

Full Authority
15 June 2023
Agenda Item: 13

Administrative Policy Update

Background

The current CVCA 2018 Administrative By-Law includes the following Section 11 regarding delegations. Based on recent information shared by other eastern Ontario conservation authorities and the number of delegations to the CVCA in the past 12 months, staff propose the delegation section in italics be adopted and replace the current version. The changes will add clarity for the Board and delegates alike.

The following information is also provided for the Board's consideration.

- Public delegations are not a legitimate venue to address individual regulatory prosecution cases or any other legal matter involving the authority.
- Anyone may request a delegation, but the Board, Chair, and General Manager/Secretary-Treasurer have discretion to determine whether the topic is suitable or relevant. The Chair may also end a delegation should the presenter stray from an approved (and appropriate) topic.
- It is important to consider the nature of the delegation. For example, it would be inappropriate if an individual petitions the Board to intervene in their favour on a specific staff decision regarding a regulatory prosecution that is (also presumably) consistent with delegated staff prosecutorial discretion. A comparable inappropriate scenario would be to petition a city council to influence local police or by-law to drop a charge or fine.
- Public delegations are generally a place to express concerns on matters of public interest (*not* private interest). An appropriate delegation would be where concern is expressed with how the CA is enforcing its regulation across the watershed (too strictly or not strict enough). *Straying from the perceived general practice of the authority to an individual case, however, would be grounds for ending such a delegation.*

Current Version

11. Delegations

Any person or organization who wishes to address the Authority may make a request in writing or email to the Secretary-Treasurer. The request should include a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received 14 calendar days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

Any person or organization requesting an opportunity to address the Authority, but not having made a written request to do so in the timelines specified above, may appear before the meeting if approved by the Chair or the majority of Members present, or shall be listed on the published agenda for the following meeting.

Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than 10 minutes.

Members of the public are to submit a written request to the General Manager/ Secretary-Treasurer at least 7 business days prior to the scheduled Authority meeting, should they wish to address or ask questions about items on the agenda, and must indicate the business to be discussed, number of delegates, and other pertinent information.

Generally, no more than three (3) delegations will be heard at a meeting; in the event of an extraordinary number of delegations, the Chair may call a Special Meeting.

Members of the public in attendance at a meeting will be provided an opportunity to speak on any matter of their choosing. The speaker will be limited to one topic and presentations are not to exceed 5 minutes in length.

Proposed Delegation Section

11. Delegations

11.1 Any person or organization who wishes to address the Board of Directors shall make a request in writing to the General Manager/Secretary-Treasurer that is received no less than fourteen (14) calendar days in advance of the scheduled meeting at which the person or organization wishes to speak.

11.2 A delegation request must include:

- a) the name of the individual who will be speaking;*
- b) the name of the organization the individual will be speaking on behalf of;*
- c) a written summary of the issue;*
- d) a written statement identifying the organization's position on the issue; and*
- e) any presentation material the speaker wishes to rely on.*

11.3 The request shall be reviewed by the General Manager/Secretary-Treasurer for completeness, relevance, and appropriateness. The General Manager/Secretary-Treasurer may refuse a delegation request or require modification of the delegation presentation and materials where:

- a) the request is not submitted within the stated time limits;*
- b) the subject matter is unrelated to or beyond the purview of the Authority's mandate; or*
- c) the issue or subject matter being considered relates to or qualifies as a matter suitable for a closed meeting.*

11.4 The General Manager/Secretary-Treasurer shall advise the organization or

individual whether they are listed on the meeting agenda and the appropriates of their presentation and materials no later than two (2) days before the scheduled meeting.

11.5 Accepted delegation submissions (including names but excluding personal contact information) form part of the public record and shall be made available to the Board of Directors and the public.

11.6 A maximum of two (2) delegations shall be permitted at any regular meeting of the of the Authority.

11.7 Delegations shall be limited to one (1) speaker whose presentation may not exceed (10) minutes except by leave of the Chair.

11.8 Speakers shall only address the Chair and shall be respectful at all times.

11.9 Speakers shall not:

- a) address Directors directly without permission;*
- b) interrupt any speaker or action of the Board, or any other person addressing the Board;*
- c) display or have in possession picket signs or placards in the meeting room;*
- d) repeat what has been said by previous speakers at a meeting;*
- e) speak disrespectfully of any person;*
- f) use offensive language;*
- g) disobey a direction or decision of the Chair; or*
- h) enter into cross debate with the Chair, Directors, Staff, or members of the public.*

11.10 The Chair has discretion to end a delegation where the information offered is inconsistent with the submission materials or is inappropriate in any manner.

11.11 Recurring delegations are not permitted unless the Chair determines new, relevant information on the issue has become available.

11.12 The Board shall defer any decisions or action on information received from a delegation to a subsequent meeting.

Staff Recommendation

That the proposed Delegation Section be adopted and replace the current Section 11 in its entirety.

Board Decision

TP