if a shorter period is set, within that period, the proposed budget shall be deemed to be adopted by the municipality
- Budget amendment resolution veto (subject to 2/3 Council override)
 - Within 10 days after the expiry of the time period for council to pass a resolution to amend the budget, the Mayor may veto the resolution, if any
 - If a resolution is vetoed, the resolution shall be deemed not to have been passed by Council
 - If the Mayor does not veto a resolution within 10 days, or if a shorter period is set, the proposed budget shall be deemed to be adopted by the municipality

- Within 15 days of the expiry of the time period for the Mayor to veto a resolution passed by Council, Council may override the Mayor's veto with a 2/3 majority vote
- Present in-year budget amendments if a supplementary levy is required
 - Within 21 days after receiving the proposed amendment from the Mayor, Council may pass a resolution making an amendment to the proposed amendment
 - Within five (5) days after the expiry of the time for Council to pass a resolution, the Mayor may veto a resolution passed by Council
 - The Mayor may shorten the five day period to veto the resolution
 - Within 10 days of the expiry of the time period for the Mayor to veto a resolution passed by Council, Council may override the Mayor's veto with a 2/3 majority vote
- If under Section 5.3 of the [Municipal Conflict of Interest Act](#), the Mayor is prohibited from using the power and preparing the budget with respect to a matter, Council may pass a resolution to amend the proposed budget with respect to the matter, and the Mayor may or may not veto the resolution

By-law Powers

By-law special powers apply to by-laws enacted under the *Municipal Act, 2011*, the *Planning Act*, Section 2 of the *Development Charges Act, 1997*, and other acts, if the Mayor is of the opinion that a by-law could potentially advance a prescribed provincial priority. When proposing a by-law for consideration and vote, the Mayor shall provide a copy of the by-law and the reasons for the proposed by-law. Regardless of the rules of the Procedure By-law, a proposed by-law from the Mayor is passed if more than 1/3 of the Members of Council vote in favour of the by-law.



By-law Veto Powers

Veto powers applies to by-laws enacted under the *Municipal Act, 2002*, the *Planning Act*, Section 2 of the *Development Charges Act, 1997*, and other acts. It does not include by-laws issued under Sections 289 (yearly budgets, upper tier) and 290 (yearly budget, local municipalities) of the *Municipal Act*.

Regardless of the rules of the Procedure By-law, if the Mayor is of the opinion that all or part of a Council-enacted by-law could potentially interfere with a prescribed provincial priority, the Mayor may provide written notice to the Council of the intent to veto the by-law. The Mayor shall provide written notice on or before the earlier of two (2) days after Council voted to enact the by-law, or the prescribed deadline, if any.

If the Mayor vetoes a by-law, the Clerk, by the next business day after receiving the written veto document, shall provide each Member of Council a copy of the document and make it available to the public. Within 21 days of receiving the written veto document, Council may override the Mayor's veto if 2/3 of the Members of Council vote to override the veto. The Mayor may vote in an override vote. If Council overrides a veto, the by-law shall be deemed to have passed on the day the override vote passed.

The Mayor cannot veto a by-law after giving written approval of the by-law, or after the 14-day period after the day Council voted in favour of the by-law.

Delegation of Powers

The Mayor may delegate powers and duties regarding the following:

- The powers and duties of the CAO (may delegate to Council only)
- The organizational structure (may delegate to Council or the CAO)
- Establishing Council Committees and appointing Chairs/Vice-Chairs (may delegate to Council only)



Immunity

A decision, veto or other power exercised, legally and in good faith, under Part VI.1 of the Act, shall not be quashed or open to review by any court.

Vacancy of Mayor

Should the Office of the Mayor become vacant, a by-election must be held, with limited exceptions. The special powers transfer to the newly elected Mayor, but not to an appointed Mayor.

Transition

A person who held the position of CAO or Chair or Vice-chair of a committee, before the municipality was granted the special mayoral powers, shall continue in that position unless they are dismissed or the appointment revoked by the Mayor.

All decisions made using these powers must be provided in writing to the City Clerk and City Council, and made available to the public (subject to the *Municipal Freedom of Information and Protection of Privacy Act*). When directing staff, the Mayor must, by the next business day, provide written record of the direction to the Clerk and Chief Administrative Officer.

Mayoral Decisions

A complete list of the mayoral decisions made under the Part VI.1 of the Municipal Act may be found on the [City's website](#).

6. AGENDAS

6.1 ELECTRONIC DISTRIBUTION

Electronic distribution via the City website is the primary method for providing agendas and meeting notices to the public. These are published online in



advance of meetings on the [City's website](#). The City Clerk will issue an email message the week preceding the meeting, titled 'Clerk's Notice', to Members of Council and their Constituency Assistants, and pertinent City staff containing the date, time and location of the meeting, as well as a direct link to the agenda on the website.

Council, Committee of Council and Advisory Committee agendas are generally published on the Friday preceding the meeting, and Planning and Development Committee agendas are distributed on the Friday one-and-a-half weeks prior to the meeting date.

Additional items added that relate to a matter on the published agenda will be distributed prior to the commencement of the meeting via posting of a revised agenda to the website.

Should a Member wish to have a paper copy of the agenda, the Member's staff will be responsible for downloading and printing the copy.

6.2 CLOSED SESSION AGENDA MATERIALS

Due to their confidential nature, closed session agenda materials are not published online.. Instead, they are provided electronically to the Members and Senior Leadership team only. Closed session agendas are individually watermarked and password protected for access, tracking and to prevent alteration or distribution of the documents.

Each Member of Council is responsible for establishing and maintaining office routines that protect the confidentiality of these materials. The Member is ultimately responsible for the stewardship of the confidential information delivered to them.

Closed session confidential information is provided in strict confidence to Members of Council solely for the purpose of their review and decision-making. These documents must not be shared in any manner. Members are required to maintain the confidentiality of these materials and of the contents of discussions



held in closed meetings. Members may not discuss or disclose this information unless authorized by Council to do so.

If Members have questions about confidentiality, they are encouraged to seek guidance from the City Clerk, City Legal Counsel, or from the Office of the Integrity Commissioner.

6.3 GOING PAPERLESS!

It is possible, and strongly encouraged except where not available, to go paperless when attending Committee and Council meetings:

- All agenda materials (with two exceptions noted below) are posted on the [City's website](#)
- Supplementary and materials received late are generally posted after the meeting (once it has been received by Council)
- There is a power receptacle and network connection at every desk in the Council Chamber and in the Committee rooms so an electronic device can be used
- There are public and corporate Wi-Fi networks accessible in the Council Chamber and every Committee meeting room

The following are not posted online and are available as noted:

- Closed Session documents (electronic distribution to individual Members)
- Correspondence from residents writing in a personal capacity. However with the permission of members of the public, redacted copies of correspondence are included with the published agenda

City Clerk's staff is available to help Members develop an online routine:

- Council and Committee Operations team staff can assist Members and their staff with orientations to the online agendas including methods for locating and making notations to electronic agenda items



- Training can be arranged for Members and their staff on how to access a wireless device to reference agenda materials

6.4 HOW MEMBERS ADD ITEMS TO THE AGENDA

6.4.1 Adding an Item to the Agenda

Members of Council have several means available to add items to an agenda.

The easiest way to add an item to the agenda is to contact the pertinent Committee Clerk in advance of the meeting.

Under Council's Procedures, a Committee can also add new business at the meeting by a two-thirds majority vote. New business can only be introduced by a Committee Member.

Members are strongly encouraged to submit items to the Committee Clerk by the agenda item deadline so they can be published with the agenda. This ensures that the public will have ample notice of the matters to be considered by the Committee.

Note: Some matters require public notice under legislation or City by-law. It may not be possible for the Clerk to place a matter on the agenda if the notice requirements have not been met.

6.4.2 Notice of Motion (before the main agenda deadline)

A Member can submit a Notice of Motion on new business to be considered at a meeting of City Council. The Notice of Motion must be: provided to the Clerk no later than 4:30 pm on the Tuesday of the week preceding the meeting at which the motion is to be introduced; be in writing (via email); signed (or authorized within an email) by the mover and seconder; and be complete and correct.



6.4.3 Motion Without Notice

(between the main agenda closing and start of the meeting)

Because these Motions ask Council to consider matters without notice to the public (i.e., they did not appear on the published agenda), they should be deemed **urgent or critical in nature** in order to proceed.

A Member can also submit Motions without Notice during the meeting itself. Since there is no public notice and no opportunity for public comment, these types of new business matters are not encouraged.

City Council must agree to add the Motion without Notice, with at least a two-thirds majority vote.

Instructions on how to prepare Notices of Motions can be provided by the City Clerk.

6.4.4 Delegation

To request permission to speak at a meeting, individuals must submit a [delegation request form](#). The individual(s) will be contacted about the meeting details by the pertinent Committee Clerk.

The general process is as follows:

- The Committee Clerk will arrange for the individual to speak at the appropriate Committee meeting. At these meetings, the Committee hears from the delegation, asks questions, receives advice from staff and experts, discusses issues, and may develop recommendations for consideration at a regular Council meeting.

At regular Council meetings, recommendations from the Committees will be considered, and can be discussed, received, amended or approved.

Delegations that wish to speak about a topic that is not on a future meeting agenda:



- The [delegation request form](#) must be received by the Clerk's Office by Tuesday, at 4:30 pm, the week prior to a meeting.
- The Clerk's Office will contact the requestor to confirm their item and relevance to the Council or Committee mandate
- Requests to speak about a topic at a Council meeting, that is not on the meeting agenda, are normally directed to the appropriate committee meeting

Delegations that wish to speak to an item that appears on a published agenda, must [contact the City Clerk's Office](#), or the specific Committee Clerk, preferably in writing, with their request to speak.

City Clerk's Office staff maintains a list of requests (in the order of receipt) and provides the list within the revised agenda, or to the Mayor or Chair prior to or at the start of the meeting (if received after the publication of the meeting agenda).



7. MEETINGS

7.1 SCHEDULE OF MEETINGS

The regular meetings of Council and Committees are established on an annual basis by the City Clerk and approved annually prior to the end of the calendar year.

Council meetings are generally held on the second and fourth Wednesday of each month.

Committee of Council meetings are generally held the first and third Wednesday of each month.

Planning and Development Committee meetings are generally held on the first and third Mondays of the month.

Advisory, quasi-judicial and ad-hoc committee meetings are scheduled in accordance with the frequency established in their respective terms of reference.

7.2 SPECIAL MEETINGS

The Mayor may call a special meeting at any time with 24 hours of notice to the Members of Council. Such notice shall be given through the City Clerk, and must set out the items to be considered at the meeting. Only the business included on the special meeting notice can be considered at the special meeting.

A majority of the Members can petition the City Clerk to call a special meeting:

- Petitions must set out the purpose, date and time of the meeting
- Petitions must be submitted to the City Clerk, and allow the City Clerk to provide a minimum of 24 hours of notice before the start time of the special meeting.



7.3 MEETING TIMES

City Council Meetings

- Start time: 9:30 am

Committee of Council Meetings

- Start time: 9:30 am

Planning and Development Committee Meetings

Start time: 7:00 pm (to allow members of the public to attend for the consideration of the statutory public meeting items as required by the *Planning Act*).

Note: City Council can vote to extend a session to complete an item, or the remaining items on the agenda.

7.4 COMMITTEE MEETINGS

7.4.1 Meeting Room Features

City Hall has Council Chambers and two Committee meeting rooms that may also be used for closed session meetings. One is located on the 4th floor (CH-4A) and one is on the 6th floor (CH-6A).

7.4.2 Member Seating

All meetings of Council and its Committees are currently held within the Council Chamber to facilitate recording and live streaming of proceedings to the City's website. Locations for Members to sit within the Chamber are labelled with name plates, and are located within the center oval, with the meeting chair positioned in the centre. Seating in the Council Chambers is assigned by Ward pairing. A specific seating assignment may be set by Council decision.

Each seat includes voting and request-to-speak buttons, and all seat locations have network connections and power points. City Clerk's Office and IT staff are available to help Members who have any technical difficulties.



Each seat has a monitor where Members will see presentation slides and notes, requests to speak and motions.

The microphone at a Member's seat is controlled by the Chair and/or City Clerk. When speaking into the microphones, it is important to speak clearly and slowly. This helps other Members, staff and the public to hear the Member and ensures good quality recording of comments or questions.

Seating in the Committee rooms is up to the Members' discretion with the Chair at the center.

7.4.3 Public Participation

The public are welcome to attend all meetings of Council and Committees. The public can also participate in the decision-making process by writing to Council or Committee, or by making a public presentation (often referred to as a delegation). Section 4.5 of the [Procedure By-law](#) outlines the criteria to request the opportunity to delegate.

Public presentations are generally heard at Committee. They are only permitted at City Council if the subject of their delegation relates to existing business on the Council agenda.

Presentations are limited to five minutes, unless the committee decides to extend the time, if requested.

Committee members can ask questions of presenters. Members of Council who are not Members of the Committee may also ask questions of presenters.

Public presentations or delegations at a Committee meeting on a subject for which there is no associated staff report already on the meeting agenda, may only be received (i.e., information received with no further action taken) or referred to staff for a staff report back on the subject of the presentation or request.



7.5 CITY COUNCIL MEETINGS

7.5.1 Head of Council

The Mayor is the Head of Council. The Council also appoints an Acting Mayor based on a monthly rotational schedule of the Members of Council for the four-year term, as set out in the Procedure By-law. Additionally, on March 2, 2022, Council resolved to create the position of Deputy Mayor, and with By-law 49-2022, amended the Procedure By-law, in part, by replacing Section 7.1 with the following wording: “The Mayor shall chair at meetings of the council, and in the Mayor’s absence, the Deputy Mayor shall chair. In the absence of both the Mayor and the Deputy Mayor, the acting Mayor shall chair.”

7.5.2 The City Clerk’s Role

During a meeting, the City Clerk and the legislative staff are located in proximity to the Members. The City Clerk provides procedural advice and meeting management support to the Chair and Council, throughout the decision-making process.

The City Clerk records the proceedings and decisions of the meeting and prepares meeting minutes. The City Clerk and staff work with the Chair, assist Members with motions and record votes.

7.5.3 The Audiovisual Booth

The Council Chamber is equipped with broadcast facilities. Audiovisual staff located on the upper level of the Council Chamber support the meetings in video recording and live stream broadcasting of the proceedings on the [City's Website](#).

7.5.4 The Members’ Lounge

The Members’ Lounge is for the use of Members only and includes a small kitchenette and washroom facilities. Depending on the type of meeting and time of day, refreshments are also available for Members of Council and senior staff only, who are actively participating in the meeting.



7.5.5 The Media Gallery

Media are located in the media gallery on the upper level of the Council Chamber. If you are conducting an interview with the media, please use the upper level or leave the Chamber. Interviews should not interfere with a meeting.

7.5.6 The Public Gallery

Members of the public are welcome and encouraged to attend meetings of Council and its Committees. The gallery generally opens to the public approximately 15 to 30 minutes before the scheduled start time for each session of Council and Committees. Should members of the public prefer not to attend in person, meeting proceedings are also available for real-time viewing on the [City's website](#), and the [video recording](#) is posted for reference shortly after the meeting concludes.

7.5.7 Security in the Chambers

Security is present at all times during Council meetings, and is present, as required, during Committee meetings.

If there is a perceived or imminent threat to the health or safety of anyone in a meeting, Security will immediately notify the Chair and Clerk. The Chair will decide whether to recess the meeting and order everyone present to leave immediately.

If the Chair makes an order to recess and clear the room, Security will immediately escort everyone, including Members, out of the meeting area.

7.5.8 Council's Order of Business

Format of Agenda:

For each regular meeting of the Council, the Clerk shall have prepared and published an agenda with a list of all items to be considered in the following headings:



- A. Approval of Agenda
- B. Declarations of Interest
- C. Adoption of the Minutes
- D. Consent Motion
- E. Announcements / Proclamations
- F. Delegations
- G. Government Relations Matters
- H. Reports from the Head of Council
- I. Reports of Corporate Officials
- J. Reports of Accountability Officers
- K. Committee Reports
- L. Unfinished Business
- M. Other / New Business
- N. Notices of Motion
- O. Correspondence / Petitions
- P. Public Question Period
- Q. By-laws
- R. Closed Session
- S. Confirming By-law
- T. Adjournment

7.5.9 Voting

The manner of voting is determined by the Chair and may be by a show of hands, standing or electronically recorded.

Members must be seated and silent when votes are taken. All Members present, including the Chair, must vote unless they have declared a conflict of interest in the item. If Members can vote and they refuse, they will be recorded as voting in the negative.

Members can request a recorded vote to be taken on any motion as outlined in Section 7.12 of the [Procedure By-law](#).



Unless Council's procedures specify otherwise, a motion passes when a majority of Members present vote in favour. An equality of votes (a tie) means the motion is lost/defeated.

Order of Voting:

Unless determined otherwise by Council, and subject to amendments that change numbers as noted below, the Chair, in consultation with the City Clerk, puts all motions on a matter to a vote in the following order (see Procedure By-law for full order of precedence for motions):

- Motion to defer
- Motion to refer
- Motion to amend the main motion
- Main motion, or the main motion as amended, if any amendments have carried

7.6 POINTS OF ORDER AND PRIVILEGE

7.6.1 Point of Order

A point of order is when a Member highlights an error in procedure or a breach of the rules and asks that the rules be followed.

Examples include:

- "The motion is out of order"
- "This item is not within the jurisdiction of this committee"
- "We did not have the opportunity to ask questions of officials"
- "The order of voting on these motions is not correct"

7.6.2 Point of Privilege

A point of privilege is an immediate request of action on a matter affecting the rights and privileges of (a) Council or Committee as a whole, or (b) a committee or Council Member.



These privileges can include:

- comfort including heating, ventilation, sound, lighting, and security
- the dignity and integrity of the assembly and its proceedings, or obstructions to it carrying out its functions
- requests for personal assistance
- objections to personal remarks or wrongful accusations made by another person at the meeting
- relief from any obstruction or interference with a Member performing his or her duties.

7.7 COUNCIL WORKSHOP

A Council Workshop may be coordinated through the City Clerk's Office. A Council workshop:

- May include open or closed session business;
- Is considered a public meeting;
- Notice of the time, date and location of the meeting will be made available to the public in advance;
- An agenda is created and posted online;
- Quorum of Council is not required for the workshop to continue;
- Members of the public may attend to observe during the public session;
- General "minutes" are taken at the workshop and made public, upon request;
- No Council decision can be made at the workshop.

7.8 OPEN & CLOSED MEETINGS

7.8.1 Rules Regarding Meetings

Generally, the City and its local boards are required by law to give notice and hold all meetings in public.

The City takes a number of steps to ensure the highest degree of openness and transparency for meetings of Council and committees.



- Notice is given of all meetings of City Council and its committees
- Agendas and reports are posted online before meetings with exception of supplementary materials distributed during a meeting
- Decisions and minutes are posted as soon as possible after meetings
- Meetings are closed only when legally permitted or required, in accordance with the *Municipal Act, 2001*, with the approval of the City Solicitor, and in those sessions debate is confined to the scope for which the meeting is permitted to be closed
- The amount of confidential information in reports and documents before Committee and Council is minimized. Where an item may contain confidential information, that information is provided electronically with a watermark and password protected or reproduced on coloured paper marked “confidential” in accordance with the City’s Closed Session Protocol
- All meetings begin and end in open session

7.8.2 What Constitutes a Public Meeting

Section 238(1) of the *Municipal Act, 2001* defines a meeting as follows:

A “meeting” means any regular, special or other meeting of Council, of a local board or of a committee of either of them, where,

- a) A quorum of members is present, and
- b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

7.8.3 Closed Meetings

Section 239(1) of the *Municipal Act, 2001*, directs that all meetings of Council, Committees and local boards shall be open to the public. There are exceptions to that requirement in sections 239(2) and (3.1) and summarized below, which provides that a meeting or portion of it, may be closed to the public, as well as



limited circumstances identified in section 239(3), where a meeting or part of a meeting must be closed to the public.

A meeting may be closed to the public if the subject matter to be considered relates to:

- The security of the property of the municipality or a local board;
- Personal matters about an identifiable individual, including municipal or local board employees;
- A proposed or pending acquisition or disposition of land by the municipality or local board;
- Labour relations or employee negotiations;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or a local board;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- A matter for which Council, a board, a committee or other body may hold a closed meeting under another Act;
- Holding an education or training session for the Members. No business can be conducted or advanced in an education or training session;
- Information explicitly supplied in confidence to the City or local board by Canada, a province or territory or a Crown agency of any of them;
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- A trade secret or scientific, technical, commercial, or financial information that belongs to the City or local board and has monetary value or potential monetary value; or,



- A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City or local board.

Matters that shall be considered at a meeting which is closed to the public:

- A request under MFIPPA, where Council is designated as institution head.
- An ongoing investigation respecting the City, local board or municipally-controlled corporation by the Ombudsman or an investigator appointed pursuant to section 239.2 of the Act.

Procedures to move into Closed Session:

- Before meeting in Closed Session, Council or Committee must first pass a resolution that states the nature of the matter to be considered and the reason for meeting in Closed Session.
- This description must be of sufficient detail to ensure that the public understands the general nature of the matter to be considered in Closed Session.

Council or committee in a closed meeting does not vote except for:

- A procedural matter; or
- To give directions or instructions to City officials, employees, agents, agencies, or persons retained by, or under a contract with, the City or a local board.

Consequences of improperly closed meetings:

- If a meeting is improperly closed, there can be legal consequences, including a closed meeting investigation.

7.8.4 Closed Meeting Investigations

If someone believes a meeting of City Council, an applicable local board, or a Committee has been improperly closed to the public, they may request the City to investigate the matter.



The City will arrange for an independent investigation by a qualified person appointed for that purpose, as the closed meeting investigator. Council has appointed Local Authority Services (LAS) Ltd., a subsidiary of the Association of Municipalities of Ontario (AMO), as the City's closed meeting investigator.

If the investigator finds that a meeting was improperly closed, they will report that publicly to City Council or the local board and make public recommendations as they see fit.

A negative finding from an investigator could cause embarrassment or reputational damage. It might also form the basis for further legal action as a by-law adopted in connection with an improperly closed meeting may, on application, be quashed by a court.

7.8.5 Conduct during Closed Meetings

Members are required to keep information about closed sessions confidential, unless otherwise authorized by City Council.

Members shall not post to social media or communicate with media outlets or any other non-member about the proceedings during Closed Session.

7.9 DECLARING INTERESTS

Members of Council are bound by the provisions of the *Municipal Conflict of Interest Act*. The Act imposes certain duties on Members when any matter is to be considered at a meeting of Council or local board in respect of which the Member or the Member's spouse, child or parent has any direct or indirect pecuniary (i.e., financial) interest.

City officials cannot give Members advice on their interests. Members may independently seek their own advice to determine if they have an interest for the purposes of the Act, or may seek the advice of the Integrity Commissioner regarding a possible conflict of interest.



Members must declare any direct or indirect pecuniary interest and disclose the general nature thereof prior to any consideration of applicable matter(s) at each meeting, must not take part in the discussion of or vote on any question with respect to the matter and must not attempt in any way before, during or after the meeting to influence the voting on any such question. Members should not rely on City officials, including the City Clerk, to remind them of interests previously declared.

7.9.1 How to Declare an Interest

Meeting Chairs will ask for declarations of interest at the start of the meeting. Members should declare known interests at that time. In addition to verbally declaring an interest, a Member must also make the declaration in writing and provide it to the City Clerk to make the declaration publicly available. The City Clerk publishes the written declarations of conflict on the [City's website](#).

If a Member discovers an interest later in the meeting or at a subsequent meeting, a Member should obtain the floor on a point of privilege and declare the interest as soon as possible.

A Member must identify the matter and state the nature of the interest.

Once an interest is declared, the Member shall not participate in consideration of the declared agenda item, influence consideration of the agenda item, and shall not vote regarding the item.

7.10 YOUR VOTING AND ATTENDANCE RECORDS

The City Clerk records the attendance of Members for each meeting, and reports on an annual basis with a consolidation.

A session starts when a meeting is called to order and ends when a meeting is temporarily recessed or adjourned when completed. A meeting may be composed of two or more sessions, e.g., morning and afternoon.



The City Clerk records a Member as being present if they are present for any part of a session. There is no minimum duration required to be marked present. If the Member is not present for any portion of a session, the City Clerk marks the Member absent from that session.

The City Clerk's Office records the times that a Member arrives (if late and the reason for being late – personal, illness, vacation or other municipal business) and departs the meeting before it adjourns. A Member is required to advise the City Clerk when leaving before an adjournment and the reason for the early departure.

The *Municipal Act, 2001*, provides that the office of a Member of City Council becomes vacant if the Member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council.

7.10.1 Attendance and Voting Records

The City Clerk records Member attendance and recorded votes in the minutes of meetings. The City Clerk also makes [attendance](#) and [voting records](#) available online.

7.11 MINUTES AND DECISIONS

Minutes of meetings contain decisions, motions, votes, rulings and other information about the proceedings.

The minutes are listed as an item on the following agenda to be reviewed and approved by Council.

The City Clerk's office posts minutes [online](#) as part of the agenda for the subsequent meeting and after approval of the minutes.



7.12 ELECTRONIC AND HYBRID MEETINGS

Brought about largely by the restrictions in social gatherings in 2020 and lasting throughout 2021 and 2022, an electronic meetings protocol was developed and adopted by Council to facilitate the ongoing decision-making process. Members of Council and its various Committees, City staff, and the Public may participate in meetings electronically by means of linking to a digital meeting platform (WebEX), or by viewing a live video stream of the meeting provided on the City's website.

These electronic options currently remain available along with traditional in-person attendance of meetings in the Council Chambers. Meetings with both participation options utilized simultaneously are commonly referred to as 'hybrid' meetings of Council or Committee.



8. APPOINTMENTS

8.1 MEMBER APPOINTMENTS

City Council appoints Members of Council to committees and boards from time to time for such purposes as deemed appropriate, based on committee terms of reference considered by Council, and approved by resolution or by-law.

Members required to serve on such a committee shall be appointed by resolution. The Mayor is an ex-officio Member of any committee established by City Council. This process is set out in Section 2.6 of the [Procedure By-law](#).

8.2 PUBLIC APPOINTMENTS

The City relies on the contributions of members of the public who serve on the City's boards and committees. These appointments are an important way of engaging citizens and obtaining desired skills and local expertise.

8.2.1 Eligibility Requirements

An appointee must be:

- 18 years of age or older; and
- A resident of Brampton; or
- A non-resident Brampton-based organizational or business representative

For some boards, such as the Library Board, provincial law requires appointees to be Canadian citizens.

Relatives of Members of Council are not eligible for appointment. This includes spouses, partners, children and parents.

8.2.2 Term of Appointment

A public member is appointed to a board or committee for a duration specified within the terms of reference, or for the term of Council (four years) unless appointed at a point during the four-year term at which point the term will be until the end of the current Council term of office.



8.2.3 Board Information

Information about each board is available [on the City's website](#).

You will find:

- List of current appointees
- Description of the role of the board
- Eligibility requirements for appointment
- Qualifications for appointees
- Frequency of meetings
- Compensation of Members

8.2.4 Recruitment Process

The City Clerk's Office is responsible for public appointments, including the recruitment and application process. Council may establish a Citizen Appointments Committee, comprised of Members of Council, to review, evaluate, interview and recommend public appointments.

The City accepts applications for appointment during defined recruitment periods, as public appointments are necessary. Any eligible person can apply [online](#).

Applicants can also [download a form](#) to complete by-hand, which can be mailed or delivered to the City Clerk's office. .

The City Clerk's Office reviews all applications against the Council-approved eligibility requirements and qualifications.

Applications may be retained by the City in an applicant pool for future reference during the Council term as subsequent positions for public appointments become available.

8.2.5 Nomination Process

The nomination process is carried out by the Citizen Appointments Committee which consists of a minimum of three Members of Council. This Committee



conducts the interviews and makes citizen appointment recommendations to Council. The Committee is supported by the City Clerk’s Office and does not include citizen representatives.