

Subject: Referral Motion – Proposed policy on the routine release of Closed Council resolutions.

Member of Council: Kash Heed

Meeting: General Purposes Committee

Notice Provided on: February 27, 2025

For Consideration on: March 3, 2025 in accordance with Procedure By-law No 7560

Background

Openness and transparency are fundamental to a well-functioning democracy. While Council is obligated to conduct certain City business in camera, as dictated by the Community Charter, it is good practice to publicly disclose the minutes of those discussions and decisions once they are no longer confidential.

For an issue to be discussed in a Closed Council meeting, it must satisfy at least one of the criteria outlined in section 90 of the Community Charter. These criteria include topics such as labor relations, personnel issues, land sales, litigation, negotiations, and similar matters. The Charter also mandates that prior to any Closed meeting, a resolution must be publicly endorsed, declaring that the meeting will be Closed and detailing the reasons for public exclusion for each topic in accordance with section 90. Although a process exists for addressing matters within Closed meetings, there is no established procedure for routinely bringing items back into the public domain as Council has the discretion to present recommendations and reports at Open meetings. Additionally, public requests for the release of Closed meeting documents can be submitted under the Freedom of Information and Protection of Privacy Act, though this is not a standard practice.

Due to the lack of a systematic approach to review previously adopted Closed recommendations and reports, issues addressed in Closed meetings frequently remain undisclosed, even if their original justification for confidentiality is no longer valid. Currently, we only practice public disclosure of Closed resolutions in limited circumstances, such as for annual appointments to various external organizations and advisory bodies. To align with the public's demand for enhanced transparency in government and to foster accountability and accessibility, Council should consider adopting a policy for the routine release of Closed resolutions when the need for confidentiality has lapsed.

Motion

This matter be referred to the City Solicitor to examine and report back to Council within 3 months on the feasibility to publicly release all in-camera minutes on the City's website as soon as practicable and once a decision or discussion is no longer required to be secured as confidential.