

Electronic Council, Committee and Board Meetings Guide for Ontario Municipalities (2nd edition)



Background:

As a result of amendments made to the Municipal Act (MA) in March 2020, municipalities were granted the authority to quorum with electronic participation during a declared emergency.

On July 21st, 2020, the Ontario government made further amendments to the MA to permanently allow quorum for electronic meetings outside of an emergency – a decision that was built on the successful implementation of electronic meetings by multiple municipalities and in response to advocacy efforts of various municipal stakeholders. Bill 197, *The COVID-19 Economic Recovery Act, 2020*, allows municipalities to update the procedure bylaws for meetings of municipal councils, committees and local boards under sections s. 238 and s. 239 of the MA.

The following document is an updated version of the Electronic Meetings Guide that was originally published by AMCTO in March 2020. The purpose of this guide is to build on the legislative context for changes to a procedure bylaw; and to provide additional consideration for electronic governance. This guide also aims to highlight some best practices that have been unveiled since the beginning of the COVID-19 pandemic with the increased use of electronic meetings by more municipalities across the province.

Legislative Considerations

Current Context:

[Bill 197: The COVID-19 Economic Recovery Act](#)

Bill 197 is an omnibus bill that received Royal Assent on July 21st, 2020 and was positioned as addressing three critical needs: restarting jobs and economic development; strengthening communities and; creating more opportunities for people.

While Bill 68: *Modernizing Ontario's Municipal Legislation Act, 2017* allows the electronic participation of municipal councils, local boards and committees, and Bill 87: *The Municipal Emergency Act, 2020* specifically provides municipalities with the authority to quorum during a declared state of emergency, Bill 197 allows electronic participation in a meeting, and leaves it to the municipality's discretion as to whether members count towards quorum and can participate in a closed session.

Additionally, Bill 197 allows municipalities the discretion to allow members of municipal council the authority to vote by proxy.

Previous Context:

[Bill 187: The Municipal Emergency Act](#)

As of the publishing of this edition, the Provincial Declaration of Emergency has lifted. However, when the COVID-19 pandemic struck in early 2020, the Province had issued a Declaration of Emergency and introduced Bill 187: *The Municipal Emergencies Act, 2020*.

Bill 187 applies to sections of the MA that govern the creation and application of procedure bylaws. The amendment allows for a municipality's procedure bylaw to be updated in a special meeting to allow members of councils, committees and boards who choose to participate electronically to "be counted in determining whether or not a quorum of members is present."

The [Emergency Management and Civil Protection Act, 1990](#) requires municipalities to prepare for emergency declarations,

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and may be referenced for further information regarding the role of the Province in emergency situations. The nature of a pandemic as an emergency has created a set of conditions for which no municipality could have reasonably been prepared, as fully electronic meetings have not been contemplated previously.

Information Technology Considerations

Security

Security concerns have become heightened with the fast and unexpected digitization of municipal services and operations. Considerations for municipal security may include:

- Staff awareness of how data is secured and how they can protect themselves from potential malicious actors;
- The security of the online meeting platform your municipality chooses to run and;
- How to protect municipal information on personal staff devices through end-to-end encryption.

See also Pre-Meeting Security considerations under the [Timeline of Considerations](#).

Compatibility

The compatibility of the electronic meeting platform used by a municipality must be considerate of the users and the technical capability. Municipalities should choose a platform that is accessible to all staff and councillors and does not require extensive training. Personal technical capability will vary among staff and council, however the training and learning period should be considered.

Municipalities may also consider the risk associated with delaying procedural amendments. Councils, committees and boards should understand that there may not be a 'perfect' platform for all users, but there may be a suitable platform for the majority of users at the time.

Technical compatibility is dependent on the size, location, and digital literacy of a municipality. Municipalities are encouraged to assess their needs regarding technical capability and electronic compatibility. Municipalities may already be equipped with conferencing software with other products, such as Teams conferencing software through Microsoft 365. Some municipalities should consider teleconferencing platforms as opposed to video conferencing, should technical compatibility be limited.

Access

Accessibility must be considered in the digitization process. Staff and council must have access to physical technology, such as laptops, tablets, or phones, as well as access to a stable internet connection or telephone signal. Resident access must also be considered for public meetings and streaming. Many municipalities have closed or limited access to libraries and public spaces, potentially limiting resident access to technology. Municipalities should consider who has access to the information being shared and how any accessibility gap might be reduced.

Additionally, municipalities are encouraged to comply with Accessibility for Ontarians with Disabilities Act (AODA) best practices for web content. You can find a guide on Web Content Accessibility Guidelines (WCAG) [here](#).

Technical Difficulties

A special issue that arises with the use of electronic meetings is around technical glitches such as lost internet connectivity, issues with software or applications or some other difficulty. Having a plan in place to manage technical difficulties, including a process for when a technical failure does not allow for the meeting to continue, is essential. Such planning is

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particularly important for smaller municipalities that may not have support with in-house IT services and/or for those in areas with internet connectivity issues.

Such a plan may include:

- Conducting a trial run – especially when using new technology or in a new location.
- Designating a staff member as a point person for participants having technical issues.
- Developing ways to organize and incorporate public comments into meetings:
 - Some municipalities ask questions to be emailed in advance, some set up opportunities for the public to access the meeting application, and/or provide special kiosks in City Hall for members of the public to access the meeting (following appropriate health and policy guidance in place) depending on their established processes.
 - If the public can participate in a live streamed meeting, consider what controls the moderator has and consider a chat option where questions can be asked.
- Provide etiquette guidelines for those attending online or by phone (e.g., asking participants to mute themselves unless speaking, asking participants to state their full name, and providing expectations around participants' online behaviour or they may be dropped from the meeting).

Having a plan in place to manage such technical difficulties will be helpful in ensuring that meetings of local boards, committees and Council remain open to the public in compliance with section s. 239(5) of the *MA*.

Timeline of Considerations

Pre-Meeting

Procedure Bylaw Amendments

Per Bill 197, amendments to your procedure bylaw may be amended at a special meeting. Amendments could include:

- Allowing the use of electronic participation at meetings.
- Stating whether members can participate in both open and closed meetings. The amendment may also address whether electronic meeting participation will be permitted only during emergencies.
- Electronic participants can vote and count towards achieving quorum. The amendment may also include procedure for regaining quorum if a member of the meeting is lost due to technical difficulties.
- Allow for hybrid-meetings. Consideration will have to be given as to whether the municipality has the technological capabilities to manage this approach.
- If your existing procedure bylaw already enables electronic participation and/or voluntarily sets conditions or limitations on its use, consider adding a new provision specifically for use of electronic participation during emergencies that alleviates any voluntary limitations.
- Detailed roles for council, committee, or board members during the meeting. For example, include who will read motions, who will ask for movers and seconders, who manages the discussion and who calls the vote.

Providing Notice

Per section s. 239 of the *MA*, notice must be given for public meetings even when they are held electronically. Formal guidelines or best practices for electronic notification have not yet been established, however accessibility and digital literacy should be considered when preparing and providing any public meeting notification. Many municipalities currently publish agendas and provide notice on the websites well in advance of the date of a meeting.

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In your notice, be sure to note if the meeting will be held electronically, either partially or fully, and if public attendance is permitted or not. If the meeting is fully electronic, provide as much detail as possible about where residents may watch the meeting if livestreamed, view a copy afterwards, and find the agenda and minutes for the meeting.

Corporate Policies and Procedures Amendments

Depending on your municipality's approach to corporate policies (Council Policy or Administrative Policy), there may be a need to review and amend certain corporate policies to align with amendments to your procedural bylaw. Some policies or procedures you may want to review include:

- Records retention/management policies, guidelines and bylaws: references to the production and recording of electronic meetings.
- IT Use: Consideration for whether your municipality will require that a member accessing an electronic meeting use only corporate-issued technology assets to access meetings, particularly those that are closed to the public in accordance with the MA.
- Council Code of Conduct/Local Board/Advisory Committee Code of Conduct: some codes address behaviours during meetings, which may be expanded to include electronic meetings.
- Workplace harassment/respectful workplace: the definition of workplace may be expanded to include virtual or electronic work environments.
- Public participation procedures or guidance: procedures and instructions for the public on how they can participate in the meeting, including delegations and posing questions.

Security

As municipal governance shifts primarily online, digital security measures should be heightened. Considerations for phishing emails with links to online meetings (such as Zoom Meeting ID links), sharing of electronic invites to meetings, and participation in municipal governance on a personal device (such as a home desktop or tablet) should be discussed prior to any electronic meeting.

When in closed session, municipalities may choose to ask meeting attendees to use headsets to provide further confidentiality. Along with practicing electronic meeting etiquette, meeting members should be mindful of their surroundings, what is visible on-screen and in the background of videos, and what can be heard.

Connectivity and Accessibility

Considerations for connectivity and accessibility are dependent on the internet capabilities and levels of digital literacy in a given municipality. Consult with councillors and respective committees to assess internet access and to troubleshoot electronic meeting software.

Connectivity issues may be resolved through teleconferencing and in instances where video conferencing is not necessary. Established quorum and voting regulations should be considered throughout the call as tracking meeting members through teleconference may be challenging.

To ensure connectivity and accessibility, municipalities may choose to hold practice meetings where members can test software and hardware. If practice meetings are held, municipalities should ensure that quorum is NOT met during testing.

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During a Meeting

Agenda and Minutes Management

The Clerk and/or Chair of a meeting must be considerate of agenda items and meeting management. Municipalities may 'stream' the agenda (present the document in a video-conferencing manner) so that all meeting members are able to follow along.

Agenda items and meeting minutes should account for connectivity and accessibility concerns. For example, voting methods for *both* video and audio conferencing may be established regardless of format to ensure that if video is lost, the meeting member is still accounted for. Speakers should also identify themselves regardless of meeting format, for clarity. Should a meeting member become disconnected for any reason, proceedings must stop if quorum is lost, unless other procedures have been established in a procedure bylaw.

Etiquette

- Consider clothing, lighting, and general optics of the on-screen area and support elected members by [providing best practices](#) in this regard.
- Ensure all meeting attendees are able to mute and unmute and are able to see themselves and others during the call, if video conferencing.
- For clarity, only allow one participant to speak at a time.
- Be present in the electronic meeting the same way you would be present in an in-person meeting. Try to avoid having other distractions in the room or on-screen.
- Consider how to capture speaking order and requests to speak and decide how this should be done – either through instant messaging (chat) features, a hand-raising feature or pre-arranged beforehand. Determine if these requests need to be read into the record.

Electronic Participation, Voting and Maintaining Quorum

Considerations on the type of platform are necessary for participation. Consider the requirements of a meeting when choosing an electronic meeting platform. The information that is available to members through the meeting platform will determine how stringent the Clerk and Chair need to be when conducting the meeting and calling votes.

For example:

- Most stringent: all votes are treated as recorded votes. You may need to use this if you are using a teleconference line only and have a larger council.
- Least stringent: ordinary show of hands. You may be able to use this if all council members are participating by audio and video and can be seen by each other and any livestream observers during a vote.
- Consider a verbal roll-call at the start of the meeting– this can be useful to confirm all attendees for recording of the meeting, as well as for anyone watching or listening.
- Some municipalities use a voice vote if they cannot project each participant on the same screen or if a particular participant is using teleconferencing equipment.
- Consider whether participants should be required to verbally declare if they are exiting the meeting, as it may not be clear on an audio-only meeting if quorum has been maintained.
- Consider how to manage declared conflicts of interest including the communication of the procedure to members of council and the public.
 - It may be possible to use means within your chosen meeting platform to remove a council member when that member has declared a conflict and then add them back into the meeting when the discussion item has wrapped up.

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In the event that both electronic meetings and proxy voting are used in your municipality, some consideration will have to be given to whether a proxy could be used if there are fully virtual or hybrid meetings and if so, how a proxy vote will be recorded. This should be captured in the Clerk's processes and procedures for proxy voting.

Post-Meeting

Records Management

The *Municipal Freedom of Information and Protection of Privacy Act, 1990* does not mention electronic or digital meeting protocol. Video recordings of meetings, electronic copies of agendas and minutes, and voting records may be managed in accordance with existing records management procedures/bylaws.

If there are any aspects of your records management procedures for meetings that are ordinarily handled by way of physical copy (e.g. signing of bylaws, minutes, etc.), consider whether you will temporarily use electronic formats for such documents until such a time as physical originals can be executed.

Moving Forward

Some of the best practices included in this edition of the guide come from those municipalities that used electronic meetings for the first time between March and September 2020, and more lessons learned will become available as more municipalities work through procedural and technical challenges.

A further challenge arising as municipalities consider using electronic meetings as a regular part of business is hybrid meetings. Hybrid meetings are those where some members of council are in the council chamber while others participate in the meeting by electronic means elsewhere. This presents additional challenges from an IT, human resource capacity and facilities point of view.

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Municipal Case Studies of Experience with Electronic Platforms

Municipality	County of Middlesex	City of Peterborough	County of Perth**	City of Guelph
Software	Zoom	Microsoft Teams	Pragmatic with Streamlabs and GoToMeeting	Webex with Facebook
Software Medium and Overview	Zoom is an internet-enabled meeting software that allows up to 100 participants in an online meeting (in its free, basic version). Visually, Zoom allows users to view multiple participants at the same time in a conference-style setting and is enabled with features that allow for typed chat conversations, screen sharing, and sub-meeting breakout rooms.	Microsoft Teams is an internet-enabled meeting software being used by approximately 700 City staff and council members. Microsoft teams is part of the Office 365 E1, E3, or E5 bundle. Meeting members are able to video conference or call-in to meetings.	Pragmatic is a teleconference meeting software that Perth County uses in conjunction with Streamlabs video streaming that is connected to the County's YouTube channel. Perth's first meeting was held with audio only, however, GoToMeeting will be used in the future to allow the agenda or other documents to be streamed during the meeting. A dedicated workstation will be setup to stream this live to YouTube as well.	WebEx is a Cisco product that allows for video conferencing, chat and document sharing. The platform allows users to record video and sound and can provide a transcript of a typed chat. Streaming to Facebook is enabled through a WebEx plug-in.
Support and Connectivity	Zoom seems to work well for those who have poor internet connections when tested against the use of other similar platforms. Those who host meetings, and who are participants of meetings have been trained to ensure risk mitigation and usability of the video conferencing application.	Due to the circumstances, little training was provided for new users. However instructional videos and one-on-one training was provided for those needing assistance. A minimum of 1.2mbs is required to have a video and audio call.	The call-in teleconference format accommodates varying locations and internet connections. In addition, GoToMeeting allows for toll-free audio-only connecting.	Little to no training is needed. Support documentation available online . No known issues with connectivity at this time.

** Since the publication of the first edition of this guide, Perth County has switched to Zoom. Perth County staff have indicated that Zoom provides a simpler approach for YouTube integration and also the ability to use the webinar feature

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Municipality	County of Middlesex	City of Peterborough	County of Perth**	City of Guelph
Software	Zoom	Microsoft Teams	Pragmatic with Streamlabs and GoToMeeting	Webex with Facebook
Live Streaming Capability	Zoom meetings can be recorded and uploaded to the County's YouTube channel. In addition there is a livestream functionality through Zoom via YouTube and Facebook. There is roughly a 20 second delay in the livestream.	Livestreaming is available through the Live Events function. There is a 20 second delay between the meeting and the livestream.	Video of teleconference is enabled through Streamlabs software.	Live streaming is available via Facebook plugin. The stream can also be embedded on a municipality's website.
Participation, Voting and Quorum	<p>The Host role is assigned to and monitored by IT to ensure response to technical challenges throughout the meeting, including enabling livestreaming to YouTube.</p> <p>For voting, if all councillors are video-enabled, they raise their hand. For those councillors who call in to the Zoom meeting, they must state their name and verbally cast a vote.</p>	<p>Microsoft Teams does not have a 'raise hand' function so the typed chat function allows meeting members to join the conversation. Chat etiquette is an issue, with some private chats being more suited to private email.</p> <p>Quorum is handled by the clerks being able to see who is in attendance and audibly confirming they are in attendance for the public to hear. Votes are done as if all votes are recorded by the city clerk calling each councillor by name and the councillor then voting.</p>	<p>A verbal roll call was completed to account for all meeting members.</p> <p>Voting has not yet been tested, but will likely be handled in the same verbal/ audio manner.</p>	<p>The meeting host, delegated to the clerk in Guelph, oversees all meeting functions. The host can mute, call on, and lock down the meeting and/or the members.</p> <p>Voting completed by hand raising.</p>

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Municipality	County of Middlesex	City of Peterborough	County of Perth**	City of Guelph
Software	Zoom	Microsoft Teams	Pragmatic with Streamlabs and GoToMeeting	Webex with Facebook
Security	<p>Once all meeting members have entered the meeting, Zoom allows the meeting Host to 'lock' the meeting. Screensharing and Meeting IDs are permitted only by the host of the meeting. The meeting is also password enabled for further security.</p> <p>To further secure Zoom meetings, consider disabling file sharing and making use of the waiting room function.</p>	<p>Only a producer can invite people into the meeting. As well, the producer has full authority over whom and what is shared in the video livestream and the ability to mute all. The clerk is the meeting producer and is the only one who can provide access as a presenter.</p>	<p>Access to the conference call was only provided to the members or council and required staff. In the future, when GoToMeeting is used, meeting access will require a link and password, and once all have joined, the meeting will be locked by the host.</p>	<p>Only those invited to the meeting can participate. The meeting can be locked; however, timeliness can be an issue in securing members. Meetings can be password-enabled and the password is sent to specified and known invitees. The lobby feature allows meeting members to remain on the call without having access to the meeting, which is useful for closed meetings.</p>

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Cisco Webex User Guide

Get Started with Cisco Webex Meetings for attendees

Note: This guidance is from a certain point in time. Guidance is often updated and improved for the latest, visit the Cisco [WebEx Help Centre](#).

WebEx Meetings makes joining and collaborating hassle free. You can meet anyone in the world online, talk to them over the phone or your computer, see each other's video and share content.

Join a Meeting

If someone invites you to a Webex meeting, you receive an invite with instructions on how to join in an email invitation. You can click the Join link to join the meeting. You might be asked to enter meeting password. The password will be included in the meeting invitation email. The Webex user interface is simple. Meeting options are located in the centre of the screen and participants and other panels will be on the righthand side of the screen.

Connect Audio

Before you join a meeting you can choose the audio settings you prefer for the meeting

1. Click the audio connection options in the Webex Meeting app.
2. Choose how you want to hear the audio in the meeting:
 - a. Use computer for audio** (default) – use your computer with a headset or speakers
 - b. Call me** – enter or select the work or home phone number that you'd like the meeting to call
 - c. Call in** – dial in from your phone when the meeting starts. A list of global call-in numbers is available once you join the meeting
 - d. Don't connect audio** – you won't hear any audio in the meeting through your computer or phone. Use this option if you're in the meeting room but want to use your computer to share content in the meeting
3. If you want to join the meeting with your audio muted, click **'Mute my microphone'**. The microphone icon will turn red when your microphone is muted. Click **'Unmute my microphone'** when you want to speak.

Start Your Video

Before joining a meeting, you can choose the video setting you prefer for the meeting:

1. If you want to join the meeting with your video turned off, click **'Turn off my video'**. The camera icon will turn red when the video is turned off. Click **'Turn on my video'** when you want to show your video.
2. By default, your self-view video shows in mirror view. You can turn off mirror view if you want to see yourself in your self-view video the same way that other meeting participants see you.

Share Content

You can share content during a WebEx meeting. In the **Participants** panel, grab the WebEx icon (blue circle) with your mouse and drop it next to your name. You will become the presented. Select **Share content** and start sharing. For more sharing options, visit the **Share** menu.

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Zoom User Guide

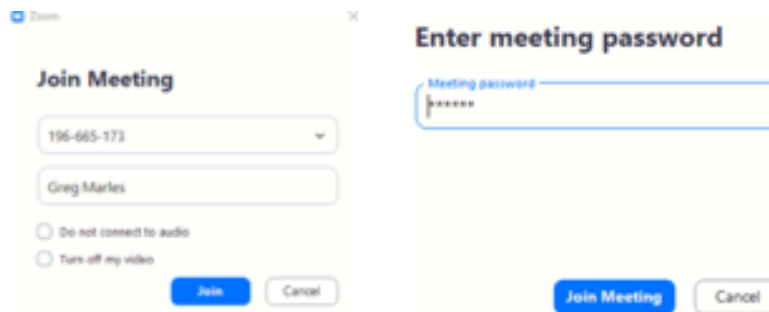
Joining Zoom Meetings

Join by Link (link will contain the password in most cases)

Join by Meeting ID

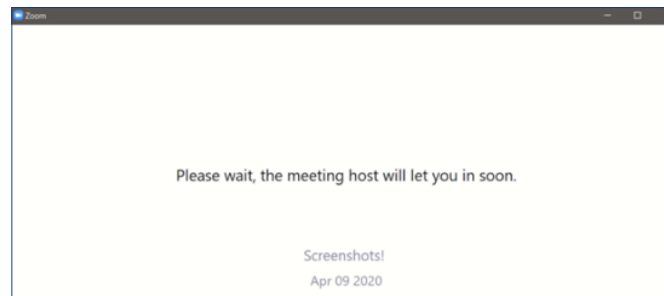
Enter the meeting ID and your name and click/tap “Join”.

On the next screen enter the meeting password and click/tap “Join Meeting”



Waiting Room

When joining a meeting you will be presented with this screen until the host allows entry

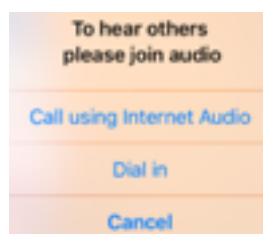


Joining Audio

Click or tap the following icon to be presented with options to join audio. This icon will be at the top of the screen on iPad and the bottom left of the screen on a laptop.



In most cases, you will want to use the “Call using Internet Audio” option – this will enable audio through your device. Alternatively, “Dial in” will provide you with a list of phone numbers to call.



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Meeting Controls

Along the top of the screen on iPad or the bottom of the screen on a laptop you will have a number of controls.



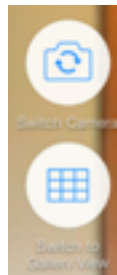
Mute/Unmute: Tapping/clicking this will mute your microphone, you will see the following when you are muted (there will also be the same icon over your participant window in the meeting). Tapping the icon again will unmute.



Stop/Start Video: Tapping/clicking this will stop your video. You will see the following when your video is stopped. Tapping the icon will show your video again.



Gallery/Speaker View: There are 2 views available in each meeting. One will show the active speaker, the other will show all participants (**note:** only 9 participants can be viewed on an iPad at one time, swiping the screen to the side will show the other participants). These controls are located at the top left on iPad at the top right on a laptop.



Share Content: If the meeting host has allowed sharing content (this is off by default) the “Share Content” option allows you to choose what you would like to share (**note:** this information is shared with all participants of the meeting).



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Head of Council

- Practice with the technology until there is a high comfort level
- Use a laptop to ensure larger screen real estate
 - Allows Head of Council to see all Council Members
 - Provides easier access to meeting tools menu
 - Ensure Participants Menu is open to see all participants and enable additional meeting tools

Managing the Speakers List

- Be mindful of those who are on video and those who are not on video
- Use Recorded Votes to your advantage when managing a meeting to ensure everyone is accounted for

Clerk

- Help the Head of Council manage the Meeting
- Voting/Procedural
 - If all Councillors are video-enabled, raise hand
 - If some Councillors are video-enabled and others are not, be sure to be mindful and attentive of those that have called in
- Be more prepared than usual - information provision to Council during meetings

Technical Considerations

- Local the meeting when all attendees have entered
- Enable and control live stream options
- Record the meeting locally to ensure continuity of electronic meeting - the recorded files can be uploaded to a file storage service like Dropbox, Google Drive or streaming service like YouTube

Closed Meeting Considerations

- Managing the Live Stream
- One person per physical room to minimize potential for reverb or feedback loops
 - Use headsets if you must be in the same physical space

Before your Meeting

- Control audio quality by situating yourself in a quiet space
- Adjust your lighting to ensure light is in front of you
- When possible, place the video camera 2-inches above eye-line

During your Meeting

- Look into the camera when speaking
- Pay attention when others are speaking
- Only one person speaks at a time to ensure clarity of meeting
- Mute yourself when not speaking
- Use the chat function to message entire group or an individual

Security Considerations

- Lock the meeting when all attendees have entered
- Don't screen capture and share the meeting with meeting ID embedded
- Don't share the meeting ID beyond the required attendees
- Treat the meeting ID as if it is a password. Do not share with anyone
- Let the Host share the Meeting ID
- Ensure every meeting is password enabled
- Only allow Host to share screen

Other features to consider as part of a Zoom meeting

- Invite more people to join by email, IM, SMS (mobile users) or meeting ID
- Screen share your desktop or specific application window
- Mute/unmute audio
- Stop/start video
- Configure your settings
- Leave or end the video meeting

You will find a series of buttons at the centre of the bottom of the screen which allows you to use these features. For more details please go to Zoom Help Pages.

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Platform Resources

GoToMeeting:

<https://blog.gotomeeting.com/5-best-practices-staying-secure-gotomeeting/>

Microsoft Teams:

<https://docs.microsoft.com/en-us/microsoft-365/security/top-security-tasks-for-remote-work?view=o365-worldwide>

Technical Security Details:

<https://docs.microsoft.com/en-us/microsoftteams/security-compliance-overview>

WebEx:

<https://help.WebEx.com/en-us/8zi8tq/Cisco-WebEx-Best-Practices-for-Secure-Meetings-Hosts>

Zoom:

<https://zoom.us/docs/doc/Zoom-Security-White-Paper.pdf>

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Alana Del Greco, AMP, OCT
Manager, Policy and Government Relations
AMCTO

Reviewers (2nd edition)

Chris Bailey
Manager of Information Technology Services
County of Middlesex

Alison Gray
Clerk
Township of Severn

Christopher Raynor
Regional Clerk
Regional Municipality of York

Alexander Harras
Manager of Legislative Services/Deputy Clerk
Town of Ajax