



Staff Report

Administration

Report To: Sustainability Committee
Meeting Date: September 11, 2019
Report Number: FAF.19.186
Subject: Integrated Community Sustainability Plan (“ICSP”) Training and Process Workshop
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT the Sustainability Committee receive Staff Report FAF.19.186, entitled “Integrated Community Sustainability Plan (“ICSP”) Training and Process Workshop”;

AND THAT the Sustainability Committee direct that the ICSP Training and Process Workshop will be held in an Open Session of the Sustainability Committee.

B. Overview

This staff report provides follow-up to the Sustainability Committee (“Committee”) regarding a request to hold an ICSP Training and Process Workshop in Closed Session.

C. Background

At the August 14, 2019 Committee meeting, the following motions were passed:

1. THAT the Sustainability Committee directs Ken Mehi, Julie Scarcella, and Sally Leppard to develop a framework and schedule for an Integrated Community Sustainability Plan (“ICSP”) Training and Process Workshop, Carried.
2. THAT the Sustainability Committee requests staff to investigate whether the Town’s Procedural By-law 2018-20 allows for the Integrated Community Sustainability Plan (“ICSP”) Training and Process Workshop to be conducted in a Closed Session meeting of the Committee, with identified representatives from Town Advisory Committees and Town staff, Carried.

An update regarding the first motion is being provided by Committee members Ken Mehi, Julie Scarcella, and Sally Leppard at Agenda Item C.3 Work Planning Session Follow-up.

Regarding the second motion, staff offer the following information:

The Committees of Council function as advisory Committees to Council, and as such, adhere to the Town's Procedural By-law 2018-20, in addition to the *Municipal Act, 2001*. Outlined in the *Municipal Act, 2001* and re-iterated in the Procedural By-law, are the permissible reasons for entering into a Closed Session meeting:

1. All meetings shall be open to the public, but a meeting, or part of a meeting may be closed to the public if the subject matter being considered is:
 - a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality 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;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - k) 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 municipality or local board;
 - l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;

- m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, or the investigator referred to in subsection 239.2 (1) of the Municipal Act;
- n) the meeting is held for the purpose of educating or training the members, and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

It was the request of the Committee that the ICSP Training and Process Workshop be held in closed session as “the meeting is held for the purpose of educating or training the members, and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee”.¹

D. Analysis

Staff are advising that while the general nature of the workshop falls under “educating or training the members”, it is not recommended to conduct Committee meetings in closed session, unless a need is identified by staff or Council. Closed session meetings are only held when necessary, and most, if not all of the current Council training sessions have been held in open session where members of the public can attend. Staff recommend the Committee set up the workshop to provide a specific opportunity for public feedback with the balance of the workshop focusing on Committee members to review the material and ask questions. Staff recommend the Committee hold its ICSP Training and Process Workshop in an open Committee meeting.

The analysis above does not constitute a legal opinion, but does conform to standard Town practice with respect to training sessions for Members of Council and Committees of Council.

E. The Blue Mountains Strategic Plan

- Goal #2: Engage Our Communities & Partners
 - Objective #1 Improve External Communication with our Constituents
 - Objective #2 Use Technology to Advance Engagement
 - Objective #3 Strengthen Partnerships
- Goal #3: Support Healthy Lifestyles
 - Objective #4 Commit to Sustainability
- Goal #4: Promote a Culture of Organizational & Operational Excellence
 - Objective #3 To Consistently Deliver Excellent Customer Service
 - Objective #4 To Be a Financially Responsible Organization
 - Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

¹ “Municipal Act, 2001.” *Municipal Act, 2001, S.O. 2001, c. 25*, Government of Ontario, 6 June 2019, <https://www.ontario.ca/laws/statute/01m25>.

F. Environmental Impacts

N/A

G. Financial Impact

N/A

H. In consultation with

Corrina Giles, Town Clerk

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Shawn Everitt, cao@thebluemountains.ca.

J. Attached

None

Respectfully Submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
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