



**AGENDA**  
**SPECIAL COMMITTEE OF THE WHOLE MEETING**

Monday, January 7, 2019, 1:00 P.M. - 4:00 P.M.

Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

1. **CALL TO ORDER:**

2. **INTRODUCTION OF LATE ITEMS:**

3. **APPROVAL OF THE AGENDA:**

4. **REPORTS:**

a. Council Code of Conduct 1:00 p.m. - 2:00 p.m.

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To be introduced by John Van Horne, Director of Human Resources.

*Purpose: To provide options for the creation of a Code of Conduct for Council, and receive further input on the development of a Code of Conduct for adoption by Council.*

Recommendation: That the Council Code of Conduct report dated 2019-JAN-07 be received for information, and that Council provide further direction to staff regarding the development of a Code of Conduct.

b. Committee Structure 2:00 p.m. - 4:00 p.m.

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To be introduced by Sheila Gurrie, City Clerk.

*Purpose: To provide Council with the historic and current structure of City of Nanaimo Committees.*

Presentation:

1. George Cuff, George B. Cuff & Associates, to join meeting electronically.

Recommendation: That the Committee Structure report dated 2019-JAN-07 be received for information.

5. **QUESTION PERIOD:**

6. ADJOURNMENT:

DATE OF MEETING JANUARY 7, 2019

AUTHORED BY JOHN VAN HORNE, DIRECTOR OF HUMAN RESOURCES

**SUBJECT Council Code of Conduct**

## **OVERVIEW**

### **Purpose of Report**

To provide options for the creation of a Code of Conduct for Council, and receive further input on the development of a Code of Conduct for adoption by Council.

### **Recommendation**

That the Council Code of Conduct report dated 2019-JAN-07 be received for information, and that Council provide further direction to staff regarding the development of a Code of Conduct.

## **DISCUSSION**

Codes of Conduct are found in many local governments, and serve as an over-arching expression of the way that Council and its members govern their interactions with each other, staff and the public. Members of Council have expressed the desire to develop and adopt such a document at the City of Nanaimo. In support of this initiative, staff have researched a few different examples for Council's consideration. Currently, Council conduct is spoken to only briefly in the Governance Protocol Policy (Attachment A).

Maple Ridge and Prince George have developed a Code of Conduct (see Attachments B and C) in the form of a policy. Policies have the advantage of being fairly easy to develop and modify as necessary, should new circumstances arise.

Port Moody and Lantzville, in contrast, either have or are considering a Code of Conduct in Bylaw form (see Attachment D and E). While a bylaw may not be as easy to modify as a policy is, one could argue that providing a bylaw to address this issue shows perhaps a higher level of commitment to upholding the principles of the Code of Conduct.

The Union of British Columbia Municipalities ("UBCM"), through its Working Group on Responsible Conduct, developed a Model Code of Conduct (see Attachment F) for use by local governments. This document addresses all of the key areas that such Codes generally cover, and is presented in a fill-in-the-blank format for quick and easy adoption. A draft of the UBCM-version of the Code of Conduct, with the City of Nanaimo's information included, is included as Attachment G.

Council, if it chose to do so, could spend a considerable amount of time developing a Code of Conduct from scratch, borrowing on examples from a number of places to find just the right expressions of its commitments and beliefs. However, Council has a number of priorities to

tackle in the coming year, and the UBCM has done this work already on behalf of all local governments in the province.

Should Council wish to proceed with developing a Code of Conduct using any of these models, staff will take direction from Council and bring forward a Code of Conduct for Council's adoption.

### **SUMMARY POINTS**

- Local governments have a variety of options for developing and presenting a Code of Conduct.
- Both policies and bylaws have benefits Council may wish to consider.
- The UBCM's Model Code of Conduct has simplified much of the work for local governments who want to adopt a Code of Conduct.

### **ATTACHMENTS**

Attachment A: Governance Protocol Policy  
Attachment B: Maple Ridge Code of Conduct  
Attachment C: Prince George Code of Conduct  
Attachment D: Port Moody Code of Conduct  
Attachment E: Lantzville Draft Code of Conduct  
Attachment F: UBCM Model Code of Conduct  
Attachment G: Draft Code of Conduct

### **Submitted by:**

John Van Horne  
Director of Human Resources



**CITY OF NANAIMO**  
THE HARBOUR CITY

## COUNCIL POLICY MANUAL

<b>Section:</b>	<b>Administration</b>	<b>1</b>
<b>Subsection:</b>	<b>Council - General</b>	<b>0530</b>
<b>Title:</b>	<b>Governance Protocol Policy</b>	<b>06</b>

### **POLICY**

Council wishes to:

- take positive steps to ensure all members of Council receive all necessary information to allow them to perform their duties to the City; and,
- ensure that all members of Council work together in a cooperative, respectful, and knowledgeable manner so as to best advance the interests of the City.

### **REASON FOR POLICY**

To provide Council with guidelines and protocol to assist in creating an effective, efficient and positive approach to dealing with Council matters.

### **AUTHORITY TO ACT**

Retained by Council.

### **PROCEDURE**

1. Mayor & Council (also referred to as "Council") will implement a portfolio system for interactions with residents and others on all City matters which may come to Council, such that at least two members of Council will work cooperatively on receipt and distribution of information to Council on any new initiatives, areas of interest, communications, meetings, and other interactions within that portfolio category;
2. The Acting Mayor will attend all public meetings and functions together with the Mayor or, if the then Acting Mayor is not available, the next Councillor designated in sequence to be Acting Mayor;
3. Council will encourage all persons making representations to the City to make such representations, where not directed to managers and/or staff, to the attention of "Mayor and Council" and copies of all incoming correspondence to any member of Council will be sent to all members of Council;

4. All members of Council will work together to ensure statements or information provided publicly, including to the media, accurately reflect the will and direction of Council, and to ensure any privately-held views are communicated with the respect due to each member of Council, all managers, employees, and volunteers, and with due regard to the reputation of the City;
5. All members of Council will ensure any expenses to be incurred by City at the individual desire of a member of Council is pre-authorized by the Director of Finance or his or her designate, excluding expenditures which are already pre-authorized by existing bylaws or policies, such approvals to be made in accordance with law and not to be unreasonably denied; and,
6. Council members will work together as a cooperative and cohesive group to ensure the objectives stated above are achieved and maintained so as to create an effective, efficient and positive approach to dealing with Council matters, the Chief Administrative Officer, the residents of the City, directors and staff, and the public.

Date:	2016-MAR-21	Approved by:	Council
Ratified:	2016-APR-04		Council
1. Amendment Date:			

## CITY OF MAPLE RIDGE

# COUNCIL CODE OF CONDUCT

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The City of Maple Ridge Council Code of Conduct details the shared expectations for responsible conduct as determined by the City of Maple Ridge Council for the 2018-2022 municipal term. Responsible conduct is grounded in conducting oneself with honesty, integrity, and in a way that furthers the City's ability to provide good governance to the community. Outcomes of responsible conduct include transparency, accountability, effective and efficient decision-making, and a safe and welcoming environment for everyone.

It is each Council member's individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public.

### STANDARDS OF CONDUCT FOR WORKING WITH EACH OTHER

As elected representatives of the City of Maple Ridge, we have a responsibility to listen, to consider, and to communicate respectfully with each other, staff, and members of the public to make decisions that shape our community. By working together with professionalism, respect, and open minds, we can be successful in our role as community leaders, regardless of differences of opinion.

To this end, we commit to:

- Demonstrating respect through:
  - Fostering a safe and welcoming space for debate and decision-making;
  - Professional and respectful verbal and body language;
  - Seeking to understand, and asking questions rather than making assumptions;
  - Arriving prepared for Council meetings and specific agenda items;
  - Approaching issues with an open mind to consider new information;
  - Directing critique at the issue, and not the individual that raises it;
  - Providing direct, honest and timely feedback to questions and concerns; and
  - Being sensitive to others' emotions when they are feeling very passionate about an issue.
  
- Ensuring commentary at Council meetings remains focused on the issues, avoiding repetition.
  
- Chairing meetings in a consistent manner that keeps the meeting on task, respects everyone's time, and ensures each member of Council has an equal opportunity to be heard.



- Making a collective effort to ensure a united voice for Council by:
  - Respecting the collective decision of Council when representing Council in other public forums and in intergovernmental relations;
  - Working together for effective governance; and
  - Holding each other accountable for our conduct.

## **STANDARDS OF CONDUCT FOR INTERACTING WITH THE PUBLIC**

As elected officials, our role is to listen to a wide variety of community stakeholders, deliberate as a Council, and make decisions on behalf of the City of Maple Ridge in a manner that is professional, inclusive, and maintains public confidence. Ensuring a fair, consistent, and professional process at Council meetings will support a welcoming environment in which all members of the community feel safe to share their views with Council.

To this end, we commit to:

- Maintaining a safe, professional and welcoming tone at the Council table through:
  - Respectful verbal and body language, making few interjections;
  - Seeking to understand, and asking questions in an inquiring tone;
  - Directing critique at the issue, and not the individual that raises it, understanding that speakers may be representing the view of their organization, not their own;
  - Avoiding repetition or re-stating what was just said;
  - Acknowledging how speakers are feeling, and recognizing the vulnerability that speakers may feel when presenting their issues to Council; and
  - Giving acknowledgement and thanks to members of the public for their contribution to the meeting.
- Fostering public confidence by:
  - Leading by example through respectful and professional conduct and an open mind;
  - Explaining meeting guidelines as appropriate;
  - Ensuring all members of the public are treated in the same manner and in accordance with this Code of Conduct;
  - Ensuring that the public feels heard by avoiding inflammatory comments;
  - Ensuring that Council is heard by those present and watching online by speaking clearly and at a moderate volume;
  - Diffusing elevated situations to promote a safe and respectful environment; and
  - Keeping the meeting on task, listening to all opinions and summarizing what was heard around the table when acting as Chair.

These commitments will be supported by City staff who will:

- Ensure high quality presentations are brought to the Council table;
- Ask members of the public to sign up to speak before the meeting starts; and
- Set speakers up for success by providing them with an orientation to the technology, the Council forum and time limits.



# CITY OF PRINCE GEORGE POLICY

## Council Code of Conduct

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Approved by Council: December 16, 2013

### **Purpose and Application:**

The residents of the City of Prince George are entitled to have a fair, ethical and accountable municipal Council that has earned the public's full confidence for integrity. The purpose of this Code is to establish guidelines for the ethical and interpersonal conduct of members of Council ("Members").

The public expects a responsive local government with the highest standards of professional conduct from Members elected to it. Honesty, integrity, objectivity, due diligence and accountability are some of the core ethical values reflected in this Code. Members are expected to perform their functions of office faithfully and to the best of their knowledge and ability, in accordance with these core ethical values.

This Code applies to all Members of City Council.

### **1. Act in the Public Interest**

Council shall act in the public interest by conducting its business with integrity, in a fair, honest and open manner.

### **2. Comply with the Laws**

Members shall comply with all applicable federal, provincial, and municipal laws in the performance of their public duties, including but not limited to: the *Local Government Act*, the *Community Charter*, the *Freedom of Information and Protection of Privacy Act*, the *Financial Disclosure Act*, and all applicable City bylaws and policies.



## **CITY OF PRINCE GEORGE POLICY**

### **3. Conduct of Members**

The conduct of members in the performance of their duties and responsibilities with the City must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the City staff or the public.

### **4. Respect for Process**

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the City Council governing the deliberation of public policy issues, involvement of the public, and implementation of policy decisions of the Council by City staff.

### **5. Conduct of Meetings**

Members shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. Members shall not interrupt other speakers, make personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of a meeting.

### **6. Decisions Based on Merit**

Members shall base their decisions on the relevant merits and substance of the matter at hand, including input received from City staff and the public.



## **CITY OF PRINCE GEORGE POLICY**

### **7. Sharing Substantive Information**

Subject to paragraph 10, members shall share with Council substantive information that is relevant to a matter under consideration by the Council, which they may have received from sources outside of the public decision-making process. If a member has a concern regarding whether the information received should be shared, the member shall first consult with the City Manager or Director of Legislative Services.

### **8. Conflict of Interest**

Members shall familiarize themselves and act in accordance with the provisions set out in the conflict of interest sections of the *Community Charter*.

### **9. Gifts**

Members must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of their duties, except in accordance with the provisions of the *Community Charter*.

### **10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel, legal affairs, or other information of the City distributed for the purposes of, or considered in, a closed Council meeting. Members shall neither disclose confidential information without proper authorization, nor use such information to advance their own or anyone's personal, financial or other private interests. Without limiting the generality of the foregoing, members shall not disclose Council resolutions or staff report contents from a closed meeting of Council unless and until a Council decision has been made for the information to become public, and shall not disclose detail on Council's closed meeting deliberations or how individual members voted on a question in a closed meeting.



# **CITY OF PRINCE GEORGE POLICY**

## **11. Use of Public Resources**

Members shall not use City public resources such as staff time, equipment, supplies or facilities, for private gain or personal purposes. Specifically, members shall not undertake municipal election campaign related activities at City Hall or on other premises owned by the City during regular working hours, unless such activities are organized by the City (e.g. all-candidate information sessions). Members shall not use City-owned equipment, technology or other property for municipal election campaign work (e.g. photocopiers, computers, etc.).

## **12. Advocacy**

Members shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council or the City, nor shall they allow the inference that they do.

## **13. Policy Role of Members**

Members shall respect and adhere to the Council-City Manager structure of municipal government as practised in the City. In this structure, the Council determines the policies of the City with the advice, information and analysis provided by the City staff and Council committees. Members therefore shall not interfere with the administrative functions of the City or with the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.

## **14. Positive Work Place Environment**

Members shall treat other members, the public and City staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Comments about City staff performance shall only be made to the City Manager through private correspondence or conversation.



## **CITY OF PRINCE GEORGE POLICY**

### **15. Member Questions/Inquiries to City Staff**

Member's requests for information from staff shall be directed to the City Manager, a Director, or the Superintendent of Operations. If the response constitutes more than a technical clarification, then the response shall be provided to all Members so that all members have access to the same information.

### **16. Implementation**

As an expression of the standards of conduct for members expected by the City, this Code is intended to be self-enforcing. This Code therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this Code shall be provided as information to candidates for Council. Members elected to Council shall be requested to sign a member statement affirming they have read and understand this Code, and that they agree to conduct themselves in accordance with it.

### **17. Compliance and Enforcement**

This Code expresses standards of ethical conduct expected for Members of Council. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the City.

The City will not retaliate against Members or City staff who, in good faith, report a known or suspected violation of this Code. No reprisals or threat of reprisals shall be made against such a complainant, or against anyone for providing relevant information in connection with a suspected violation of this Code. Members shall respect the integrity of this Code and the enforcement of it.

City Council may impose sanctions on members whose conduct does not comply with this Code, including but not limited to a motion of censure.



## **CITY OF PRINCE GEORGE POLICY**

To ensure procedural fairness, a member who is accused of violating any provision of this Code shall have a minimum of two weeks, or the time between two consecutive Council meetings, whichever is greater, to prepare his or her response to these allegations. Specifically, before considering a sanction, Council must ensure that a member is provided with:

1. a copy of a written report setting out the alleged breach of this Code, and possible sanctions that may be considered against him or her;
2. a minimum of two weeks, or the time between two consecutive meetings, whichever is greater, to prepare a response against any allegations and possible sanctions; and
3. an opportunity to make representations and be heard by Council.

A violation of this Code shall not be considered a basis for challenging the validity of a Council decision.



# City of Port Moody

## **Bylaw No. 3164**

A Bylaw to govern the conduct of members of Council.

The Council of the City of Port Moody enacts as follows:

### **1. Citation**

- 1.1 This Bylaw may be cited as "City of Port Moody Council Code of Conduct Bylaw, 2018, No. 3164".

### **2. Definitions**

2.1 In this Bylaw,

- a) "Administration" means the administrative and operational arm of the Municipality, composed of various departments and business units and including all employees who operate under the leadership and supervision of the City Manager;
- b) "City Manager" means the chief administrative officer of the Municipality, or any other person designated to act in the place of the City Manager;
- c) "Investigator" means Council or the individual or body appointed by Council to investigate and report on complaints;
- d) "Member" means a member of Council and includes a Councillor or the Mayor; and
- e) "Municipality" means the municipal corporation of the City of Port Moody.

### **3. Purpose and Application**

- 3.1 The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.

## 4. Representing the Municipality

### 4.1 Members shall:

- a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability, and transparency;
- c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council, and other bodies to which they are appointed by Council; and
- d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

## 5. Communicating on Behalf of the Municipality

5.1 A Member must not claim to speak on behalf of Council unless authorized to do so.

5.2 Unless Council directs otherwise, the Mayor is Council's official spokesperson and, in the absence of the Mayor, it is the Acting Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

5.3 A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.

5.4 No Member shall make a statement when they know that statement is false.

5.5 No Member shall make a statement with the intent to mislead Council or members of the public.

5.6 Member communication includes all forms of communication, including written, verbal, and social media.

## 6. Respecting the Decision-Making Process

6.1 Decision-making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in the Administration, agents, contractors, consultants, or other service providers or prospective vendors to the Municipality.

6.2 Members shall conduct and convey Council business and all their duties in an open and transparent manner, other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

- 6.3 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.
- 6.4 Council members have the right and responsibility to speak publicly and explain their position and agreement or disagreement with the overall Council decision.

## 7. Adherence to Policies, Procedures, and Bylaws

- 7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of British Columbia and the bylaws, policies, and procedures adopted by Council.
- 7.2 Members shall respect the Municipality as an institution, its bylaws, policies, and procedures and shall encourage public respect for the Municipality, its bylaws, policies, and procedures.
- 7.3 A Member must not encourage disobedience of any bylaw, policy, or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

## 8. Respectful Interactions with Council Members, Staff, the Public, and Others

- 8.1 Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
- 8.2 Members shall treat one another, employees of the Municipality, and members of the public with courtesy, dignity, and respect and without abuse, bullying, or intimidation.
- 8.3 No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality, or any member of the public.
- 8.4 No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.
- 8.5 Members shall respect the fact that employees in the Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
- 8.6 Members must not:
  - a) involve themselves in matters of Administration, which fall within the jurisdiction of the City Manager;
  - b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or

- c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

## 9. Confidential Information

- 9.1 Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public or until disclosure has been lawfully authorized.
- 9.2 Members shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.
- 9.3 No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.
- 9.4 Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order, or by contract, or is required to refuse to disclose under the *Freedom of Information and Privacy Protection Act* or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
  - a) personal information;
  - b) labour relations or other employee relations;
  - c) the security of the property of the Municipality;
  - d) a proposed or pending acquisition or disposition of land or other property;
  - e) law enforcement matters;
  - f) litigation or potential litigation, including matters before administrative tribunals;
  - g) advice subject to solicitor-client privilege;
  - h) contract negotiations and discussions respecting the proposed provision of a service; and
  - i) discussions with other levels of government.

## 10. Conflicts of Interest

- 10.1 Members have a statutory duty to comply with the Conflict of Interest provisions as set out in the *Community Charter*.
- 10.2 Members may request that the City Manager seek a legal opinion from the City Solicitor with respect to situations that may result in a real or perceived conflict of interest.
- 10.3 Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or associates, business or otherwise.
- 10.4 Members shall approach decision-making with an open mind that is capable of persuasion.

## 11. Improper Use of Influence

- 11.1 No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 11.2 No Member shall act as a paid agent to advocate on behalf of any individual, organization, or corporate entity before Council or a committee of Council or any other body established by Council.
- 11.3 Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4 Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members, or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

## 12. Use of Municipal Assets and Services

- 12.1 Members shall use municipal property, equipment, services, supplies, and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
  - a) municipal property, equipment, service, supplies, and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges; and
  - b) electronic communication devices, including but not limited to desktop computers, laptops, tablets, and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not offensive, inappropriate, or for personal gain.

## 13. Orientation and Other Training Attendance

- 13.1 Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
- 13.2 Unless excused by Council, every Member must attend the Elected Officials Seminar offered by the Local Government Leadership Academy in the first quarter of the year following local government elections.
- 13.3 Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.

## 14. Remuneration and Expenses

- 14.1 Members are stewards of public resources and shall avoid waste, abuse, and extravagance in the use of public resources.
- 14.2 Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies, and procedures regarding claims for remuneration and expenses.

## 15. Gifts and Hospitality

- 15.1 Members have a statutory duty to comply with provisions of the *Community Charter* on restrictions on accepting gifts.
- 15.2 Members shall not accept gifts, hospitality, or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 15.3 Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

## 16. Election Campaigns

- 16.1 No Member shall use any facilities, equipment, supplies, services, municipal logo, or other resources of the Municipality for any election campaign or campaign-related activity.

## 17. Informal Complaint Process

- 17.1 Any Member who has identified or witnessed conduct by a Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
  - a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop; or
  - b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Acting Mayor.
- 17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw; however, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

## 18. Formal Complaint Process

- 18.1 Any person who has identified or witnessed conduct by a Member that the person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
  - a) all complaints shall be made in writing and shall be dated and signed by an identifiable individual;
  - b) all complaints shall be addressed to the Investigator and Council may, in the case of any complaint, either appoint an Investigator, or investigate such complaint itself;
  - c) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;

- d) if the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator and be given the opportunity to provide an initial response to the complaint, prior to the decision being made as to whether to investigate, pursuant to section 18.1(e);
- e) upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint, including any initial response by the Member who is the subject of the complaint, and decide whether to proceed to investigate the complaint. If the Investigator is of the opinion that a complaint is frivolous, vexatious, or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- f) if the Investigator decides to investigate the complaint, the Investigator shall take such steps as may be considered appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- g) if the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation for Council's consideration, including any decision or imposition of a sanction and if Council is the Investigator and decides to investigate pursuant to section 18.1(f), such investigation shall be conducted pursuant to section 18.1(h) below;
- h) a Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations at the time of receipt by Council of the Investigator's report, where Council is not the Investigator and in any event before Council deliberates and makes any decision or any sanction is imposed; and
- i) a Member who is the subject of an investigation is entitled to be represented by legal counsel at the Council meeting where any decision is to be made or any sanction may be imposed, at the City's expense once, and subsequently, at the Member's sole expense, unless Council has, in advance, agreed to be responsible for such legal costs.

## 19. Compliance and Enforcement

- 19.1 Members shall uphold the letter, the spirit, and the intent of this Bylaw.
- 19.2 Members are expected to cooperate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 19.3 No Member shall:
  - a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person; or
  - b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

- 19.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
- a) a letter of reprimand addressed to the Member;
  - b) requesting that the Member issue a letter of apology;
  - c) publication of a letter of reprimand or request for apology and the Member's response;
  - d) requirement to attend training;
  - e) suspension or removal of the appointment of a Member as the Acting Mayor;
  - f) suspension or removal from some or all internal and external Council committees and bodies to which Council has the right to appoint members;
  - g) restricting the Member from attending events as a representative of Council;
  - h) imposing further limits on Council related travel or expenses beyond those set out in Corporate policies;
  - i) requiring the return of Municipal property provided for convenience;
  - j) limiting access to certain municipal facilities;
  - k) restricting how documents are provided to the Member; and
  - l) any other sanction Council deems reasonable and appropriate in the circumstances, provided that the sanction does not prevent a Member from fulfilling the legislated duties of a Member and the sanction is not contrary to Provincial Legislation.

## 20. Review

- 20.1 This Bylaw shall be brought forward for review at the beginning of each term of Council and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

## 21. Severability

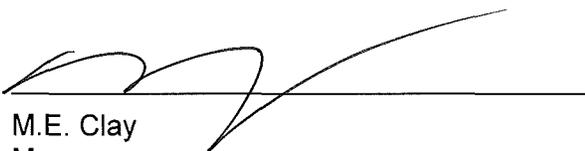
- 21.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**Read a first time** this 17<sup>th</sup> day of July, 2018.

**Read a second time** this 17<sup>th</sup> day of July, 2018.

**Read a third time** this 17<sup>th</sup> day of July, 2018.

**Adopted** this 24<sup>th</sup> day of July, 2018.

  
M.E. Clay  
Mayor

  
D. Shermer  
Corporate Officer

## **DISTRICT OF LANTZVILLE**

### **BYLAW NO. 171, 2018**

#### **A BYLAW TO GOVERN THE CONDUCT OF MEMBERS OF COUNCIL**

The Council of the District of Lantzville enacts as follows:

#### **1. CITATION**

This Bylaw may be cited as "District of Lantzville Council Code of Conduct Bylaw No. 171, 2018".

#### **2. DEFINITIONS**

2.1 In this Bylaw,

- a) "Administration" means the administrative and operational arm of the Municipality, composed of various departments and business units and including all employees who operate under the leadership and supervision of the Chief Administrative Officer;
- b) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality, or any other person designated to act in the place of the Chief Administrative Officer;
- c) "Investigator" means Council or the individual or body appointed by Council to investigate and report on complaints;
- d) "Member" means a member of Council and includes a Councillor or the Mayor; and
- e) "Municipality" means the municipal corporation of the District of Lantzville.

#### **3. PURPOSE AND APPLICATION**

3.1 The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards and shall apply to all of Council Committees and Commissions.

#### **4. REPRESENTING THE MUNICIPALITY**

4.1 Members shall:

- a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability, and transparency;
- c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council, and other bodies to which they are appointed by Council; and
- d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

**5. COMMUNICATING ON BEHALF OF THE MUNICIPALITY**

- 5.1 A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2 Unless Council directs otherwise, the Mayor is Council's official spokesperson and, in the absence of the Mayor, it is the Acting Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.3 A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.
- 5.4 No Member shall make a statement when they know that statement is false.
- 5.5 No Member shall make a statement with the intent to mislead Council or members of the public.
- 5.6 Member communication includes all forms of communication, including written, verbal, and social media.

**6. RESPECTING THE DECISION-MAKING PROCESS**

- 6.1 Decision-making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in the Administration, agents, contractors, consultants, or other service providers or prospective vendors to the Municipality.
- 6.2 Members shall conduct and convey Council business and all their duties in an open and transparent manner, other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.
- 6.4 Council members have the right to speak publicly and explain their position and agreement or disagreement with the overall Council decision. But must not demean, criticize, dispute or disrespect the decision of Council.

**7. ADHERENCE TO POLICIES, PROCEDURES, AND BYLAWS**

- 7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of British Columbia and the bylaws, policies, and procedures adopted by Council.
- 7.2 Members shall respect the Municipality as an institution, its bylaws, policies, and procedures and shall encourage public respect for the Municipality, its bylaws, policies, and procedures.

- 7.3 A Member must not encourage disobedience of any bylaw, policy, or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

**8. RESPECTFUL INTERACTIONS WITH COUNCIL MEMBERS, STAFF, THE PUBLIC, AND OTHERS**

- 8.1 Members shall act in a manner that demonstrates fairness and respect for individual differences and opinions and an intention to work together for the common good and in furtherance of the public interest.
- 8.2 Members shall treat one another, employees of the Municipality, and members of the public with courtesy, dignity, and respect and without abuse, bullying, or intimidation.
- 8.3 No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality, or any member of the public.
- 8.4 No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.
- 8.5 Members shall respect the fact that employees in the Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
- 8.6 Members must not:
- a) involve themselves in matters of Administration, which fall within the jurisdiction of the Chief Administrative Officer and are only to contact staff (including Municipal Officers), according to the procedures authorized by Council and the Chief Administrative Officer regarding the interaction of Council and Committee Members and Staff.
  - b) direct inquiries regarding departmental issues or questions to the Chief Administrative Officer and refrain from contacting Staff directly unless the communication is minor and of a day to day operational nature.
  - c) issue instructions to any of the Districts contractors, tenders, consultants or other service providers unless expressly authorized to do so.
  - d) publish or report information or make statements attacking or reflecting negatively on Staff, Council or Committee Members. Any complaint should be brought to the attention of the Chief Administrative Officer for follow-up.
  - e) use information in a Council or political debate, without first providing a copy to all other Council Members and to the Chief Administrative Officer.
  - f) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
  - g) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

**9. CONFIDENTIAL INFORMATION**

- 9.1 Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public or until disclosure has been lawfully authorized.
- 9.2 Members shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.
- 9.3 No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.
- 9.4 Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order, or by contract, or is required to refuse to disclose under the *Freedom of Information and Protection of Privacy Act* or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
  - a) personal information;
  - b) labour relations or other employee relations;
  - c) the security of the property of the Municipality;
  - d) a proposed or pending acquisition or disposition of land or other property;
  - e) law enforcement matters;
  - f) litigation or potential litigation, including matters before administrative tribunals;
  - g) advice subject to solicitor-client privilege;
  - h) contract negotiations and discussions respecting the proposed provision of a service; and
  - i) discussions with other levels of government.

**10. CONFLICTS OF INTEREST**

- 10.1 Members have a statutory duty to comply with the Conflict of Interest provisions as set out in the *Community Charter*.
- 10.2 Members may request that the Chief Administrative Officer seek a legal opinion from the City Solicitor with respect to situations that may result in a real or perceived conflict of interest.
- 10.3 Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or associates, business or otherwise.
- 10.4 Members shall approach decision-making with an open mind that is capable of persuasion.

## **11. USE OF SOCIAL MEDIA**

- 11.1 Members must not purport to speak in behalf of the District or Council unless expressly authorized to do so.
- 11.2 Members will use caution in reporting Councils decision-making by way of the social media profiles and websites before the District has released any formal communication.
- 11.3 When speaking for themselves as individual Members on social media or to the press, a Member will include “in my opinion” or use a similar disclaimer to ensure it is expressly clear that they are speaking for themselves and not the District or Council as a whole.
- 11.4 Members will refrain from using or permitting the use of their social media accounts for the purposes that include:
  - a) defamatory remarks, obscenities, profane language or sexual content;
  - b) negative statements disparaging staff or calling into question the professional capabilities of staff;
  - c) content that endorses, promotes or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
  - d) statements that indicate a closed mind in relation to a matter that is to be the subject of a statutory or other public hearing; or,
  - e) promotion of illegal activity.
- 11.5 Members must immediately take measures to deal with the publication of messages or postings by others that violate the terms of these codes of conduct.

## **12. IMPROPER USE OF INFLUENCE**

- 12.1 No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 12.2 No Member shall act as a paid agent to advocate on behalf of any individual, organization, or corporate entity before Council or a committee of Council or any other body established by Council.
- 12.3 Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 12.4 Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members, or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

## **13. USE OF MUNICIPAL ASSETS AND SERVICES**

- 13.1 Members shall use municipal property, equipment, services, supplies, and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:

- a) municipal property, equipment, service, supplies, and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges; and
- b) electronic communication devices, including but not limited to desktop computers, laptops, tablets, and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not offensive, inappropriate, or for personal gain.

#### **14. ORIENTATION AND OTHER TRAINING ATTENDANCE**

- 14.1 Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
- 14.2 Unless excused by Council, every Member must attend the Elected Officials Seminar offered by the Local Government Leadership Academy in the first quarter of the year following local government elections.
- 14.3 Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.

#### **15. REMUNERATION AND EXPENSES**

- 15.1 Members are stewards of public resources and shall avoid waste, abuse, and extravagance in the use of public resources.
- 15.2 Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies, and procedures regarding claims for remuneration and expenses.

#### **15. GIFTS AND HOSPITALITY**

- 15.1 Members have a statutory duty to comply with provisions of the *Community Charter* on restrictions on accepting gifts.
- 15.2 Members shall not accept gifts, hospitality, or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 15.3 Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

#### **16. ELECTION CAMPAIGNS**

- 16.1 No Member shall use any facilities, equipment, supplies, services, municipal logo, or other resources of the Municipality for any election campaign or campaign-related activity.

#### **17. INFORMAL COMPLAINT PROCESS**

- 17.1 Any Member who has identified or witnessed conduct by a Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:

- a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop; or
- b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Acting Mayor.

17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw: however, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

## **18. FORMAL COMPLAINT PROCESS**

18.1 Any person who has identified or witnessed conduct by a Member that the person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:

- a) all complaints shall be made in writing and shall be dated and signed by an identifiable individual;
- b) all complaints shall be addressed to the Investigator and Council may, in the case of any complaint, either appoint an Investigator, or investigate such complaint itself;
- c) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation:
- d) if the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator and be given the opportunity to provide an initial response to the complaint, prior to the decision being made as to whether to investigate, pursuant to section 18.1(e);
- e) upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint, including any initial response by the Member who is the subject of the complaint, and decide whether to proceed to investigate the complaint. If the Investigator is of the opinion that a complaint is frivolous, vexatious, or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- f) if the Investigator decides to investigate the complaint, the Investigator shall take such steps as may be considered appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;

- g) if the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation for Council's consideration, including any decision or imposition of a sanction and if Council is the Investigator and decides to investigate pursuant to section 18.1(f), such investigation shall be conducted pursuant to section 18.1(h) below;
- h) a Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations at the time of receipt by Council of the Investigator's report, where Council is not the Investigator and in any event before Council deliberates and makes any decision or any sanction is imposed; and
- i) a Member who is the subject of an investigation is entitled to be represented by legal counsel at the Council meeting where any decision is to be made or any sanction may be imposed, at the Districts expense once, and subsequently, at the Member's sole expense, unless Council has, in advance, agreed to be responsible for such legal costs.

## **19. COMPLIANCE AND ENFORCEMENT**

19.1 Members shall uphold the letter, the spirit, and the intent of this Bylaw.

19.2 Members are expected to cooperate in every way possible in securing compliance with the application and enforcement of this Bylaw.

19.3 No Member shall:

- a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person; or
- b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

19.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:

- a) a letter of reprimand addressed to the Member;
- b) requesting that the Member issue a letter of apology;
- c) publication of a letter of reprimand or request for apology and the Member's response;
- d) requirement to attend training;
- e) suspension or removal of the appointment of a Member as the Acting Mayor;
- f) suspension or removal from some or all internal and external Council committees and bodies to which Council has the right to appoint members;
- g) restricting the Member from attending events as a representative of Council;
- h) imposing further limits on Council related travel or expenses beyond those set out in Corporate policies;
- i) requiring the return of Municipal property provided for convenience;
- j) limiting access to certain municipal facilities;

- k) restricting how documents are provided to the Member; and
- l) any other sanction Council deems reasonable and appropriate in the circumstances, provided that the sanction does not prevent a Member from fulfilling the legislated duties of a Member and the sanction is not contrary to Provincial Legislation.

**20. REVIEW**

20.1 This Bylaw shall be brought forward for review at the beginning of each term of Council and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

**21. SEVERABILITY**

21.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**READ A FIRST TIME** on the day of , 2018.

**READ A SECOND TIME** on the day of , 2018.

**READ A THIRD TIME** on the day of , 2018.

**ADOPTED** on the day of , 2018.

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Mayor

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Director of Corporate Administration

MODEL CODE OF CONDUCT

# Getting Started on a Code of Conduct for Your Council / Board

*Produced by the Working Group on Responsible Conduct*

*August 2018*



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*The Working Group on Responsible Conduct* is a joint initiative between the Union of BC Municipalities, the Local Government Management Association, and the Ministry of Municipal Affairs & Housing. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.

## INTRODUCTION & EXPLANATORY NOTES

### What is a Code of Conduct?

- A Code of Conduct is a written document that sets shared expectations for conduct or behaviour. A local government council or board can adopt a Code of Conduct to establish shared expectations for how members should conduct themselves while carrying out their responsibilities and in their work as a collective decision-making body for their community.
- Responsible conduct of elected officials is not optional; it is essential to good governance. Responsible conduct is grounded in conducting oneself according to principles such as honesty and integrity, and in a way that furthers a local government’s ability to provide good governance to their community (e.g. governing in a way that is transparent, ethical, accountable, respectful of the rule of law, collaborative, effective, and efficient).
- A Code of Conduct is one tool that can be used by a local government council or board to promote or further responsible conduct.

### What is the purpose of this document?

- The purpose of this document is to provide local government council or board members with a model Code of Conduct which establishes a set of principles and general standards of conduct that can be used as a starting point to develop their own Code of Conduct.
- This model Code of Conduct may also be useful for councils or boards who already have a Code of Conduct in place, but wish to review or refresh the document following the 2018 general local elections.
- The Working Group on Responsible Conduct has also developed a “Companion Guide” to accompany this document that provides discussion questions, things to keep in mind, and other tips to facilitate a council or board’s conversation in developing a Code of Conduct.
- The general standards of conduct set out in this model Code of Conduct reflect the foundational principles of integrity, respect, accountability, and leadership and collaboration.<sup>1</sup> Every Code of Conduct should be built on these key foundational principles.
- Councils or boards may choose to customize and expand on the general standards of conduct provided in this model Code of Conduct by:
  - Adding examples of specific behaviours or other details to further elaborate on the standards of conduct that are provided;
  - Including additional standards of conduct that address topics of importance to the council or board and which are not directly dealt with by the standards of conduct already provided; and/or
  - Incorporating, referencing or attaching other policies that are generally related to responsible conduct (such as social media policies), where a council or board feels it is appropriate.

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<sup>1</sup> The Working Group on Responsible Conduct identified four foundational principles that can be used to guide the conduct of local elected officials in B.C. More information about these principles can be found [here](#).

## What are some considerations in developing and using a Code of Conduct?

- In developing a Code of Conduct, council or board members should consider not just the content of the Code of Conduct, but also how to make it meaningful for members, both as individuals and as a collective decision-making body. While there is no 'right' way to develop and use a Code of Conduct, councils or boards should consider the following to maximize the effectiveness of their Code of Conduct:
  - *Don't overlook the importance of the process when developing and adopting a Code of Conduct:* How a Code of Conduct is developed and adopted matters; providing opportunities for council or board members to discuss the language and content of the Code of Conduct and how it can best be customized to meet the needs of the council or board, and individual members, is important to ensure its effectiveness. Discussing shared expectations as a part of the orientation process for newly elected officials, or including the Code of Conduct as an outcome of a strategic planning process (with dedicated follow-up opportunities for development) could be good ways of ensuring a Code of Conduct is adopted in a meaningful way.
  - *Make the Code of Conduct meaningful:* Finding ways to integrate the Code of Conduct into the council or board's ongoing governance will help ensure that it remains a relevant and effective living document. For instance, some councils or boards may choose to refer to the Code of Conduct at every meeting; others may have a copy included in every agenda package or framed on the wall in the meeting room or placed on the desk of each elected official as a regular point of reference.
  - *Make sure the Code of Conduct is consistent with existing laws and policies:* Council or board members may include a variety of topics in their Code of Conduct. Where existing laws or policies deal with topics they choose to include in their Code of Conduct (i.e. privacy legislation; Human Resources policies; etc.), they must ensure that their Code of Conduct is consistent with those laws and policies.
  - *Offer ongoing advice, education and support:* A council or board will also want to consider how members can best be supported in working with their Code of Conduct. This could include, for example, general education around the purpose of Codes of Conduct, opportunities for members to receive specific advice on how the Code of Conduct should be interpreted and applied, as well as other ongoing opportunities for support and education – for example, orientation when new members join the council or board or regular debriefings following council or board meetings to discuss how effectively the Code of Conduct guided the discussion.
  - *Revisit it regularly:* Council or board members should approach their Code of Conduct as a living document to be reviewed and amended from time to time, to ensure that it remains a relevant and effective tool.

## MODEL CODE OF CONDUCT <sup>2</sup>

### A. INTRODUCTION

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the [city / municipality / regional district / district] of [name of local government].

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

### B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT

This Code of Conduct applies to the members of [city / municipality / regional district / district] of [name of local government]. It is each member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public.

Elected officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually or as a collective council or board.

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<sup>2</sup> Some sections of this Code of Conduct include additional information in a shaded box. This information is for guidance and context only, and is not intended to be included in a local government’s Code of Conduct.

## C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT

### **Information about the Foundational Principles:**

*The foundational principles of integrity, respect, accountability and leadership and collaboration have been identified by the Working Group on Responsible Conduct as being important to promoting and furthering responsible conduct and should be incorporated into every Code of Conduct.*

*A high-level definition of each foundational principle, along with a general description of the type of conduct that upholds each principle, is provided below. These principles are intended to provide members with a shared understanding of responsible conduct and guide them in fulfilling their roles and responsibilities both as individual elected officials and as a collective council or board. Key standards of conduct are set out in subsequent sections of this model Code of Conduct to provide specific examples of the types of conduct that demonstrate the foundational principles.*

*These four principles, in conjunction with the key standards of conduct, can be used as a guide for elected officials against which to assess their own conduct.*

1. **Integrity** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.
2. **Respect** – means having due regard for others’ perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government.
3. **Accountability** – means an obligation and willingness to accept responsibility or to account for ones actions. Conduct under this principle is demonstrated when council or board members, individually and collectively, accept responsibility for their actions and decisions.
4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when a council or board member encourages individuals to work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

## **D. OPTIONAL: VALUE STATEMENTS**

### ***Information about including Value Statements:***

*A council or board may wish to customize their Code of Conduct to include ‘value statements’. These are high-level statements that identify the values that the council or board consider important and feels should be included for context in their Code of Conduct.*

*A council or board may find the “Companion Guide” to this Code of Conduct useful as they consider how ‘value statements’ may be incorporated into their own Code of Conduct.*

## **E. STANDARDS OF CONDUCT**

### ***Information about the Standards of Conduct:***

*The following section provides general standards of conduct that reflect the foundational principles identified above. A council or board can customize their Code of Conduct by including additional standards of conduct, or by expanding on existing standards of conduct to more clearly demonstrate how a member can exemplify responsible conduct.*

*A council or board may find the “Companion Guide” to this Code of Conduct useful as they consider how these general standards of conduct may be customized to best fit their needs.*

***Integrity:*** Integrity is demonstrated by the following conduct:

- Members will be truthful, honest, and open in all dealings, including those with other members, staff and the public.
- Members will ensure that their actions are consistent with the shared principles and values collectively agreed to by the council or board.
- Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community.
- Members will direct their minds to the merits of the decisions before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of those decisions.
- Members will behave in a manner that promotes public confidence in all of their dealings.

**Respect:** Respect is demonstrated through the following conduct:

- Members will treat every person with dignity, understanding, and respect.
- Members will show consideration for every person’s values, beliefs, and contributions to discussions.
- Members will demonstrate awareness of their own conduct, and consider how their words or actions may be perceived as offensive or demeaning.
- Members will not engage in behaviour that is indecent, insulting or abusive. This behaviour includes unwanted physical contact, or other aggressive actions that may cause any person harm or makes them feel threatened.

**Accountability:** Accountability is demonstrated through the following conduct:

- Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective council or board.
- Members will listen to and consider the opinions and needs of the community in all decision-making, and allow for appropriate opportunities for discourse and feedback.
- Members will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

**Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

- Members will behave in a manner that builds public trust and confidence in the local government.
- Members will consider the issues before them and make decisions as a collective body. As such, members will actively participate in debate about the merits of a decision, but once a decision has been made, all members will recognize the democratic majority, ideally acknowledging its rationale, when articulating their opinions on a decision.
- Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other members and staff to provide their perspectives on relevant issues.

- As leaders of their communities, members will calmly face challenges, and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues and staff to do the same.
- Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other members, staff, and the public.
- Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

## **F. OPTIONAL: ADDITIONAL POLICIES**

### ***Information about including Additional Policies:***

*A council or board may choose to include additional policies as part of their Code of Conduct. These additional policies may be useful in addressing matters of importance that require deeper attention or that are connected to the four foundational principles. Some examples of the types of policies that a council or board could include are provided below.*

*A council or board may want to consult the “Companion Guide” for tips and resources for including additional policies (e.g. examples of social media policies from particular local governments).*

### **Policies About Communications**

- *Use of social media by members.*
- *How members communicate as representatives of the local government.*

### **Policies About Personal Interaction**

- *Interactions between members and others, such as the public, staff, bodies appointed by the local government, and other governments and agencies (e.g. respectful workplace policies).*
- *Roles and responsibilities of staff and elected officials.*

### **Policies About How Information is Handled**

- *Proper handling and use of information, including information which is confidential or otherwise protected and is made available to members in the conduct of their responsibilities.*
- *Retention and destruction of records.*
- *How and when information that was relevant to the decision making process is made publicly available.*

### **Policies About Other Matters**

- *Creation, use, and retention of the local government’s intellectual property.*
- *Personal use of local government resources.*
- *Receipt of gifts and personal benefits by members.*
- *Provision of remuneration, expenses or benefits to members in relation to their duties as members.*

## CITY OF NANAIMO



### Council Policy

<b>Policy: Code of Conduct</b>	<b>Number:</b>
<b>Applies To: Council</b>	<b>Effective Date:</b>

## INTRODUCTION

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the City of Nanaimo. We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration. In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

## HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT

This Code of Conduct applies to the members of the City of Nanaimo. It is each member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public. Elected officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually or as a collective council.

## FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT

1. **Integrity** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.

2. **Respect** – means having due regard for others’ perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government.

3. **Accountability** – means an obligation and willingness to accept responsibility or to account for ones actions. Conduct under this principle is demonstrated when council members, individually and collectively, accept responsibility for their actions and decisions.

4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when a council member encourages individuals to

work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

## STANDARDS OF CONDUCT

***Integrity:*** Integrity is demonstrated by the following conduct:

1. Members will be truthful, honest, and open in all dealings, including those with other members, staff and the public.
2. Members will ensure that their actions are consistent with the shared principles and values collectively agreed to by the council.
3. Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community.
4. Members will direct their minds to the merits of the decisions before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of those decisions.
5. Members will behave in a manner that promotes public confidence in all of their dealings.

***Respect:*** Respect is demonstrated through the following conduct:

1. Members will treat every person with dignity, understanding, and respect.
2. Members will show consideration for every person's values, beliefs, and contributions to discussions.
3. Members will demonstrate awareness of their own conduct, and consider how their words or actions may be perceived as offensive or demeaning.
4. Members will not engage in behaviour that is indecent, insulting or abusive. This behaviour includes unwanted physical contact, or other aggressive actions that may cause any person harm or makes them feel threatened.

***Accountability:*** Accountability is demonstrated through the following conduct:

1. Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective council.
2. Members will listen to and consider the opinions and needs of the community in all decision- making, and allow for appropriate opportunities for discourse and feedback.
3. Members will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

**Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

1. Members will behave in a manner that builds public trust and confidence in the local government.
2. Members will consider the issues before them and make decisions as a collective body. As such, members will actively participate in debate about the merits of a decision, but once a decision has been made, all members will recognize the democratic majority, ideally acknowledging its rationale, when articulating their opinions on a decision.
3. Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other members and staff to provide their perspectives on relevant issues.
4. As leaders of their communities, members will calmly face challenges, and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues and staff to do the same.
5. Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other members, staff, and the public.
6. Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

DATE OF MEETING JANUARY 7, 2019  
AUTHORED BY SKY SNELGROVE, STENO COORDINATOR  
**SUBJECT COMMITTEE STRUCTURE**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with the historic and current structure of City of Nanaimo Committees.

### **Recommendation**

That the Committee Structure report dated 2019-JAN-07 be received for information.

## **DISCUSSION**

At the 2018-DEC-17 Special Committee of the Whole Meeting, Council identified a review of the current committee structure as a Council priority.

Currently, the only active committees are the Committee of the Whole, Finance and Audit Committee and the Community Engagement Task Force. Committees, excluding those noted, are on hold pending a review of the committee structure by Council. This session will be the first Council discussion regarding committee structure and further discussions may occur following the development of the Strategic Plan and input from the Community Engagement Task Force. Mr. George Cuff, local government expert, is expected to participate in the meeting electronically to discuss the concept of a Governance and Priorities Committee.

In the summer of 2016 the City hired a consultant to undertake a review of the committee structure, provide a comparison to other municipalities and provide general observations about the City's committees and commissions. The consultant's findings and a proposed committee structure were presented to Council at the July 11, 2016 Council Meeting (Attachment A). Council directed staff to proceed with the new committee structure (Attachment B) and directed staff to finalize operating guidelines and terms of reference for each committee. Terms of reference for each of the starred advisory committees below were brought to Council and approved at the November 28, 2016 Special Council Meeting (Attachment C). Committee membership is comprised of a member of Council as chair, various members at large from the community and a non-voting staff liaison.

### Advisory Committees/Task Forces:

- Cannabis Task Force (mandate completed)
- Community Engagement Task Force (CETF), member at large chair
- Community Planning and Development Committee\* (CPD)
- Community Vitality Committee\* (CV)
- Design Advisory Panel\* (DAP)
- Finance and Audit Committee\* (F&A)

Nanaimo Youth Advisory Council\* (NYAC)  
Parks, Recreation and Wellness Committee\* (PRW)  
Public Safety Committee\* (PS)  
Public Works and Engineering Committee\* (PWE)

Boards:

Board of Variance

Panel:

Parcel Tax Review Panel

The committee structure prior to July 2016 included the following committees, commissions and working groups, of which the terms of reference are attached for information (Attachment D). Various committees, such as the Nanaimo Economic Development Corporation Nominating Committee, were struck for a specific purpose and are no longer relevant. Each committee included a non-voting staff liaison, council representatives and members of the public.

Advisory Committees:

Advisory Committee on Environmental Sustainability  
City Manager Selection Committee  
Core Services Review Steering Committee  
Design Advisory Panel  
Grants Advisory Committee  
Nanaimo Economic Development Corporation Nominating Committee  
Nanaimo Youth Advisory Council  
Planning and Transportation Advisory Committee  
Red/Green Tape Committee  
Safer Nanaimo Advisory Committee  
Social Planning Advisory Committee  
South Downtown Waterfront Committee  
Terminal/Nicol Corridor Streetscape Project Technical Steering Committee  
Water Supply Advisory Committee

Commissions:

Nanaimo Culture & Heritage Commission  
Parks and Recreation Commission  
Parks and Recreation Commission – Parks Sub Committee  
Parks and Recreation Commission – Recreation Sub Committee

Boards:

Board of Variance

Review Panel:

Parcel Tax Review Panel

Liaison Committees:

Nanaimo First Nations (Snuneymuxw) Liaison Committee/Protocol Working Group  
Tripartite (Port of Nanaimo, City, Snuneymuxw First Nation) Working Group

Sections 141 and 142 of Division 4 of the *Community Charter* provide for the categories of committees a municipality may create and utilize. There are two types of committees, standing committees and select committees. Standing committees are established by the Mayor for matters the Mayor considers would be better dealt with by committee. At least half the members of standing committees must be Council members. Select committees are

established by Council to consider or inquire into any matter and to report its finding and opinion to Council. At least one member of a select committee must be a council member.

Included in Attachment C are the approved Committee Operating Guidelines which provide guidance for staff and committee members related to roles and responsibilities. Section 42 of “Council Procedure Bylaw 2018 No. 7272” (Procedure Bylaw) provides regulations for the general duties of standing and select committees, excluding the Committee of the Whole:

*“Duties of Standing Committees*

- 42.1 *This part applies, where applicable, to all Committees of the City, except for COW.*
- 42.2 *A Standing Committee will consider, inquire into, report and make recommendations to Council about all of the following matters:*
- (a) matters that are related to the general subject indicated by the name of the committee;*
  - (b) matters that are assigned by Council; or,*
  - (c) matters that are assigned by the Mayor.*
- 42.3 *A Standing Committee will report and make recommendations to Council at all of the following times;*
- (a) in accordance with the schedule of the Standing Committee’s meetings; and,*
  - (b) on matters that are assigned by Council or the Mayor,*
    - (i) as required by Council or the Mayor; or,*
    - (ii) as soon as possible if the Council or Mayor does not specify a time.*

*Duties of Select Committees*

- 43.1 *A Select Committee will consider, inquire into, report and make recommendations to Council about all matters referred to the Select Committee by the Council.*
- 43.2 *The Select Committee will report and make recommendations to Council.”*

Part VIII of the Procedure Bylaw provides for the procedures for Committee of the Whole Meetings. The intent of the Committee of the Whole is to provide Council with a less formal meeting where items brought to the table can be fully discussed prior to proceeding to a Council meeting to be voted on. Prior to the adoption of the Procedure Bylaw, the Committee of the Whole was delegated the authority of Council, through “Delegation of Council Powers Bylaw 2012 No. 7148” and made decisions on Council matters, excluding those exceptions listed in the *Community Charter*.

**SUMMARY POINTS**

- Committee Terms of Reference prior to July 2016 are provided for information.
- Current Committee Terms of Reference are attached for Council’s review.
- The only active committees at this time are the Committee of the Whole, Finance and Audit Committee and Community Engagement Task Force.

## **ATTACHMENTS**

- Attachment A: Report to Council and consultant's report 2016-JUL-11
- Attachment B: Resolution Passed 2016-JUL-11 re: Committee Structure
- Attachment C: Report to Council 2016-NOV-28, current Committee Terms of Reference and Operating Guidelines.
- Attachment D: Historical Committee Terms of Reference
- Attachment E: George Cuff Documents

### **Submitted by:**

Sky Snelgrove  
Steno Coordinator, Legislative Services

### **Concurrence by:**

Sheila Gurrie  
City Clerk and Corporate Officer



DATE OF MEETING July 11, 2016  
 AUTHORED BY SHEILA GURRIE, CORPORATE OFFICER  
 SUBJECT COMMITTEE STRUCTURE

### **OVERVIEW**

#### **Purpose of Report**

To obtain Council direction regarding committee structure.

#### **Recommendation**

That Council:

1. retain all mandatory committees and commissions;
2. amalgamate the remaining 11 committees into 6 committees;
3. direct Staff to reconvene the 6 amalgamated committees for review of terms of reference; and,
4. direct Staff to draft operating guidelines for each committee and return to the 2016-SEP-19 Council Meeting.

### **BACKGROUND**

The *Community Charter* provides legislative authority for Council to establish committees. The purpose of committees is to assist Council to carry out its statutory governance functions. In 2013 the Watson report held that the existing approach to striking Council committees is ad hoc, inconsistent and confusing with respect to mandates, roles/responsibilities, and reporting.

Staff reviewed the recommendations regarding committee structures in the following documents: (1) Watson Report; (2) Core Services Review Report; (3) Committee Member Survey; and, (4) Review of Committees and Commissions (Review of Committees and Commissions is Attachment A).

The existing committee structure is not well aligned with Council's priorities and the number of committees requires significant staff time and resources. As a result, staff recommends a more integrated approach to Council's committee structure.

The new structure would consist of the existing statutorily required committees (Board of Variance, Parcel Tax Roll Review Panel etc.) and the following six committees (see page six of Attachment A). For a complete explanation of Terms of Reference see Attachment B.

**Public Safety Committee (Enhanced):** The Public Safety Committee is responsible for maintaining and enhancing a safe and healthy community that promotes and supports quality of life while encouraging resident involvement and input.

**Finance & Audit Committee (New):** The Committee's purpose is to assist Council in fulfilling its oversight responsibilities over the finances of the City of Nanaimo in accordance with provisions of the *Community Charter* by providing advice on the following: financial; enterprise risk; community investment; and subsidiary companies and services agreements.

**Culture, Heritage & Social Planning Committee (Amalgamation):** The purpose of the Committee is to bring together diverse community members to integrate community programming for arts, culture, heritage and social planning in order to support an inclusive community for everyone regardless of age, economic-social status and ethnic heritage.

**Parks, Recreation & Wellness Committee (Enhanced):** The purpose of the Committee is to provide a forum for the community to provide Council and staff input on creating and operating park, recreation and wellness programming that meets all needs of the community in a sustainable and dynamic way.

**Public Works Committee (New):** The purpose of the Committee is to provide a forum for Council and staff to seek input from the community and subject matter experts on Public Works & Engineering matters including asset management and transportation.

**Community Planning & Development Committee (Enhanced):** The objective of the Committee is to bring a broad community-based perspective to the monitoring, implementation, and amendment of the City's Official Community Plan (OCP), Transportation Plan, Zoning Bylaw and associated plans.

## OPTIONS

1. That Council:

1. retain all mandatory committees and commissions;
2. amalgamate the remaining 11 committees into 6 committees;
3. direct Staff to reconvene the 6 amalgamated committees for review of terms of reference; and,
4. direct Staff to draft operating guidelines for each committee and return to the 2016-SEP-19 Council Meeting.

2. That Council:

1. direct Staff to retain the current committee structure,
2. allocate \$2000 per year per committee for operating costs; and,
3. authorize an additional full time employee in the Legislative Services Department as administrative support.

**SUMMARY POINTS**

- The existing committee structure is not well aligned with Council's priorities and the number of committees requires significant staff time and resources.
- Staff reviewed the recommendations regarding committee structures in the following documents: (1) Watson Report; (2) Core Services Review Report; (3) Committee Member Survey; and, (4) Review of Committees and Commissions.
- Staff recommends a more integrated approach to Council's committee structure.

**ATTACHMENTS**

ATTACHMENT A – Review of Committees and Commissions.

ATTACHMENT B – Committee Terms of Reference.

**Submitted by:**



Sheila Gurrie  
Corporate Officer

**Concurrence by:**



Tracy Samra  
CAO

# City of Nanaimo

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## Review of Committees and Commissions

**Lisa M. Zwarn**

**July 4, 2016**

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## **1.0 Introduction**

The City of Nanaimo (the “City”) would like a review of its proposed Committee and Commissions structure and terms of reference in order to identify any gaps in what is being proposed, to compare its committee structure to the structures used by other BC local governments and to offer some general observations about committees and commissions.

This review is not intended to be a comprehensive assessment of the proposed structure but is intended to provide some additional perspective on what is being proposed.

This review does not examine how the City currently employs Committee of the Whole as part of its governance structure. The function and operation of Committee of the Whole should be considered as part of the update of the City’s Council Procedure Bylaw.

## 2.0 Review of the Proposed Committees and Commissions

### 2.1 Background

Currently the City has 11 advisory committees and commissions which are as follows:<sup>1</sup>

1. Advisory Committee on Environmental Sustainability
2. Design Advisory Panel
3. Grants Advisory Committee
4. Nanaimo Culture & Heritage Commission
5. Nanaimo Economic Development Corporation Nominating Committee
6. Parks and Recreation Commission
7. Planning and Transportation Advisory Committee
8. Safer Nanaimo Advisory Committee
9. Social Planning Advisory Committee
10. Water Supply Advisory Committee
11. Nanaimo Youth Advisory Council.

These particular committees and commissions are under the authority of Council which has the ability to alter their composition and mandate.

There are other groups<sup>2</sup> for which the City is mandated by the legislation to have (such as the Board of Variance and the Parcel Tax Review Panel<sup>3</sup>) or has a Council representative for an external organization's governing bodies (such as Library Board, Airport Commission, Port Authority, Municipal Insurance Association). Because of the nature of these types of groups, the City does not have

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<sup>1</sup> Five committees are or will no longer necessary as specific events have occurred or will occur which render those committees no longer necessary. These committees are (1) City Manager Selection Committee (hiring of new City Manager); (2) Core Services Review Steering Committee (project completed); (3) Red/Green Tape Committee (N/A); (4) South Downtown Waterfront Committee (completion of the project); and (5) Terminal/Nicol Corridor Streetscape Project Technical Steering Committee (completion of the project or July, 2016, whichever occurs first).

<sup>2</sup> There are 12 of these such groups.

<sup>3</sup> The mandate for these groups is set out in legislation.

authority to alter the composition or direct the operations of these groups unilaterally.

Concerns have arisen about the committees, their structures and their operations. Some of these concerns include:

- Inability to support these committees administratively with existing resources;
- Additional impacts on the organization in terms of overtime costs and impacts on staff workloads;
- Lack of clarity of the mandate as well as the roles and responsibilities of the committees and commissions;
- Confusion over the degree of authority delegated by Council to the committees and commissions;
- Degree to which organizational interests are secondary to other interests;
- Administrative challenges such as lengthy meetings, agenda and minute taking inconsistencies, disparity in reporting back to Council.

Staff has reviewed the nature of the enumerated committees and commissions in order to create a more cohesive and higher functioning committee system that addresses some of the concerns identified.

Staff has considered several options which are:

- (a) Maintain the current committee structure with the existing committee with the following modifications:
  - i. The addition of a FTE to serve as the committee coordinator in the legislative services department; and
  - ii. The allocation of budget to cover the operating costs of these committees which is recommended at \$2,000 per year per committee;
- (b) Implement Integrated Commission Option A which is to retain all mandatory committees and commissions and amalgamate the

remaining existing committees into 6 committees based on key policy areas; or

- (c) Implement Integrated Commission Option B which is similar to Option A except that there would be 7 committees instead, with separation of community vitality into arts, culture, multiculturalism and heritage and social equity (planning).

Staff recommended Integrated Commission Option A with the following 6 committees:

1. Community Planning and Development
2. Culture, Heritage and Social Planning;
3. Finance and Audit;
4. Parks, Recreation and Wellness;
5. Public Safety
6. Public Works and Engineering.

The review is based the descriptions of those 6 committees.

## **2.2 Review of Proposed New Committees**

### **2.2.1 GENERAL COMMENTS**

Overall, the terms of reference for the proposed new committees should work well to meet the City's needs, as is. The following are only suggestions to enhance what is being proposed.

#### *Mandate*

A concern that generally arises with committees is the breadth of the committee's mandate. If the mandate is too specific, then the organization often enacts new committees to cover new related or similar issues or policy areas. If the mandate is too general, then the potential exists for different committees consider the same issue from slightly different perspectives but arrive at different yet limited recommendations to address that same issue. It would be better to

have as many perspectives as possible discuss the same issue in the same forum in order to arrive at a thorough understanding of that issue and to develop comprehensive recommendations to address the concerns arising from that issue.

The proposed committee structure based on the identified general policy areas should work well to strike that balance between specific and general examination of issues within those areas. The policy areas are broad enough to cover a wide range of issues within the mandates of the various committees.

#### *Number of Members*

The number of members per committee should work given the mandate of the committees and the scope of the policy areas assigned to each of the committees. The number of members is not so large as to create difficulties for the group to work as a whole.

The main concern with the number of committee members is whether there will be enough people available within the community to serve as members on these committees. Using the Community Planning and Development committee as an example, what happens if the City is only able to get a representative from the business community, a representative from the transportation user groups and two members from the community at large, thereby leaving five positions unfilled (neighbourhood association, development community, environmental sustainability and two members from the community at large). The City may wish to consider stating in general terms that there will be at least X number of members and indicate that preference will be given to persons who represent certain interests<sup>4</sup> when making

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<sup>4</sup> The City should address in its operating guidelines the method that will be used to pick representatives of a particular group to serve as members of the committee. For example, the member of the business community in the Community Planning and Development Committee may be selected from the Chamber of Commerce for one term and then from the Business Improvement Area in the following term.

recommendations to Council on appointments to the committees. Those certain interests can be included in the eligibility for membership.

In order to ensure that the committee can still function even if it does not have all of its member positions filled, the terms of reference should state that a quorum consists of the majority of members who currently hold a position on the committee. So if a committee only has 8 actual members but 11 potential members, the committee's quorum would be 5 members (a majority of 8) in order to still be able to hold a meeting.

#### *Voting Rights of Members*

Unless otherwise indicated, the assumption is that everyone who is listed as a member of the committee has full membership rights<sup>5</sup>. For clarity, the terms of reference should indicate who are voting members and who are only advisors to the committee and therefore do not have voting rights. The easiest way to do this is use the heading "Voting Members" and then list the people who are eligible and then use the heading "Non-voting Advisors" and then list those people.

#### *Term of Office*

The terms of reference should include a statement that a term may be one year or two years in duration. This will give Council some flexibility in terms of membership composition and may make it easier for people to commit to serving on a committee. The length of time may be tied to whether the person is a representative of a particular interest. For example, the Community Planning and Development Committee could have the specific representatives serve one year terms while the members from the community at large serve two year terms or vice versa.

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<sup>5</sup> Membership rights include the right to receive notice, to have access to information and minutes, to serve as Chair or Vice-Chair, if selected, to participate by making motions, seconding motions, and debating, and to vote.

While a person may serve as a member of a committee for a maximum of two consecutive terms, what happens if:

- a person serves one term, takes a break, serves a second term, takes a break and then wants to serve a third non-consecutive term; or
- a person serves two consecutive terms, takes a break and then wants to serve another two consecutive terms?

Does the City want to address a maximum number of cumulative terms in its terms of reference? If recruitment is an issue, then there is probably no need to worry about the impact of cumulative terms. One way in which to address concerns about one person serving on one committee for a protracted period of time is to state that a person can only serve two consecutive terms on one committee but then that person can serve two consecutive terms on another committee.

#### *Role of the Elected Officials*

It would be useful to specify what are the expectations of the Council Members on these committees. If the expectation is that one of the Council Members will serve as the Chair and another will serve as Vice-Chair, then that expectation should be stated in the terms of reference. Otherwise, any voting member of the committee can serve as Chair of the committee, which may not be what Council envisions. Having a Council Member serve as Chair or as Vice-Chair, at the very least, will ensure that Council is kept apprised of what is occurring at the committee level.

In some communities, the Mayor is an ex-officio member of all committees. However, the terms of reference should state whether ex-officio membership is tied to that particular position. In light of the amount of work associated with being Mayor, having the Mayor serve on yet more committees may be too much work with little benefit for the organization. So, inclusion of the Mayor on the committees as an ex-officio member is not recommended.

The terms of reference may also include statements that Council Members who are not assigned to the committee may still attend the committee meeting but are not entitled to participate as a voting member of the committee.

### *Accountability*

If a committee is required to submit a quarterly summary report, then the terms of reference should indicate that the Chair of the committee is responsible for submitting the report on behalf of the committee. A standardized template for committee reporting can be used to simplify the effort required to produce the report.

Usually the submission of committee minutes to Council will suffice for reporting to Council purposes, rather than having the committee submit a report with its minutes. If the concern is that Council is not receiving sufficient detail about the operations of the committee, then it is better to have the Chair of the committee attend the Council meeting to answer questions<sup>6</sup>.

### *Meeting Frequency*

It is not a usual practice to state that a Committee will make best efforts to meet a specific number of times. If a committee is not meeting on a regular schedule (i.e. monthly or quarterly), it is better to state that the Committee will meet at the call of the Chair or on request two committee members.

### *Staff Support*

The terms of reference should indicate what is the role of the staff member in terms of providing support. For example, is it the expectation that the staff member assigned to the Culture, Heritage and

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<sup>6</sup> That is one of the reasons why is it helpful to have a Council Member serve as Chair or Vice-Chair.

Social Planning committee will provide advice on the topic and provide administrative support (e.g. agenda preparation, minute taking, correspondence preparation, etc.)? If the intention is to have different staff members provide different types of support to the committee, those types of support should be listed in the terms of reference.

### *Subcommittees*

On occasion, it may be useful to have a subcommittee do some research on a particular topic and report the results of the research to the committee so that the committee can formulate its recommendations. Care should be taken to limit the number of times a subcommittee is used to conduct additional research. A heavy reliance on subcommittees may create a situation in which the subcommittee “owns” the topic to the exclusion of the rest of the committee. An extensive use of subcommittees within a committee can drain the limited resources assigned to the committee. As a way of ensuring a subcommittee does not exist for longer than is necessary, a provision could be put in the terms of reference to state that Council has to pass a motion to approve a subcommittee that will exist for more than 8 months.

### **2.2.2 COMMUNITY PLANNING AND DEVELOPMENT COMMISSION**

One of the purposes for this committee include “regional transportation initiatives as they relate to City transportation infrastructures (second to last bullet). Should not that particular purpose be a part of the mandate of the Public Works and Engineering committee?

Since the topics to be addressed by the Community Planning and Development committee and by Public Works and Engineering committee may overlap, there may be occasions when both of these committees should hold a joint meeting to ensure all aspects of the topic are considered at the same time. Depending upon the magnitude of the issue, staff should ensure that both committees have had an

opportunity to comment on overlapping matters before bring those matters before Council.

There are good points regarding the conditions attached to the two non-voting members from Neighbourhood Associations when dealing with neighbourhood plans. The terms of reference may wish to extend some of those conditions to the representatives listed immediately under the list of members. For example, the conditions for those representatives could include:

- Attend the meeting when invited;
- Comment on all aspects of the discussion;
- Not participate in the voting on the matter;
- Not have a personal conflict of interest in the matter.

Given the similarities between the composition and the staff support of the Community Planning and Development committee and Public Works and Engineering committee, is it still worthwhile having two separate committees?

### **2.2.3 CULTURE, HERITAGE AND SOCIAL PLANNING COMMISSION**

The operating guidelines should state how it will be determined whether a person is representing culture/heritage or social planning.

It is preferable to state that the meetings will be at the call of the Chair, rather than stating that the committee will meet monthly or at the call of the Chair. The meeting can still be set up on a monthly frequency on a set day (such as the second Monday of the month) in order to provide certainty for the members in terms of time management. However, the Chair can still cancel the monthly meeting, if there are no items on the agenda for the upcoming meeting. The actual meeting frequency can be set out in the operating guidelines.

### **2.2.4 FINANCE AND AUDIT COMMISSION**

In the purposes section, it would be appropriate to include a statement under Financial Matters, that the committee will make recommendations to Council about the approval of grant requests from the community.

The term of office is confusing and probably unnecessary, given that all Council Members are part of this committee and would serve on the committee for the length of time that they hold their positions as Council Members.

The City may wish to consider not having a Finance and Audit Committee, at all, and have Council consider all of these enumerated issues at Committee of the Whole, instead, given the composition of the committee.

#### **2.2.5 PARKS, RECREATION AND WELLNESS COMMISSION**

The purpose section includes, in the third bullet, a statement about environmental stewardship about parks and sustainable operations. How will this integrate with the environmental responsibilities of the Community Planning and Development committee and the Public Works and Engineering committee?

As for meeting frequency, the statement should be that the committee meets at the call of the Chair. Staff can then set up quarterly meetings for this committee or more as needed.

#### **2.2.6 PUBLIC SAFETY COMMISSION**

It is important to indicate whether the staff members listed in the third bullet are voting or non-voting members of this committee. Generally, staff members are not included as voting members on committees which impact on their area of responsibilities. It may be better to have

only eight members on the committee and include the staff members as non-voting members or staff support.

#### **2.2.7 PUBLIC WORKS AND ENGINEERING COMMISSION**

Since environmental stewardship and sustainability is a purpose for the Public Works and Engineering committee, perhaps there should be a member to represent environmental sustainability on this committee as there is for the Community Planning and Development Committee.

As for meeting frequency, it is better to state that the committee will meet quarterly at a minimum.

### **3.0 Comparison to Other BC Local Governments**

In order to gauge how similar-sized communities determine their committee systems, the following communities were examined:

1. Burnaby;
2. Delta;
3. Kamloops;
4. Kelowna;
5. North Vancouver District; and
6. Saanich.

The examination was based on the current committee structure used by the City. No research was done to determine the amount of staffing resources required to support these committees.

#### **3.1 Equivalent Committees in the Other Communities**

The current City committees are listed below with the equivalent committee for the particular community listed underneath. Committees which are mandated by legislation or over which the City does not have unilateral control have not been included in this list.

##### Nanaimo – Core Services Review

- None for any of the communities.

##### Nanaimo – Culture and Heritage Commission

- Burnaby – Community Heritage Commission
- Delta – Heritage Advisory Commission
- Kamloops – Heritage Commission
- Kelowna – Heritage Advisory Committee
- North Vancouver District – Community Heritage Advisory Commission
- Saanich – Arts, Culture and Heritage Committee

Nanaimo – Design Advisory Panel

- Burnaby – None
- Delta – Community Planning and Advisory Committee and Advisory Design Panel
- Kamloops – None
- Kelowna – None
- North Vancouver District – Advisory Design Panel
- Saanich – Advisory Design Panel

Nanaimo – Advisory Committee on Environmental Sustainability

- Burnaby – Environmental Sustainability Strategy Steering Committee
- Delta – Environmental Advisory Committee
- Kamloops – Sustainable Kamloops
- Kelowna – None
- North Vancouver District – Parks and Natural Environment Committee
- Saanich – Environment and Natural Areas Committee

Nanaimo – Grant Advisory Committee

- Burnaby – Executive Committee of Council
- Delta – Financial Assistance Review Committee
- Kamloops – None
- Kelowna – None
- North Vancouver District – None
- Saanich – None

Nanaimo – Parks and Recreation Commission

- Burnaby – Parks, Recreation and Culture Commission
- Delta – Parks, Recreation and Culture Commission
- Kamloops – Parks and Recreation Committee
- Kelowna – None

- North Vancouver District – North Vancouver Recreation and Culture Commission (joint commission with North Vancouver City)
- Saanich – Parks, Trails and Recreation Committee

#### Nanaimo – Planning and Transportation Advisory Committee

- Burnaby – Transportation Committee
- Delta – Mayor’s Standing Committee on Regional Transportation
- Kamloops – None
- Kelowna – None
- North Vancouver District – Transportation Consultation Committee
- Saanich – Planning, Transportation and Economic Development Committee

#### Nanaimo – Safer Nanaimo Advisory Committee

- Burnaby – Public Safety Committee (formerly the Community Policing Committee)
- Delta – None (has a Police Board instead)
- Kamloops – Police Committee
- Kelowna – None
- North Vancouver District – None
- Saanich – None

#### Nanaimo – Social Planning Advisory Committee

- Burnaby – Social Planning Committee (formerly Social Issues Committee)
- Delta – None
- Kamloops – Social Planning Council
- Kelowna – None
- North Vancouver District – Community Services Advisory Committee
- Saanich – None

Nanaimo – South Downtown Waterfront Committee

- Burnaby – None
- Delta – None
- Kamloops – None
- Kelowna – None
- North Vancouver District – North Shore Waterfront Liaison Committee
- Saanich – None

Nanaimo – Water Advisory Committee

- None for any of these communities

### **3.2 Committees Which Are Specific to the Other Communities**

There are some committees which are specific to these other communities but do not have a comparable, current committee for the City. They are listed below.

Burnaby

- Advisory Planning Commission
- Audit Committee
- Financial Management Committee
- International Relations and Friendship Cities Committee
- Planning Develop Committee
- Simon Fraser Liaison Committee
- Traffic Safety Committee

Delta

- Agricultural Advisory Committee
- Boundary Bay Airport Advisory Committee
- Boundary Bay Airshow Advisory Committee
- Delta Council/Delta Board of Education Liaison Committee
- Dikes and Drainage Advisory Committee
- Financial Assistance Review Committee

- Hunting Regulation Advisory Committee
- Invest in Delta Mayor's Standing Committee
- Standing Committee on Finance
- Seniors Advisory Sub-committee
- Tour de Delta

#### Kamloops

- Arts Commission
- City-School District Joint Use Committee
- Coordinated Enforcement Task Force
- Mayor's Advisory Committee for Persons with Disabilities
- Race Relations
- Sister City Advisory Committee

#### Kelowna

- Agricultural Advisory Committee
- Audit Committee
- Airport Advisory Committee
- Civic and Community Awards Steering Committee

#### North Vancouver District

- Arts and Recreation Category
  - Golf Facilities Strategic Working Group
  - North Vancouver Museum and Archives Commission
  - Public Art Committee
- Building and Development Category
  - Community Monitoring Advisory Committee
  - Highway 1 Interchange Design Work Group
  - OCP Implementation Committee
- Environmental Category
  - Natural Habitat Working Group
- Finance and Tax Category
  - Finance and Audit Standing Committee
- Local Government and Administrative Category

- Advisory Oversight Committee
- Joint Police Committee
- Municipal Library Board
- North Shore Reunification Review Committee
- Social Planning Category
  - Child Care Grants Committee
  - North Shore Advisory Committee on Disability Issues
  - North Shore Family Court and Youth Justice Committee
  - North Shore Substance Abuse Working Group

#### Saanich

- Bicycle and Pedestrian Mobility
- Finance, Audit and Personnel Standing Committee
- Peninsula Area and Agricultural Commission
- Healthy Saanich
- Saanich Heritage Foundation

## **4.0 General Observations**

### **4.1 Descriptive Terms**

While the terms “committee” and “commission” have been used interchangeably in the terms of reference, it is important to note that these terms mean different things in terms of governance.

Committees are advisory bodies to provide input and perspective to Council in various subject areas. Committees are to discuss a particular issue and report back, often with recommendations for Council’s consideration when Council is deliberating as to a particular course of action or the implementation of a particular terms of reference. Committees generally do not have delegated authority to act within their mandate nor make decisions which will bind the local government to a particular course of action. Since a committee is providing advice to Council through recommendations, it does not make decisions which can be reviewed by Council, if a person does not like the results of the decision. While there may be resources allocated to the Committee, in terms of budget and staff, how those resources are used to support the Committee, is determined by Council, not the Committee itself. The Committee does not have the authority to direct staff to carry out certain work.

On the other hand, commissions, pursuant to section 143 of the Community Charter, have delegated authority to (a) operate services; (b) undertake operation and enforcement in relation to the Council’s exercise of its authority to regulate, prohibit and impose requirements; and (c) manage property and licences held by the local government. Commissions carry out specific tasks as assigned to them by Council. Commissions do not have to provide recommendations to Council prior to make changes to operations. Commissions, which are a form of delegated authority, do have the freedom to act within their mandates without having to consult with Council first. Decisions made by a

Commission can be subject to a review by Council but that review must follow a particular process as set by bylaw. In essence, commissions deal with the daily operations of the services for which they are responsible. While Council may allocate resources to the commission in terms of budget and staff, the commission may determine how those resources are used to carry out the mandate as long as it does not exceed its budgetary limitations. Commissions do have the authority direct staff to carry out certain work.

Based upon the descriptions of the mandates provided within the terms of reference for the proposed new committees, the assumed intention is that the new groups will function as committees, rather than as commissions, to provide recommendations to Council to consider when Council is exercising its decision making authority. To name these groups as commissions implies that these groups can act independently from Council in a manner that these groups, not Council, deem appropriate.

#### **4.2 Limits on the Committee's Authority**

Usually, the terms of reference will include a state that the members will serve without remuneration but that the City will pay for approved expenses incurred in the course of the members' duties.

As well, terms of reference can also include a statement that the committee is not authorized to direct staff in terms of work to be completed. If certain work of the committee needs to be done by the supporting staff member, it is better for the staff member to get authorization to do the work from the City Manager, who can determine whether the committee work fits with strategic plans and can be completed with minimal financial impact on the organization.

The terms of reference can also include a statement that the committee has no authority to spend money or make budgetary decisions without first obtaining Council approval.

### **4.3 Costs of Administrative Support**

While committees serve an important purpose in providing a different perspective on certain policy decisions on the community, committees require adequate administrative support to carry out their work properly. Committees cannot function without administrative support. Members of the committees who are citizens volunteering their time to serve on the committee usually do not have the resources to serve the committee in an administrative capacity in addition to their member capacity.

It would be useful to have a general idea about impact of a committee in terms of staff time. The person providing administrative support to a committee has a number of tasks to be completed before, during and after a committee meeting in order to allow the committee to function properly. In order to gain an appreciation of these tasks, a list of some of the more basic tasks required for committee are found in Appendix 1.

To understand the amount of time required to complete these tasks, a rough estimate of the number of hours spent by an administrative support staff person will help to gauge the impact of a meeting in terms of staff resources. For example, for every one hour that a committee meets, the administrative support staff person will typically spend between two to three hours before the meeting in preparation and two to three after the meeting in follow up. So if a typical committee meeting lasts two hours, the administrative support staff person will spend at least 10 hours of time<sup>7</sup> to support the committee for that one meeting. If the committee meets on a monthly basis, administrative

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<sup>7</sup> Four hours of preparation for the meeting, two hours of meeting time and four hours follow up work after the meeting.

staff support person may spend 120 hours at a minimum to support that committee. This does not include any time spent by other staff members to prepare reports and advise the committee.

Using this same formula, an organization with 11 committees that meets monthly will incur roughly 1,320 hours of administrative staff support time to support all of those committees. A full time employee is assigned roughly 1820 hours of work<sup>8</sup>.

The hours alone do not compose a complete picture of the costs of committees to an organization. Unionized staff must be paid overtime to attend meetings which occur outside of regular working hours which is usually the case with committees which include members of the public as part of the committee. Overhead and benefits are costs to be factored into the costs of dedicated administrative support.

Since the costs to an organization in terms of administrative support for committees is not insignificant, an organization has to make deliberate choices as to the number and the types of committees that it requires in order to function.

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<sup>8</sup> The number of hours actually worked by an administrative support staff person will be less when vacation, sick time and breaks are included in the calculations.

## **Appendix 1 – Responsibilities for Administrative Support Staff Person**

### General Responsibilities

- a) Keeps an official list of members of the group and papers and instructions pertaining to it
- b) Notifies members of their appointments to the group
- c) Deals with all correspondence sent to committee and carry on all official correspondence for the group
- d) Maintains and stores minutes and all related materials
- e) Is familiar with parliamentary procedures used by the group and offer advice on such

### Before the Meeting

- a) Arranges logistics of the meetings
- b) Prepares agendas in consultation with Chair
- c) Informs chair of activities that have been referred to upcoming meetings
- d) Ensures agenda is prepared and circulated
- e) Ensures necessary material and staff resources are available
- f) Sends out notices and notifies delegations
- g) Brings a copy of all governing documents and legislation of the committee to every meeting

### During the Meeting

- a) Keeps track of attendance at meetings
- b) Offers information which members do not appear to have
- c) Finds previous mention of an issue in earlier minutes, if requested
- d) Cautions if members' actions appear to be inappropriate
- e) Helps phrase motions and amendments
- f) Requests that chair temporarily halt the meeting if comments are flowing so fast that it is impossible to make an accurate summation

### After the Meeting

- a) Sorts out comments, suggested actions and decisions expressed at meeting and produces an accurate summation within a reasonable time period
- b) Records and corrects minutes
- c) Deals with all correspondences sent to the group and carries out all official correspondence for the group
- d) Authenticates all records and documents associated with the meeting by having the chair add his or her signature

**City of Nanaimo**  
**PUBLIC SAFETY COMMITTEE**  
(the “Committee”)

**PURPOSE:**

The Public Safety Committee is responsible for maintaining and enhancing a safe and healthy community that promotes and supports quality of life while encouraging resident involvement and input.

The Committee’s purpose is to provide Council advice on the following:

- integrated prevention based approach to fire services, policing, emergency planning, and bylaw regulation and enforcement;
- provision of protective services to support public safety throughout the city;
- reducing the adverse effects to the community arising from public disorder or criminal activities;
- integrating enforcement and social responses to issues of community safety; and
- services and strategies that lead to the protection of vulnerable people in the community.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee:

1. demonstrated background in social community services, emergency planning, policing, fire services, protection services, enforcement or prevention services; and
2. citizens-at-large including: Police Chief, Fire Chief, Emergency Program Manager, Manager of Bylaws or designates.

**TERM:**

Each member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Community Services
- Nanaimo RCMP Support Services
- Nanaimo Fire Rescue & Emergency Management
- Bylaw and Parking Services
- City Clerk

**City of Nanaimo**  
**FINANCE & AUDIT COMMITTEE**  
(the “Committee”)

**PURPOSE:**

The Committee’s purpose is to assist Council in fulfilling its oversight responsibilities over the finances of the City of Nanaimo in accordance with provisions of the *Community Charter* by providing advice on the following:

Financial Matters:

- Recommend to Council best practices that ensure integrity of financial statements, financial recording and reporting processes and systems of internal controls through best practices in policies and procedures;
- Oversee and review the preparation of annual and long-term financial plans for recommendation to Council;
- Receive and review periodic budget and other financial reports on behalf of Council;
- Review strategic key performance indicators as they relate to financial performance;
- Review and make recommendations with respect to relevant legislation or changes thereof affecting financial resources and environmental issues relating to the City of Nanaimo.

Enterprise Risk Matters:

- Oversee the process of selecting external financial auditors and recommend appointment of the same to Council;
- Engage, serve as primary contact and report on reviews of external auditors;
- Recommend to Council audit reviews of City of Nanaimo where warranted;
- Receive, review and report on audit outcomes and initiatives, and recommend required action;
- Oversee the City of Nanaimo’s enterprise risk management practices and processes relating to risk mitigation and business continuity.

Community Investment Matters:

- Recommend best practices and policies relating to community investment for Council’s consideration with regard to general financial grants to community organizations and non-statutory tax exemption (Permissive Tax Exemptions under Section 224 and 227 of the *Community Charter*);
- Receive, review funding applications from community organizations and recommend grant fund awards for Council consideration.

Subsidiary Companies and Service Agreements:

- Advise Council on matters of governance and service and other agreements relating to City of Nanaimo subsidiary companies and organizations providing services on behalf of the City of Nanaimo;

- Receive and review performance reports from the City of Nanaimo's subsidiary companies and organizations providing services on behalf of the City of Nanaimo under agreement;
- Recommend strategic investments for Council's consideration.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- all of the members of Council; and
- non-voting advisory members, as required.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee as non-voting members:

1. broad business experience [eg. Member from Chamber of Commerce];
2. familiarity with risk identification, evaluation and management;
3. understand internal control systems; and
4. familiar with fundamental concepts and standards of accounting and auditing.

**TERM:**

A non-voting member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Office of Chief Financial Officer
- Office of the Chief Administrative Officer
- City Clerk

**City of Nanaimo**  
**CULTURE, HERITAGE & SOCIAL PLANNING COMMITTEE**  
(the “Committee”)

**PURPOSE:**

The purpose of the Committee is to bring together diverse community members to integrate community programming for the arts, culture, heritage and social planning in order to support an inclusive community for everyone regardless of age, economic-social status and ethnic heritage.

The Committee’s purpose is to provide Council advice on the following:

- planning, development and provision of culture and heritage conservation services and facilities;
- planning and development of the arts, creativity and culture;
- social planning including poverty reduction, affordable housing, homelessness, food security, poverty, public disorder, exploitation of the vulnerable, harm reduction, social isolation and social connectivity;
- strategies to address environmental responsibility, social equity, cultural vitality, active lifestyle and economic health for all citizens; and
- supporting integrated approach to community well-being.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Commission:

1. Broad-based social perspective on community issues, social equity, and/or multiculturalism, ;  
and
2. Broad-based arts, culture and/or heritage perspective on community issues.

**TERM:**

Each member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Community Development
- City Clerk
- Parks & Recreation

**City of Nanaimo**  
**PARKS, RECREATION, & WELLNESS COMMITTEE**  
(the “Committee”)

**PURPOSE:**

The purpose of the Committee is to provide a forum for the community to provide Council and staff input on creating and operating park, recreation and wellness programming that meets the needs of all community in a sustainable and dynamic way.

The Committee’s purpose is to provide Council advice and recommendations on the following:

- planning, development and provisions of parks, recreation and wellness services;
- coordination of parks, recreation and wellness programming with partners;
- environmental stewardship of parks and sustainable operations in the context of parks and recreation;
- equitable access to parks, recreation and wellness services and facilities by all citizens;
- recommendations on applications for funding and subsidies for recreation facilities; and
- other issues referred to the Committee by Director, CAO or Council.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

Note: membership dictated by existing bylaw; any changes require amendment.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee:

1. parks and park stewardship;
2. recreation;
3. active lifestyle and wellness; and,
4. environmental stewardship.

**TERM:**

Each member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Parks & Recreation
- Engineering and Public Works
- Community Development
- City Clerk

**City of Nanaimo**  
**PUBLIC WORKS & ENGINEERING COMMISSION**  
(the “Committee”)

**PURPOSE:**

The purpose of the Committee is to provide a forum for Council and staff to seek input from the community and subject matter experts on Public Works & Engineering matters.

The Committee’s purpose is to provide recommendations to Council on the following:

- transportation master plan;
- capital priorities and planning;
- asset management and sustainability;
- community accessibility issues;
- relevant federal and provincial government policies and programs;
- strategies to address environmental sustainability in the context of public works & engineering; and
- other issues referred to the Commission by Director, CAO or Council.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee:

1. communities of engineering consulting community, development community, contracting community, transportation community;
2. broad-based perspective on community services and delivery of those services; and
3. environmental sustainability.

**TERM:**

Each member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Engineering and Public Works
- Community Development
- City Clerk

**City of Nanaimo**  
**COMMUNITY PLANNING & DEVELOPMENT COMMITTEE**  
(the “Committee”)

**PURPOSE:**

The objective of the Committee is to bring a broad community-based perspective to the monitoring, implementation, and amendment of the City’s Official Community Plan (OCP), Transportation Plan, Zoning Bylaw and associated plans.

The purpose of the Committee is to provide Council recommendations on the following:

- development proposals which require amendments to the OCP and/or Zoning Bylaw;
- proposed changes to the OCP and related plans;
- rezoning applications to ensure proposed developments comply with relevant policies;
- community perspective to the planning and approval process;
- strategies to integrate principles economic health, social equity, land use, sustainability, and environmental into all aspects of planning and development;
- implementation of Transportation Master Plan;
- regional transportation initiatives as they relate to planning and development.

**MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

Additional members may be appointed as required for neighbourhood plan amendments.

**ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee:

1. member of the following communities:
  - business community;
  - neighbourhood associations;
  - development community;
  - transportation user groups;
  - broad-based perspective of planning and development; and
  - environmental sustainability.

**TERM:**

Each member of the Committee may be appointed for a term of up to two years. Membership may be staggered to support continuity and effective operations. Members may serve a maximum of two cumulative terms on this Committee.

**ACCOUNTABILITY:**

On a regular basis Council will provide direction on Council's priorities to Committee. The Committee will submit a quarterly a summary report on their activities to Council. The Committee will submit a report with its minutes in a timely manner to Council. The Committee will comply with the ***City of Nanaimo Committee Operating Guidelines*** [Note: to be drafted by Staff by August 31, 2016].

**MEETING FREQUENCY:**

The Committee will meet upon call of the Chair or the request of two Committee Members.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Community Development
- Engineering and Public Works
- City Clerk

ATTACHMENT B  
Council Resolutions - 2016-JUL-11 Council Meeting

31116 It was moved and seconded that Council replace the Staff recommendations to:

1. amalgamate the remaining 11 committees into 6 committees;
2. direct Staff to reconvene the 6 amalgamated committees for review of terms of reference; and,
3. direct Staff to draft operating guidelines for each committee and return to the 2016-SEP-19 Council Meeting.

With the following recommendations and approve as follows:

1. That Council rescind the appointments of all members of the NEDC Nominating Committee, the City Manager Selection Committee, the Core Services Committee, the Red/Green Tape Committee, the South Downtown Waterfront Committee, the Terminal/Nicol Corridor Streetscape Project Technical Advisory Committee, and the Economic Development Commission.
2. That Council terminate the NEDC Nominating Committee, the City Manager Selection Committee, the Core Services Committee, the Red/Green Tape Committee, the South Downtown Waterfront Committee, and the Terminal/Nicol Corridor Streetscape Project Technical Advisory Committee.
3. That Council direct Staff to prepare a bylaw to rescind Bylaw No. 7098 to terminate the Economic Development Commission and that Council direct Staff to prepare any bylaw amendments required to effect the committee restructure.
4. That Council establish the following select committees:
  - a. Public Safety Committee
  - b. Finance and Audit Committee
  - c. Culture, Heritage and Social Planning Committee
  - d. Parks, Recreation and Wellness Committee
  - e. Public Works and Engineering Committee
  - f. Community Planning and Development Committee
5. That Council appoint the current members of the Advisory Committee on Environmental Sustainability as members of the Parks, Recreation and Wellness Committee and as members of the Planning and Transportation Advisory Committee.
6. That Council rescind the appointments of the members of the Advisory Committee on Environmental Sustainability and terminate the Advisory Committee on Environmental Sustainability.

7. That Council appoint the current members of the Nanaimo Culture and Heritage Commission and the current members of the Social Planning Advisory Committee as members of the Culture, Heritage and Social Planning Committee.
8. That Council rescind the appointments of all members of the Nanaimo Culture and Heritage Commission and the Social Planning Advisory Committee and terminate. the Nanaimo Culture and Heritage Commission and the Social Planning Advisory Committee.
9. That Council appoint all current members of the Safer Nanaimo Advisory Committee to the Public Safety Committee.
10. That Council rescind the appointments of all members of the Safer Nanaimo. Advisory Committee and terminate the Safer Nanaimo Advisory Committee.
11. That Council create a subcommittee of the Finance and Audit Committee to be known as the Grants Advisory Sub-Committee.
12. That Council appoint the current members of the 90(&)5 Advisory Committee as members of the Grants Advisory Sub-Committee.
13. That Council rescind the appointments of all members of the Grants Advisory Committee and terminate the Grants Advisory Committee.
14. That Council approve the interim draft committee terms of reference as presented by Staff, subject to revisions.
15. That Council request all committee members to review and comment on their respective draft committee terms of reference, and report to Council by 2016-SEP-15 with any recommendations.
16. That Council request that the members of the Parks, Recreation and Wellness Committee consult as may be required with Regional District of Nanaimo regarding the committee draft terms of reference.
17. That Council direct Staff to prepare committee operating guidelines in consultation with new and continuing committees for report back to Council by 2016-SEP-15.
18. That Council direct Staff to prepare a Report on Committees by 2016-SEP-30 to enable Council to consider final adoption of committee terms of reference and operating guidelines.

The motion carried.

Opposed: *Mayor McKay, Councillor Brennan*



DATE OF MEETING    November 28, 2016

AUTHORED BY        SHEILA GURRIE, DEPUTY CORPORATE OFFICER  
                               JANE ARMSTRONG, CITY CLERK

SUBJECT              **COUNCIL SELECT COMMITTEES**

## OVERVIEW

### **Purpose of Report**

To obtain Council's approval of the Select Committees; Select Committees Terms of Reference; and, general Committee Operating Guidelines.

### **Recommendation**

That Council:

1. approve the Select Committees as follows for a three (3) year term:
  - 1.) Finance and Audit Committee;
  - 2.) Grants Advisory Sub-Committee;
  - 3.) Design Advisory Panel;
  - 4.) Community Planning and Development;
  - 5.) Community Vitality;
  - 6.) Parks, Recreation and Wellness;
  - 7.) Public Safety;
  - 8.) Nanaimo Youth Advisory Council; and,
  - 9.) Public Works and Engineering.
2. approve the Terms of Reference for the Select Committees;
3. approve the Operating Guidelines for the Select Committees;
4. direct Staff to proceed with a call for membership for all Select Committees.

## BACKGROUND

At the July 11, 2016 Council Meeting, select committees were established and their interim terms of reference (ToRs) approved. Council further authorized committee members to review the interim ToRs and Staff to draft committee operating guidelines.

During September and October, Committees were consulted and their feedback incorporated into the draft ToRs attached for Council's approval (Attachment A).

Unique committee features are set-out in the terms of reference: 1) name and purpose; 2) membership; 3) eligibility; 4) meeting frequency; 5) Grant approval process; and, 5) Staff support. Terms and conditions common to all committees are set-out in the Committee Operating Guidelines attached for Council's approval (Attachment B) and include:

- appointment and roles of Council members;
- recruitment and appointment of public members, including terms and conditions;

- authority, responsibilities and accountability of committees, including reporting to Council;
- authority, responsibilities and conduct of committee members; and,
- meeting administration and procedures, including roles of City Staff.

The ToRs and Operating Guidelines are based on Watson Report recommendations, *Community Charter* and Council procedure bylaw requirements, and best practices amongst local governments.

### Committee Work and Reporting (Strategic Directions)

All committees are advisory, providing advice and recommendations to Council on matters within their ToR. To ensure that committee work directly links to Council objectives, the Guidelines provide for Strategic Directions (Attachment C) to be developed each year by Staff for Council approval. Topic content includes Core Service Review and Strategic Plan initiatives and on-going departmental work and projects (e.g. master plans, review of rezoning applications, draft bylaws and policies). Within this scheme Council may also assign projects to committees, and committees may make recommendations on matters within their ToR for Council approval.

To ensure accountability for committee activities, the Guidelines provide for regular reporting to Council: 1) in the case of scheduled items, through semi-annual and annual reports; 2) in the case of Council assignments, through final reports by the date specified in the assignment; and 3) in the case of committee initiated projects, by amending the strategic directions to include Council approved projects.

### OPTIONS

That Council:

1. approve the Select Committees as follows for a three (3) year term:
  - 1.) Finance and Audit Committee;
  - 2.) Grants Advisory Sub-Committee;
  - 3.) Design Advisory Panel;
  - 4.) Community Planning and Development;
  - 5.) Community Vitality;
  - 6.) Parks, Recreation and Wellness;
  - 7.) Public Safety;
  - 8.) Nanaimo Youth Advisory Council; and,
  - 9.) Public Works and Engineering.
2. approve the Terms of Reference for the Select Committees;
3. approve the Operating Guidelines for the Select Committees;
4. direct Staff to proceed with a call for membership for all Select Committees.
  - **Budget Implication:** Staff time to administer and provide technical support to Council's committee system.
  - **Legal Implication:** Committees are established and members appointed by Council in accordance with section 142 of the *Community Charter*. Committee operations must meet the *Community Charter* and procedure bylaw requirements.
  - **Policy Implication:** Currently no policy exits.
  - **Strategic Priorities Implication:** Supports good governance by linking committee work with Council objectives.
  - **Political Implication:** Some persons may not favour the new committee system.

2. That Council provide alternate direction to Staff.

**SUMMARY POINTS**

- At the July 11, 2016 Council Meeting, Select Committees were established and their interim terms of reference (ToRs) approved. At the same meeting, committee members were authorized to review the ToRs and Staff to prepare Committee Operating Guidelines.
- During September and October Committees were consulted and their recommendations included in the draft ToRs attached for Council approval (Attachment A).
- Draft Committee Operating Guidelines to be approved by Council (Attachment B) are based on common and best practice standards for local governments.

**ATTACHMENTS**

Attachment A – Draft Terms of References

Attachment B – Committee Operating Guidelines

Attachment C – Strategic Directions Template

**Submitted by:**



Sheila Gurrie,  
Deputy Corporate Officer

**Submitted by:**



Jane Armstrong,  
City Clerk



## TERMS OF REFERENCE

### COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE

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#### **PURPOSE:**

The purpose of the Committee is to bring a broad community-based perspective to the monitoring, implementation, and amendment of the City's Official Community Plan (OCP), Transportation Plan, Zoning Bylaw and associated plans.

The purpose of the Committee is to provide Council recommendations on the following:

- development proposals which require amendments to the OCP and/or Zoning Bylaw;
- proposed changes to the OCP and related community planning and development plans;
- rezoning applications to ensure proposed developments comply with relevant policies;
- community perspective to the planning and approval process;
- strategies to integrate principles economic health, social equity, land use, sustainability, and environmental into all aspects of planning and development;
- implementation and education of the Transportation Master Plan; and
- regional transportation initiatives as they relate to planning and development.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

Additional non-voting representatives will be invited to participate as required for neighbourhood plan amendments.

## **ELIGIBILITY:**

An individual who is a member of one of the following communities may be given preference for membership on this Committee:

- business community;
- neighbourhood associations;
- development community;
- transportation user groups;
- broad-based perspective of planning and development; and
- environmental stewardship and sustainability.

## **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

## **MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

## **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Community Development
- Engineering and Public Works
- City Clerk
- Other Staff as required

City of Nanaimo

**COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE  
KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Committee	Start Time	Day of the Month
Community Planning and Development Committee	5:00 p.m.	3 <sup>rd</sup> Tuesday

<i>January 1</i> .....	<i>New Year's Day</i>
<b>January 17</b> .....	<b>Community Planning and Development</b>
<i>February 13</i> .....	<i>Family Day</i>
<b>February 21</b> .....	<b>Community Planning and Development</b>
<b>March 21</b> .....	<b>Community Planning and Development</b>
<b>April 7-9</b> .....	<b>AVICC-Convention – Campbell River</b>
<i>April 14</i> .....	<i>Good Friday</i>
<i>April 17</i> .....	<i>Easter Monday</i>
<b>April 18</b> .....	<b>Community Planning and Development</b>
<b>May 16</b> .....	<b>Community Planning and Development</b>
<i>May 22</i> .....	<i>Victoria Day</i>
<b>June 1 to 4</b> .....	<b>FCM Convention - Ottawa</b>
<b>June 20</b> .....	<b>Community Planning and Development</b>
<i>July 3</i> .....	<i>Canada Day Stat</i>
<b>July 18</b> .....	<b>Community Planning and Development</b>
<i>August 7</i> .....	<i>Canada Day Stat</i>
<b>August 15</b> .....	<b>Community Planning and Development</b>
<i>September 4</i> .....	<i>Labour Day</i>
<b>September 19</b> .....	<b>Community Planning and Development</b>
<b>September 25 to 29</b> .....	<b>UBCM Conference - Vancouver</b>
<i>October 9</i> .....	<i>Thanksgiving Day</i>
<b>October 17</b> .....	<b>Community Planning and Development</b>
<i>November 13</i> .....	<i>Remembrance Day Stat</i>
<b>November 21</b> .....	<b>Community Planning and Development</b>
<b>December 19</b> .....	<b>Community Planning and Development</b>
<i>December 25</i> .....	<i>Christmas Day</i>
<i>December 26</i> .....	<i>Boxing Day</i>



## TERMS OF REFERENCE

### COMMUNITY VITALITY COMMITTEE

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#### **PURPOSE:**

The purpose of the Committee is to bring together community members to provide education, advice and recommendations to Council on policies and programs for the arts, culture, heritage and social planning, in order to support an inclusive, healthy and vital community.

The Committee's purpose is to provide Council advice and recommendations on the following:

- Planning and developing heritage conservation services and facilities.
- Fostering creativity, planning and developing arts and cultural programs, services, and facilities.
- Social planning in areas such as: education, poverty reduction, affordable housing, homelessness, food security, protection of the vulnerable, harm reduction, social isolation, and social connectivity.
- Strategizing to address environmental responsibility, social equity, cultural vitality, and a healthy and sustainable community.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- a minimum of three (3) members of Council.

#### **ELIGIBILITY:**

An individual with the following skills and expertise in at least one of the following categories may be given preference for membership on this Committee:

- Broad-based social perspective on community issues, social equity, and/or multiculturalism; and
- Broad-based arts, environment, culture and/or heritage perspective on community issues.

## **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

## **MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

## **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Community Development
- City Clerk
- Parks & Recreation
- Other Staff as required

City of Nanaimo

**COMMUNITY VITALITY COMMITTEE  
KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

<b>Committee</b>	<b>Start Time</b>	<b>Day of the Month</b>
<b>Culture, Heritage, and Social Planning Committee</b>	4:30 p.m.	1 <sup>st</sup> Wednesday

- January 1* ..... *New Year's Day*  
**January 4** ..... **Culture, Heritage and Social Planning Committee**
- February 1** ..... **Culture, Heritage and Social Planning Committee**  
*February 13* ..... *Family Day*
- March 1** ..... **Culture, Heritage and Social Planning Committee**
- April 5** ..... **Culture, Heritage and Social Planning Committee**  
**April 7-9** ..... **AVICC-Convention – Campbell River**  
*April 14* ..... *Good Friday*  
*April 17* ..... *Easter Monday*
- May 3** ..... **Culture, Heritage and Social Planning Committee**  
*May 22* ..... *Victoria Day*
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 7** ..... **Culture, Heritage and Social Planning Committee**
- July 3* ..... *Canada Day Stat*  
**July 5** ..... **Culture, Heritage and Social Planning Committee**
- August 2** ..... **Culture, Heritage and Social Planning Committee**  
*August 7* ..... *BC Day Stat*
- September 4* ..... *Labour Day*  
**September 6** ..... **Culture, Heritage and Social Planning Committee**  
**September 25 to 29** ..... **UBCM Conference – Vancouver**
- October 4** ..... **Culture, Heritage and Social Planning Committee**  
*October 9* ..... *Thanksgiving Day*
- November 1** ..... **Culture, Heritage and Social Planning Committee**  
*November 13* ..... *Remembrance Day Stat*
- December 6** ..... **Culture, Heritage and Social Planning Committee**  
*December 25* ..... *Christmas Day*  
*December 26* ..... *Boxing Day*



## TERMS OF REFERENCE

### FINANCE AND AUDIT COMMITTEE

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#### PURPOSE:

The purpose of the Committee is to assist Council in fulfilling its oversight responsibilities over the finances of the City of Nanaimo in accordance with provisions of the *Community Charter* by providing advice on the following:

#### Financial Matters:

- Recommend to Council best practices that ensure integrity of financial statements, financial recording and reporting processes and systems of internal controls through best practices in policies and procedures;
- Oversee and review the preparation of annual and long-term financial plans for recommendation to Council;
- Receive and review periodic budget and other financial reports on behalf of Council;
- Review strategic key performance indicators as they relate to financial performance;
- Review and make recommendations with respect to relevant legislation or changes thereof affecting financial resources and environmental issues relating to the City of Nanaimo.
- Review Council's investment portfolio.

#### Enterprise Risk Matters:

- Oversee the process of selecting external financial auditors and recommend appointment of the same to Council;
- Engage, serve as primary contact and report on reviews of external auditors;
- Recommend to Council audit reviews of City of Nanaimo where warranted;
- Receive, review and report on audit outcomes and initiatives, and recommend required action;
- Oversee the City of Nanaimo's enterprise risk management practices and processes relating to risk mitigation and business continuity.

#### Community Investment Matters:

- Recommend best practices and policies relating to community investment for Council's consideration with regard to general financial grants to community organizations and non- statutory tax exemption (Permissive Tax Exemptions under Section 224 and 227 of the *Community Charter*), and licenses and non-market licenses;
- Receive, review funding applications from community organizations and recommend grant fund awards for Council consideration.

#### Subsidiary Companies and Service Agreements:

- Advise Council on matters of governance and service and other agreements relating to City of Nanaimo subsidiary companies and organizations providing services on behalf of the City of Nanaimo;
- Receive and review performance reports from the City of Nanaimo's subsidiary companies and organizations providing services on behalf of the City of Nanaimo under agreement;
- Recommend strategic investments for Council's consideration.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- All members of Council

#### **ELIGIBILITY:**

All members of Council

#### **TERM:**

The Term of the Committee members will match the Member's term in office.

#### **MEETING FREQUENCY:**

There will be monthly, regularly scheduled meetings. Procedural bylaw will have to be followed for special or extra meetings.

#### **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Office of the Chief Financial Officer
- Office of the Chief Administrative Officer
- City Clerk
- Other Staff as required

City of Nanaimo  
**FINANCE AND AUDIT COMMITTEE**  
**KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Committee	Start Time	Day of the Month
Finance and Audit Committee	9:30 a.m.	2 <sup>nd</sup> Wednesday

- January 1* ..... *New Year's Day*  
**January 11** ..... **Finance and Audit Committee**
- February 8** ..... **Finance and Audit Committee**  
*February 13* ..... *Family Day*
- March 8** ..... **Finance and Audit Committee**
- April 12** ..... **Finance and Audit Committee**  
**April 7-9** ..... **AVICC-Convention – Campbell River**  
*April 14* ..... *Good Friday*  
*April 17* ..... *Easter Monday*
- May 10** ..... **Finance and Audit Committee**  
*May 22* ..... *Victoria Day*
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 14** ..... **Finance and Audit Committee**
- July 3* ..... *Canada Day Stat*  
**July 12** ..... **Finance and Audit Committee**
- August 9** ..... **Finance and Audit Committee**  
*August 7* ..... *BC Day Stat*
- September 4* ..... *Labour Day*  
**September 13** ..... **Finance and Audit Committee**  
**September 25 to 29** ..... **UBCM Conference - Vancouver**
- October 11** ..... **Finance and Audit Committee**  
*October 9* ..... *Thanksgiving Day*
- November 8** ..... **Finance and Audit Committee**  
*November 13* ..... *Remembrance Day Stat*
- December 13** ..... **Finance and Audit Committee**  
*December 25* ..... *Christmas Day*  
*December 26* ..... *Boxing Day*



## TERMS OF REFERENCE

### GRANTS ADVISORY SUB-COMMITTEE

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#### **PURPOSE:**

The Grants Advisory Sub-Committee is a sub-committee of the Finance and Audit Committee.

The Purpose of the Grants Advisory Sub-Committee is to provide the Finance and Audit Committee advice and recommendations on the following:

- the amount of financial assistance which the municipality should grant to applicants, including permissive taxation exemptions. Recommendations shall be made in accordance with the guidelines and criteria defined in this Policy;
- policies with regard to non-statutory tax exemption (Permissive Tax Exemptions under Sections 224 and 227 of the *Community Charter*); and
- requests for the subsidized use of civic facilities and resources as if they were requests for financial assistance ("in-kind" grants).

Committee members will:

- maintain the confidentiality of all matters reviewed by the Committee;
- provide all applicants with observations, recommendations and/or reasons for the recommendations of the Committee;
- ensure that civic grant funding does not subsidize activities that are the responsibility of senior governments, as this would represent a downloading of senior government costs to local taxpayers;
- ensure that priority of funding in all categories shall be given to small organizations, rather than larger ones; and,
- ensure that grants from the City will be awarded on the basis of demonstrated need for the service within the community.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- 1 (one) member recommended by the Parks, Recreation and Wellness Committee
- 2 (two) member recommended by the Community Vitality Committee
- 1 (one) member recommended by the United Way
- 2 (two) Council members as appointed by Council
- 1 (one) member recommended by the Nanaimo Alcohol and Drug Action Committee
- 2 (two) members of the general public appointed by Council
- 1 (one) non-voting Staff liaison recommended by the City Manager

The bodies recommending appointees shall be requested to ensure that the recommended representatives provide a good balance of knowledge in their respective areas of service, and to ensure the commitment and attendance of their recommended representatives.

**MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

**TERM:**

The maximum term for any member shall be three years.

**STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Office of the Chief Financial Officer
- Office of the Chief Administrative Officer
- City Clerk
- Other Staff as required

City of Nanaimo

**GRANTS ADVISORY SUB-COMMITTEE  
KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

<b>Committee</b>	<b>Start Time</b>	<b>Day of the Month</b>
<b>Grants Advisory Sub-Committee</b>	2:00 p.m.	3 <sup>rd</sup> Wednesday

- January 1*.....*New Year's Day*  
**January 18** ..... **Grants Advisory Sub-Committee**
- February 15**..... **Grants Advisory Sub-Committee**  
*February 13*.....*Family Day*
- March 15**..... **Grants Advisory Sub-Committee**
- April 7-9**..... **AVICC-Convention – Campbell River**  
**April 19** ..... **Grants Advisory Sub-Committee**  
*April 14*.....*Good Friday*  
*April 17*.....*Easter Monday*
- May 17** ..... **Grants Advisory Sub-Committee**  
*May 22*.....*Victoria Day*
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 21** ..... **Grants Advisory Sub-Committee**
- July 3*.....*Canada Day Stat*  
**July 19**..... **Grants Advisory Sub-Committee**
- August 7*.....*BC Day Stat*  
**August 16**..... **Grants Advisory Sub-Committee**
- September 20**..... **Grants Advisory Sub-Committee**  
**September 25 to 29** ..... **UBCM Conference - Vancouver**
- October 9*.....*Thanksgiving Day*  
**October 18** ..... **Grants Advisory Sub-Committee**
- November 15**..... **Grants Advisory Sub-Committee**  
*November 13* .....*Remembrance Day Stat*
- December 20**..... **Grants Advisory Sub-Committee**  
*December 25*.....*Christmas Day*  
*December 26*.....*Boxing Day*



## TERMS OF REFERENCE

### NANAIMO YOUTH ADVISORY COUNCIL

---

#### **PURPOSE:**

The mandate of the Nanaimo Youth Advisory Committee (NYAC) is to provide Mayor and Council with a youth perspective on municipal issues. The NYAC will also provide input and advice to City staff as requested and will seek to involve and inform the young people of Nanaimo on issues that affect them and the community as a whole.

The City of Nanaimo believes that:

- Youth are integral parts of the community and, like all residents, have inherent rights and responsibilities;
- Youth should be encouraged and given the opportunity to take a leading role in issues which affect their lives;
- Youth are able to make positive contributions to their communities; and,
- That an investment in young people is an investment in the future.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members between 15 and 24 years of age
- One (1) members of Council.

#### **ELIGIBILITY:**

An individual meeting the following criteria may be given preference for membership on this Committee:

- Contrasting cultural, educational, and socio-economic backgrounds
- Diversity of age within the 15 to 24 year membership requirement
- Snuneymuxw First Nation or other First Nation backgrounds

## **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

## **MEETING FREQUENCY:**

In addition to regularly scheduled monthly meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

## **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Community Development
- City Clerk
- Other Staff as required

City of Nanaimo  
**NANAIMO YOUTH ADVISORY COUNCIL**  
**KEY DATE CALENDAR – 2017**

Council meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Council	Start Time	Day of the Month
Nanaimo Youth Advisory Council	4:30 p.m.	3 <sup>rd</sup> Wednesday

- January 1*.....*New Year's Day*  
**January 18** ..... **Nanaimo Youth Advisory Council**
- February 15**..... **Nanaimo Youth Advisory Council**  
*February 13* .....*Family Day*
- March 15**..... **Nanaimo Youth Advisory Council**
- April 7-9**..... **AVICC-Convention – Campbell River**  
**April 19** ..... **Nanaimo Youth Advisory Council**  
*April 14*.....*Good Friday*  
*April 17*.....*Easter Monday*
- May 17** ..... **Nanaimo Youth Advisory Council**  
*May 22*.....*Victoria Day*
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 21** ..... **Nanaimo Youth Advisory Council**
- July 3*.....*Canada Day Stat*  
**July 19** ..... **Nanaimo Youth Advisory Council**
- August 7*.....*BC Day Stat*  
**August 16**..... **Nanaimo Youth Advisory Council**
- September 20**..... **Nanaimo Youth Advisory Council**  
**September 25 to 29** ..... **UBCM Conference - Vancouver**
- October 9*.....*Thanksgiving Day*  
**October 18** ..... **Nanaimo Youth Advisory Council**
- November 15**..... **Nanaimo Youth Advisory Council**  
*November 13*.....*Remembrance Day Stat*
- December 20**..... **Nanaimo Youth Advisory Council**  
*December 25*.....*Christmas Day*  
*December 26*.....*Boxing Day*



## TERMS OF REFERENCE

### PARKS, RECREATION, AND WELLNESS COMMITTEE

---

#### **PURPOSE:**

The purpose of the Committee is to provide a forum for the community to provide Council and staff input on creating and operating parks, recreation and wellness programs, services, and facilities that meet the needs of all of the community in a sustainable and dynamic way.

The Committee's purpose is to provide Council advice and recommendations on the following:

- planning, development, and provisions of parks, recreation, and wellness services;
- coordination of parks, recreation, and wellness programming with partners;
- environmental stewardship of parks and sustainable operations in the context of parks and recreation;
- equitable access to parks, recreation and wellness services and facilities by all citizens;
- recommendations on applications for funding, and subsidies for recreation facilities; and,
- other issues referred to the Committee by the Director of Parks and Recreation, CAO or Council.

#### **MEMBERSHIP:**

The membership of the Committee will have up to 15 members and will consist of the following:

- a maximum of eight (8) members at-large
- three (3) members of Council
- three (3) RDN (Electoral Area representatives); and,
- One (1) District of Lantzville representative

Note: Membership is dictated by existing bylaw; any changes require an amendment.

#### **ELIGIBILITY:**

(Applies to members-at large) An individual with the following skills and expertise may be given preference for membership on this Committee:

- parks and park stewardship;
- recreation;
- active lifestyle and wellness;
- environmental stewardship; and,

- promotion of health

### **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

### **MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

Meetings will not be held in August or December.

### **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Parks and Recreation
- Engineering and Public Works
- Community Development
- City Clerk
- Other Staff as required

City of Nanaimo

**PARKS, RECREATION, AND WELLNESS COMMITTEE  
KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

<b>Committee</b>	<b>Start Time</b>	<b>Day of the Month</b>
<b>Parks, Recreation, and Wellness Committee</b>	5:30 p.m.	4 <sup>th</sup> Wednesday

- January 1* ..... *New Year's Day*  
**January 25** ..... **Parks, Recreation and Wellness Committee**
- February 13* ..... *Family Day*  
**February 22** ..... **Parks, Recreation and Wellness Committee**
- March 22** ..... **Parks, Recreation and Wellness Committee**
- April 7-9** ..... **AVICC-Convention – Campbell River**  
*April 14* ..... *Good Friday*  
*April 17* ..... *Easter Monday*  
**April 26** ..... **Parks, Recreation and Wellness Committee**
- May 22* ..... *Victoria Day*  
**May 24** ..... **Parks, Recreation and Wellness Committee**
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 28** ..... **Parks, Recreation and Wellness Committee**
- July 3* ..... *Canada Day Stat*  
**July 26** ..... **Parks, Recreation and Wellness Committee**
- August 7* ..... *BC Day Stat*
- September 4* ..... *Labour Day*  
**September 25 to 29** ..... **UBCM Conference - Vancouver**  
**September 27** ..... **Parks, Recreation and Wellness Committee**
- October 9* ..... *Thanksgiving Day*  
**October 25** ..... **Parks, Recreation and Wellness Committee**
- November 13* ..... *Remembrance Day Stat*  
**November 22** ..... **Parks, Recreation and Wellness Committee**
- December 25* ..... *Christmas Day*  
*December 26* ..... *Boxing Day*



## **TERMS OF REFERENCE**

### **PUBLIC SAFETY COMMITTEE**

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#### **PURPOSE:**

The Community Safety Committee is responsible for maintaining and enhancing a safe and healthy community that promotes and supports quality of life while encouraging resident involvement and input.

The Committee's purpose is to provide Council advice on the following:

- integrated prevention based approach to public safety;
- provision of protective services to support public safety throughout the city;
- reducing the adverse effects to the community arising from public disorder or criminal activities;
- integrating enforcement and social responses to issues of community safety; and
- services and strategies that lead to the protection of vulnerable persons.

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- seven (7) members-at-large; and
- three (3) members of Council.

Non-voting representatives and community partners may be invited to attend the meeting specific to topics of shared interest.

Subject matter experts as non-voting representatives including but not limited to: Fire Chief, Social Planner, Manager of Police Support Services, Officer-in-Charge RCMP Nanaimo Detachment, Emergency Program Manager, Manager of Bylaws or designates.

#### **ELIGIBILITY:**

An individual with the following skills and expertise may be given preference for membership on this Committee:

- demonstrated background in social community services, emergency planning, Canadian Justice services, fire services, protection services, enforcement or prevention services

## **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

## **MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

## **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Community Services
- Nanaimo Police Support Services
- Nanaimo Fire Rescue & Emergency Management
- Bylaw and Parking Services
- City Clerk
- Chief Operations Officer
- Other Staff as required

City of Nanaimo  
**PUBLIC SAFETY COMMITTEE  
 KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Committee	Start Time	Day of the Month
Public Safety Committee	3:30 p.m.	1 <sup>st</sup> Thursday

- January 1* ..... *New Year's Day*
- January 5** ..... **Public Safety Committee**
  
- February 2** ..... **Public Safety Committee**
- February 13* ..... *Family Day*
  
- March 2** ..... **Public Safety Committee**
  
- April 6** ..... **Public Safety Committee**
- April 7-9** ..... **AVICC-Convention – Campbell River**
- April 14* ..... *Good Friday*
- April 17* ..... *Easter Monday*
  
- May 4** ..... **Public Safety Committee**
- May 22* ..... *Victoria Day*
  
- June 1 to 4** ..... **FCM Convention - Ottawa**
- June 1** ..... **Public Safety Committee**
  
- July 3* ..... *Canada Day Stat*
- July 6** ..... **Public Safety Committee**
  
- August 3** ..... **Public Safety Committee**
- August 7* ..... *BC Day Stat*
  
- September 4* ..... *Labour Day*
- September 7** ..... **Public Safety Committee**
- September 25 to 29** ..... **UBCM Conference - Vancouver**
  
- October 5** ..... **Public Safety Committee**
- October 9* ..... *Thanksgiving Day*
  
- November 2** ..... **Public Safety Committee**
- November 13* ..... *Remembrance Day Stat*
  
- December 7** ..... **Public Safety Committee**
- December 25* ..... *Christmas Day*
- December 26* ..... *Boxing Day*



## TERMS OF REFERENCE

### PUBLIC WORKS AND ENGINEERING COMMITTEE

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#### **PURPOSE:**

The purpose of the Committee is to provide a forum for Council and Staff to seek input from the community and experts on subject matters regarding Public Works & Engineering. Participation of community members is of utmost importance.

The Committee's purpose is to provide recommendations to Council on the following (in the context of Public Works & Engineering Water, sewer, storm, infrastructure, garbage, and fleet).

- capital priorities and planning;
- water management;
- environmental sustainability;
- asset management and financial sustainability;
- transportation master plan;
- community accessibility;
- relevant federal and provincial government policies and programs; and
- other issues referred to the Committee by Director, CAO, COO or Council.

These focus areas have been identified according to the following documents:

- Core Service Review
- current Transportation Master Plan
- Yearly Financial Plan; and
- 2016-2019 Strategic Plan.

*The order and thus priority may change depending on changes to emerging issues as identified by the Committee.*

#### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- a minimum of seven (7) members; and
- three (3) members of Council.

## **ELIGIBILITY:**

All residents are eligible to apply; however, an individual with the following skills and/or expertise may be given preference for membership on this Committee:

- member of the engineering consulting community, development community, contracting community, transportation community;
- broad-based perspective on community services and delivery of those services;
- accessibility; and
- environmental sustainability

## **GRANTS:**

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff and sent to the Grants Advisory Sub-Committee.
4. The Grants Advisory Sub-Committee recommends recipients from the list provided for the grant to the Finance and Audit Committee for approval.

## **MEETING FREQUENCY:**

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

## **STAFF SUPPORT:**

The following City Departments may provide support to the Committee in accordance with the *City of Nanaimo Committee Operating Guidelines*:

- Engineering and Public Works
- Community Development
- City Clerk
- Chief Operations Officer
- Other Staff as required

## **OBSERVERS & COMMUNITY SUPPORTS:**

Non-voting representatives may be invited to attend the meeting specific to topics of shared interest. All regular meetings are open to the public.

City of Nanaimo

**PUBLIC WORKS AND ENGINEERING COMMITTEE  
KEY DATE CALENDAR – 2017**

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Committee	Start Time	Day of the Month
Public Works and Engineering Committee	4:30 p.m.	2 <sup>nd</sup> Wednesday

- January 1* ..... *New Year's Day*  
**January 11** ..... **Public Works and Engineering Committee**
- February 8** ..... **Public Works and Engineering Committee**  
*February 13* ..... *Family Day*
- March 8** ..... **Public Works and Engineering Committee**
- April 7-9** ..... **AVICC-Convention – Campbell River**  
**April 12** ..... **Public Works and Engineering Committee**  
*April 14* ..... *Good Friday*  
*April 17* ..... *Easter Monday*
- May 10** ..... **Public Works and Engineering Committee**  
*May 22* ..... *Victoria Day*
- June 1 to 4** ..... **FCM Convention - Ottawa**  
**June 14** ..... **Public Works and Engineering Committee**
- July 3* ..... *Canada Day Stat*  
**July 12** ..... **Public Works and Engineering Committee**
- August 7* ..... *BC Day Stat*  
**August 9** ..... **Public Works and Engineering Committee**
- September 13** ..... **Public Works and Engineering Committee**  
**September 25 to 29** ..... **UBCM Conference - Vancouver**
- October 9* ..... *Thanksgiving Day*  
**October 11** ..... **Public Works and Engineering Committee**
- November 8** ..... **Public Works and Engineering Committee**  
*November 13* ..... *Remembrance Day Stat*
- December 13** ..... **Public Works and Engineering Committee**  
*December 25* ..... *Christmas Day*  
*December 26* ..... *Boxing Day*

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# Committee Operating Guidelines



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Lisa Zwarn, Consultant

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# COMMITTEE OPERATING GUIDELINES

## Part 1 – Specific Terms and Conditions Applicable to Individual Committees

### 1 Terms of Reference

- 1.1 The following subjects are addressed in each Committee's Terms of Reference:
- a) Purpose;
  - b) Membership composition and eligibility;
  - c) Meeting frequency;
  - d) Grants approval process; and,
  - e) Staff support

## Part 2 – Terms and Conditions Applicable to All Committees

### A. General

#### 1 Definitions

##### 1.1 In this part:

- a) **Agenda Package** means the agenda cover sheet setting out the order of business and all supporting materials including Staff reports and correspondence;
- b) **Annual Strategic Directions** means the Annual Strategic Directions prepared each year for Council's approval in accordance with section 4.
- c) **Corporate Officer** means the statutory position of Corporate Officer appointed by Council; and,
- d) **Staff Liaison** means the staff member assigned by the CAO (Department Head) who is responsible for a Committee and provides subject matter expertise and support to a Committee.

### B. Committee Function and Administration

#### 2 Accountability

- 2.1. Council will annually provide Strategic Directions to each committee on matters to be addressed in the upcoming year and each committee will regularly report its progress to Council in accordance with section 4.
- 2.2. In addition to section 2.1, Council may require a committee to inquire into any matter and report its findings and opinions, with or without recommendations, to Council either:
  - a) by the time specified in the assignment; or,
  - b) within three (3) months of being assigned the matter, if no time has been specified.
- 2.3. Where a committee assigns a specific task to a member, that member will report back with an update at the next Regular Committee Meeting either:
  - a) orally, if the member is in attendance; or
  - b) in writing, if the member is absent.

#### 3 Financial and Administrative Resources

- 3.1. The Chief Administrative Officer may assign staff members to provide administrative support to a committee.
- 3.2. The committee will not instruct any City Staff assigned to the committee on what tasks are to be completed or how any task is to be completed.

- 3.3. In accordance with the financial plan, the City may:
- a) allocate specific funding to a committee to assist the committee in carrying out its mandate; and,
  - b) delegate its authority to the committee to authorize the expenditures of that specific funding.
- 3.4. In order to spend any specific funding allocated to a committee, the following must occur:
- a) the committee must pass a resolution to authorize that particular expenditure; and,
  - b) the staff member must have the authority to approve the expenditure pursuant to the City's Purchasing Policy.

#### **4 Code of Conduct**

- 4.1. A member will do the following:
- a) use his or her knowledge, skills and abilities to the best of his or her ability;
  - b) act in the best interests of the organization;
  - c) consider the needs of the community;
  - d) engage in professional behavior at all times;
  - e) not use or disclose for personal gain information on decisions, findings, plans, bids, or other matters concerning the committee in a closed meeting;
  - f) maintain confidentiality of any issue or matter before the committee;
  - g) attend committee meetings on a regular basis;
  - h) be informed and prepare appropriately before the meeting in order to participate meetings; and,
  - i) complete any tasks assigned by the committee to the member.
- 4.2. A member who is in a situation that has the potential to undermine his or her impartiality because of a possible clash between the public interest and his or her self, professional or business interest is in a conflict of interest.
- 4.3. A member who is in a conflict of interest including a potential conflict of interest must do the following:
- a) declare the conflict of interest;
  - b) not Remain or attend at any part of a meeting during which the matter involving the conflict of interest is under consideration;
  - c) not participate in any discussion of the matter involving the conflict of interest at such a meeting;
  - d) refrain from voting on a question in respect of the matter involving the conflict of interest;
  - e) not attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter involving the conflict of interest; and,
  - f) not attempt in any way to influence a decision, recommendation or other action to be made or taken involving the conflict of interest:
    - i. At a meeting during which the matter involving the conflict of interest or potential conflict of interest;

- ii. By an officer or employee of the City;
  - iii. By a delegate who has received delegated council authority.
- 4.4. If a member fails to disclose a conflict of interest or a potential conflict of interest, Council may remove that member from the committee at any time.

## **5 Remuneration**

- 5.1. The City will not pay a committee member any remuneration for serving on a committee.
- 5.2. The City will reimburse a member for any expenses incurred while doing business on behalf of the City as a member, provided that:
- a) the expenses have been approved by the Staff Liaison responsible for that committee;
  - b) the Staff Liaison has approved the expenses before the expenses are incurred; and,
  - c) the member has completed the appropriate form and submitted the form with the original receipts within 30 days after incurring the expenses.

## **6 Reporting to Council**

- 6.1. The Staff Liaison will submit the Annual Strategic Directions to Council which contains the following information:
- a) the name of the committee;
  - b) the goals and objectives for the committee to achieve during the year;
  - c) the measurements which will be used to determine if the goals and objectives are achieved;
  - d) any constraints which may impact the strategic directions; and,
  - e) the subject matters which the committee intends to address during the year.
- 6.2. The Staff Liaison, on behalf of the Committee will submit the Annual Strategic Directions to Council at a Council meeting held in January of every year.
- 6.3. Council may do the following the Committee's Strategic Directions:
- a) approve as presented;
  - b) amend and then approve as amended; or,
  - c) not approve and provide direction or instructions to the Committee in place of the Strategic Directions.
- 6.4. The Staff Liaison, on behalf of the Committee, will submit a mid-year report to Council at a Council meeting held in either July or August, which contains the following:
- a) the name of the committee;
  - b) the matters which the committee has considered to date; and,
  - c) the status of the Committee's progress on its Strategic Directions for that year.
- 6.5. The Staff Liaison, on behalf of the Committee, will submit an annual report to Council which contains the following information:
- a) The name of the committee;

- b) The name of the committee members;
- c) The number of times that the committee has met during the year;
- d) A list of the various subjects examined by the committee;
- e) Highlights of the committee's accomplishments;
- f) Any trends or issues of concern of which the committee thinks that Council should be aware; and,
- g) Any other additional information that Council has requested be included.

6.6. The Staff Liaison will submit the annual report on behalf of the Committee to Council at a Council meeting held in November or December of every year.

## 7 Scope

7.1. A committee must adhere to the following guiding principles:

- a) serve Council to the best of its ability;
- b) keep the welfare of the community foremost;
- c) treat all individuals with dignity and respect;
- d) operate in a transparent and collaborative manner;
- e) provide meaningful input into matters to be considered by Council;
- f) operate in a manner which makes the most efficient and effective use of the committee's and staff's time;
- g) work with other committees in a positive manner on matters which impact the committees;
- h) engage in clear communications in order to assist in efficient, informed decision making and effective distribution of information;
- i) respect diversity of opinion;
- j) appreciate inquiry and curiosity; and,
- k) accept uncertainty, ambiguity and lack of absolutes where necessary;

7.2. The committee may do the following:

- a) review and provide input on matters within the Terms of Reference of the committee and the Committee's Annual Strategic Directions;
- b) make recommendations for Council's consideration on matters within the committee's Terms of Reference;
- c) bring forward new initiatives to Council on matters not set out in the committee's work plan for Council's approval to amend the committee's work plan to include the new initiative;
- d) exercise authority delegated by Council to the committee; and,
- e) work in collaboration with other committees on matters within the mandates of the committees.

7.3. Council will determine if a matter falls within the mandate of a committee, if there is any uncertainty.

7.4. Committees will work in a collaborative manner to make joint recommendations to Council for matters which overlap in Terms of Reference of those committees.

## C. Committee Structure and Operations

### 8 Appointment Process

- 8.1. The Corporate Officer will recruit persons to serve on a committee.
- 8.2. The Corporate Officer may use whatever means the Corporate Officer determines necessary to obtain quality applications for each committee based on its Terms of Reference.
- 8.3. Any person wanting to serve as a committee member will submit an application form (1 application per committee) with the following information to the Corporate Officer using the applicable form by November 15 of the year preceding the year of appointment, or as required by unexpected vacancies on a Committee:
  - a) the person's name, address, phone number and email address;
  - b) the name of the preferred committee on which the person is interested in serving;
  - c) a brief resume;
  - d) a description of the person's knowledge, skills and abilities applicable to the committee;
  - e) any details about the person's involvement on previous committees of the City; and,
  - f) any other information the person thinks is relevant to the application (to a maximum of five (5) extra pages).
- 8.4. The Corporate Officer will:
  - a) review all applications received by the deadline; and
  - b) make recommendations as to which persons should be appointed to which committees.
- 8.5. In making appointment recommendations to Council, the Corporate Officer may consider the following criteria:
  - a) the person's knowledge, skills and abilities vis-à-vis the Terms of Reference of the Committee;
  - b) the person's past behavior while previously serving on a committee;
  - c) the potential for conflict of interest between the person and the subject matters considered by the committee in accordance with the committee's Terms of Reference;
  - d) the current composition of the Committee in terms of knowledge, skills and abilities;
  - e) any information provided by the department responsible for the Committee; and,
  - f) any other information that the Corporate Officer deems relevant to the application.
- 8.6. Unless specified in the Terms of Reference, all applicants will be residents of the City of Nanaimo.
- 8.7. Council may, at its pleasure, appoint persons to fill committee vacancies or appoint additional members to a committee by motion in a Council meeting.

- 8.8. Council member appointments to select committees are reviewed annually each December by Council or as required.

## **9 Chair and Vice Chair**

- 9.1. Council will:
- a) Appoint the Chair of a committee annually.
  - b) Suspend a Chair or Vice Chair of a committee for any length of time and for any reason.
  - c) Remove a person as the Chair or the Vice Chair of a committee at any time and for any reason.
- 9.2. The Chair will be a member of Council and the Vice Chair may be a committee member other than a Council member.
- 9.3. The following persons will not serve as a Chair or Vice Chair:
- a) the Chief Administrative Officer;
  - b) any Staff Liaison; and
  - c) any employee or agent of the City.
- 9.4. If Council has not appointed a person to serve as a Chair or a person to serve as Vice Chair, then the committee may choose its Chair and Vice Chair at the next committee meeting after there is a vacancy.
- 9.5. In choosing a Committee Chair or Vice Chair, the following criteria may be considered:
- a) the number of years that the person has served on any committee of the City;
  - b) the experience and familiarity that a person has with the mandate of the committee; and,
  - c) whether the person has experience serving as a Chair or a Vice Chair on any committee.
- 9.6. The Recording Secretary and any staff member assigned to a committee will assist in the training of a Chair or a Vice Chair to fulfill his or her duties and responsibilities.
- 9.7. The term of office for a Chair and for a Vice Chair will be one year.
- 9.8. Only the Chair may speak for the Committee outside of a committee meeting.
- 9.9. Unless otherwise stipulated, each member of a Committee has equal voting rights.

## **10 Communications**

- 1.1. Email will be the preferred method to communicate with all members.
- 10.1. A committee member will provide the Recording Secretary with an email address to be used for all communications relating to committee or City business.

- 10.2. The Recording Secretary and Staff will use the email address provided when communicating with committee members.
- 10.3. A member will:
  - a) assist the Freedom of Information Head with any requests for information; and,
  - b) provide all records in the member's possession pertaining to an information request.
- 10.4. Any communications between one committee and another committee will include the chairs of both committees.

## **11 Membership**

- 1.1. A member may only serve on one committee at a time.
- 11.1. Unless specified elsewhere, the term for all committee appointments is two calendar years.
- 11.2. A person who is not a Council member may not serve more than two (2) consecutive terms on the same Committee.
- 11.3. 2017 will be deemed the first year for all Council select committees except those specifically exempted by motion.
- 11.4. All of the select committees have staggered commencement of terms of office for the members and Council may, for whatever reasons, decide:
  - a) which members will serve for a one-year term; and,
  - b) which members will serve for a two-year term.
- 11.5. The one-year term of office set out in section 4.5(a) does not count towards the maximum number of consecutive terms set out in this section.
- 11.6. If member no longer wishes to serve as a member, the member will:
  - a) give written notice to the Corporate Officer indicating the resignation date; and
  - b) return any City property provided to the member during his or her term of office.
- 11.7. A member may not use any City property or resources for his or her personal benefit or for the benefit of a person associated with the member.

## **12 Roles of the Committee Members**

- 12.1. Each committee member has the following duties and responsibilities:
  - a) Prepare for and attend committee meetings;
  - b) complete any tasks assigned by the committee;
  - c) be accountable for all actions taken in the name of the committee;
  - d) contribute to the direction and work of the committee to the best of his or her ability;
  - e) adhere to the Code of Conduct set-out in Section B (3); and,

- f) adhere to the Committee operating principles set out in Section B (6).
- 12.2. In addition to those of an individual committee member, a Council Member who is assigned to a committee has the following duties and responsibilities:
- a) act as a liaison between the committee and Council;
  - b) provide the committee with Council's perspective on matters coming before the committee, where a perspective has been expressed by Council; and,
  - c) assist the Committee in developing feasible options which align with the City's strategic direction, master plans, financial plans, goals, and objectives.
- 12.3. The Chair has the following duties and responsibilities, in addition to those of being a member:
- a) be the liaison between the committee, Staff, and other committees;
  - b) provide leadership to the committee;
  - c) preside at all meetings of the committee, if present;
  - d) supervise the other members in the execution of their duties;
  - e) build consensus and foster teamwork;
  - f) work with the Recording Secretary to develop agendas for meetings; and,
  - g) act as the official representative of the committee, as needed.
- 12.4. The Vice Chair has the following duties and responsibilities, in addition to those of being a member;
- a) perform of the duties of the Chair, if the Chair is unavailable; and,
  - b) assist the Chair and the Recording Secretary as needed.
- 12.5. The Corporate Officer has the following duties and responsibilities:
- a) conduct the correspondence of the committee;
  - b) issue notices of meetings for the committee;
  - c) prepare meeting agendas;
  - d) ensure that the minutes for all meetings are kept;
  - e) supervise the custody and maintenance of all committee records; and,
  - f) maintain the register of members.
- 12.6. Any staff member assigned to a committee has the following duties and responsibilities:
- a) assist the committee in any appropriate manner to carry out the committee's mandate;
  - b) communicate to the committee any information or restrictions coming from Council or senior management which may have an impact on the committee;
  - c) ensure that any financial resources allocated to the committee are spent in accordance with the City's policies; and,
  - d) where a committee member becomes a staff member, they are to resign from the Committee immediately upon employment.

#### D. Meeting Administration

### 13 General

- 13.1. The committees are subject to the same rules and conditions as Council, set out in the Council Procedure Bylaw.

- 13.2. A committee must meet at least once per year, if the frequency of the meetings is not set out in the committee's terms of reference.
- 13.3. The Corporate Officer will determine:
  - a) the regular schedule of days and times for the committee meetings; and
  - b) the location of the meetings of a committee.

#### **14 Minutes and Agendas**

- 14.1. Minutes and Agendas will be administered in accordance with the Council Procedure Bylaw.

#### **15 Quorum**

- 15.1. Unless specified otherwise, quorum for a committee will be the majority of voting members of the committee currently holding office.

# 2017 Annual Strategic Directions for the Community Vitality Committee

## Item 1: Port Drive Waterfront Master Plan

How does it relate to the following?

Strategic Plan Update 2016-2019	Adopted Plans and Documents	Programs
<ul style="list-style-type: none"> <li>▪ Phased Development of South Downtown Waterfront</li> <li>▪ Recreation</li> <li>▪ Port Drive/ South Downtown Waterfront</li> </ul>	<ul style="list-style-type: none"> <li>▪ South Downtown Waterfront Initiative</li> </ul>	

## Item 2: Hospital Area Plan

How does it relate to the following?

Strategic Plan Update 2016-2019	Adopted Plans and Documents	Programs
<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

## Item 3: OCP Amendment Applications

How does it relate to the following?

Strategic Plan Update 2016-2019	Adopted Plans and Documents	Programs
<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

## Item 4: Climate Adaptation/Resilience Strategy

How does it relate to the following?

Strategic Plan Update 2016-2019	Adopted Plans and Documents	Programs
<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

## Item 5: Census 2016 Data Analysis/Presentation

How does it relate to the following?

Strategic Plan Update 2016-2019	Adopted Plans and Documents	Programs
<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

**CITY OF NANAIMO  
ADVISORY COMMITTEE ON THE ENVIRONMENT  
TERMS OF REFERENCE**

**PREAMBLE**

As the community grows and changes, it is most critical that decisions concerning environmental issues reflect the values, aspirations and priorities of the community and supports sustainability in the long term.

**MANDATE**

The Advisory Committee on the Environment (ACE) has been created as an advisory committee to Council to examine the impacts of existing policies and practices regarding land use and development on our natural environment, and to make recommendations to Council on how the City can improve its stewardship of the environment for the future.

It is not the mandate of this Committee to review site-specific development proposals, except as specifically referred to it.

**OBJECTIVES**

The objectives of the Committee are:

- to reflect and articulate the community's concerns, in all their diversity, on matters within the Committee mandate or as referred by City Council;
- to bring to Council's attention the need for specific policies to deal with matters of importance to the community's environmental well-being;
- to identify and prioritize key environmental policy issues for Council's attention;
- to make recommendations to Council in relation to the development of environmental management goals and objectives to ensure they meet the changing environmental, economic and social needs of the community;
- to make recommendations to Council in relation to the appropriateness of existing policies, bylaws, procedures and practices to meet environmental objectives; and
- to provide advice to Council on actions which can be taken to improve the state of the City's environmental well-being and livability.
- To address community-related sustainability issues

**SCOPE OF WORK**

In order to achieve these objectives, the Committee would meet on an as-needed basis to:

- Review and make recommendations to Council on all issues within the Committee mandate.
- In addition to the regularly scheduled meetings, members may be requested to participate with Staff and Council on specific task forces or project committees.
- Typical examples of the scope of work are attached to these Terms of Reference.



## **CITY MANAGER SELECTION COMMITTEE TERMS OF REFERENCE**

*(adopted 2015-NOV-02)*

### **Mandate**

The role of the City Manager Selection Committee (the Committee) is to undertake processes to hire an interim and permanent City Manager.

### **Membership**

The Committee shall consist of all members of Council.  
The Committee will be Chaired by the Mayor.

### **Appointment and Term**

The term of the Committee will conclude when Council appoints a permanent City Manager.

### **Meetings**

The Committee will:

- Establish meeting days and times after consultation with Committee members; and
- Meet at the Call of the Chair.

### **Governance**

The Committee is a select committee of Council and subject to the *Community Charter, Council Procedure Bylaw 2007 No. 7060, Council's Advisory Committees Terms of Reference* and Council bylaws and policies.



**CORE SERVICES REVIEW STEERING COMMITTEE  
MANDATE & OBJECTIVES  
(2015 MARCH-02)**

Mandate

The Core Services Review (“CSR”) Steering Committee has a mandate to support, guide and oversee the Core Services Review for the City of Nanaimo. The Steering Committee also makes recommendations to City Council on a high level implementation plan for identified priorities and the process by which the effectiveness of implementation will be measured. The CSR Steering Committee ceases to exist upon Council adoption of an implementation plan.

Objectives

The objectives of the CSR Steering Committee are to:

- Develop the Core Services Review mandate with the assistance of the consultant retained by Council.
- Make recommendations to Council on the Core Services Review Request for Proposal.
- Evaluate the proposals resulting from the Request for Proposal and make recommendations to Council on the selection of a Core Services Review consultant.
- Should additional consultant(s) be required in order to fulfill the Core Services Review mandate, oversee the process of consultant(s) selection, evaluate resulting proposals, and make selection decision(s) in accordance with the Purchasing Power Delegation Bylaw.
- Clarify desired outcomes and overall approach to the Core Services Review process.
- Identify stakeholders in the Core Services Review process, determine desired level of input and establish timing and input mechanisms.
- Develop and/or approve a communication strategy for the Core Services Review.
- Approve the overall framework for Core Services Review reporting and any related documents.
- Make recommendations to Council on the final report of the Core Services Review consultant.
- Recommend to Council priorities for implementation of the Core Services Review recommendations, a high level implementation plan and a performance measurement process to monitor and report on the effectiveness of implementation.

Chair

The CSR Steering Committee will be chaired by the Mayor. In the absence of the Mayor, the Acting Mayor will act as chair.

Meetings

The CSR Steering Committee will:

- (a) Meet at the Call of the Chair; and
- (b) Establish meeting days and times after consultation with Committee members.

## Membership

The membership of the CSR Steering Committee will consist of all members of Council.

## Staff

The City Manager will be the Staff Liaison to the CSR Steering Committee, with the assistance of the Director of HR & Organizational Planning. Once a Core Services Review consultant has been retained, a Staff Technical Committee will be established to provide the technical support for the review.

See also:

- Advisory Committees Terms of Reference
- Council Procedure Bylaw

## TERMS OF REFERENCE DESIGN ADVISORY PANEL

Plan Nanaimo (OCP) has devised a number of design guidelines to assist development to meet community objectives. Part 26 of the Local Government Act assumes an advisory body will advise Council in the evaluation of projects requiring development permits. The design community has a role to play in assisting new developments to respect the existing built form landscape of the community.

In this context, these Terms of Reference identify a mandate for the Design Advisory Panel. The mandate is an invitation to the City's design community to become involved in moulding on-going developments to meet the unique urban design environment of Nanaimo.

The Design Advisory Panel's primary objective is to review Form and Character Development Permit applications and provide advice by way of recommendations to staff in its negotiations with applicants.

### Objectives of the Design Advisory Panel

- To assist Council in establishing guidelines to ensure that the form and character of future development is of a standard quality which meets the needs of the community.
- To evaluate the development proposals in relation to design guidelines and provide its recommendations in relation to same.
- To encourage a high standard of project design and construction through educational programs and award programs recognizing projects which demonstrate innovative and high standards of urban design and landscaping.
- To provide advice to Council on actions which can be taken to improve the appearance of the City.

### Scope of Work

In order to achieve these objectives, the Panel will meet on a regular basis:

- To review development applications to identify and recommend design objectives consistent with applicable design guidelines for staff to negotiate as part of the design review
- Provide recommendations and assistance to Council in relation to the development of design guidelines and other regulations affecting development.
- Develop and initiate methods of public education on urban design issues.
- Participate with staff and Council on specific task force or project committees.

Individual applications submitted for review are evaluated in an open session. The review process will follow the following pattern:

- City staff will present background information and a summary of major policy issues applicable to the proposal.
- The applicant or his/her agent will present the proposed development highlighting:
  - The proposed development's function.
  - The project's adherence to the appropriate design guidelines and the neighbourhood context.
  - The reasons for requested variances, if required.
- The Panel will have an opportunity to ask the applicant, his/her agent and staff questions about the design and zoning requirements.
- The Panel will consider the presentations and formulate a recommendation to assist staff in further design discussions with the applicant.
- The recommendation from the Panel will form part of the report presented to the Planning and Development Standing Committee.



## TERMS OF REFERENCE

### GRANTS ADVISORY COMMITTEE

(Adopted 2011-AUG-29)

(Amended 2012-APR-23)

#### 1. COMPOSITION AND TERM

The Grants Advisory Committee shall be appointed by Council and shall be comprised of:

- 2 members recommended by the Parks, Recreation and Culture Commission, one from the Cultural Committee, and one from the Recreation Committee
- 1 member recommended by the United Way
- 2 Council members as appointed by Council
- 1 member recommended by the Nanaimo Alcohol and Drug Action Committee
- 1 member recommended by the Social Planning Advisory Committee
- 2 members of the general public appointed by Council
- 1 non-voting Staff liaison recommended by the City Manager

The bodies recommending appointees shall be requested to ensure that the recommended representatives provide a good balance of knowledge in their respective areas of service, and to ensure the commitment and attendance of their recommended representatives.

The maximum term for any member shall be three years.

#### 2. TERMS OF REFERENCE

The Terms of Reference of the Grants Advisory Committee shall be:

- (a) to advise Council on the amount of financial assistance which the municipality should grant to applicants, including permissive taxation exemptions. Recommendations shall be made in accordance with the guidelines and criteria defined in this Policy;
- (b) to recommend policies to Council with regard to non-statutory tax exemption (Permissive Tax Exemptions under Sections 224 and 227 of the *Community Charter*);
- (c) to make recommendations on requests for the subsidized use of civic facilities and resources as if they were requests for financial assistance ("in-kind" grants);
- (d) to maintain the confidentiality of all matters reviewed by the Committee;

- (e) to provide all applicants with observations, recommendations and/or reasons for the recommendations of the Committee;
- (f) to ensure that civic grant funding does not subsidize activities that are the responsibility of senior governments, as this would represent a downloading of senior government costs to local taxpayers;
- (g) to ensure that priority of funding in all categories shall be given to small organizations, rather than larger ones; and,
- (h) to ensure that grants from the City will be awarded on the basis of demonstrated need for the service within the community.



**NANAIMO YOUTH ADISORY COUNCIL**  
**TERMS OF REFERENCE**  
*(adopted 2014-MAY-05)*  
*(amended 2015-AUG-17)*

Purpose

The mandate of the Nanaimo Youth Advisory Committee (NYAC) is to provide Mayor and Council with a youth perspective on municipal issues. The NYAC will also provide input and advice to City staff as requested and will seek to involve and inform the young people of Nanaimo on issues that affect them and the community as a whole.

Values

The City of Nanaimo believes that:

- Youth are integral parts of the community and, like all residents, have inherent rights and responsibilities;
- Youth should be encouraged and given the opportunity to take a leading role in issues which affect their lives;
- Youth are able to make positive contributions to their communities; and,
- That an investment in young people is an investment in the future.

Composition of Youth Advisory Council

The NYAC will be comprised of:

- 12 youth between 15 and 24 years of age;
- 2 youth between 15 and 24 years of age from Snuneymuxw First Nation; and,
- 1 member of Nanaimo City Council.

Prospective members will be identified by soliciting applications through advertising in local newspapers and with additional efforts made to create awareness by connecting directly with youth based school groups at the secondary school and University level.

Membership in the NYAC should, where possible, represent the range of diverse individuals that live in and make up the community of Nanaimo. Members must be residents of Nanaimo. All members shall serve without remuneration. The City Council may appoint new voting members at any time to fill vacancies.

Meeting agendas, minutes and reports will be prepared and distributed with the assistance of City staff.

Appointment and Term

The NYAC members will be appointed by Council and will serve a two year term.

### Structure

A Chair and Vice Chair are to be selected by the voting members each term.

### Meetings

The NYAC will meet monthly, and a minimum of two times each year with Mayor and Council. Additional meetings will be scheduled so as to accommodate the academic calendar and the meeting schedule will be determined in advance for each calendar year in consultation with members and elected officials.

Meetings will be held at City Hall, 411 Dunsmuir at a time appropriate to the scheduling needs of youth members.

A quorum is 7 or more members, excluding staff and elected officials.

In order to be relevant and topical to youth and City Council, members of the NYAC will develop an agenda for their meetings based on items drawn from past or upcoming Nanaimo City Council meetings. In addition, other topics not covered by City Council can be added to the NYAC agenda by youth, elected officials or City staff.

### Authority

The NYAC may make recommendations to Council which are non-binding, and may include requests for financial support for specific actions.

See also:

- Terms of Reference for Advisory Committees
- Council Procedure Bylaw



## **PLANNING and TRANSPORTATION ADVISORY COMMITTEE MANDATE & OBJECTIVES**

*(adopted 2015-MAR-02)*

### Mandate

The Planning and Transportation Advisory Committee serves as an advisory body, responsible for making recommendations on matters related to planning and transportation within the City of Nanaimo.

The Committee has a mandate to promote the community's wellbeing and to assist Council in setting priorities amid competing objectives. It is to bring a broad community-based perspective to the monitoring, implementation, and amendment of the City's Official Community Plan (OCP), Transportation Plan and Zoning Bylaw. The Committee serves as an advisory body making recommendations to Council on development proposals which require amendments to the OCP and/or Zoning Bylaw.

### Objectives

The mandate of the Committee is supported by a series of objectives:

- To advocate on behalf of the community on land use and transportation issues;
- To measure the progress towards achieving OCP and Transportation Plan goals and objectives;
- To assess and monitor proposed changes to the OCP through an amendment and review process; and to review rezoning applications to ensure proposed developments comply with the policies and objectives of the OCP and the Transportation Plan;
- To bring the community perspective to the neighbourhood planning process as an active participant in neighbourhood and area planning;
- To consider and integrate economic, social, land use and environmental impacts through the decision process;
- To initiate changes to the OCP that reflect changing community circumstances;
- To provide recommendations regarding the City of Nanaimo Zoning Bylaw in order to ensure that it remains an effective and relevant document;
- The ongoing development and implementation of the Transportation Master Plan;
- Pedestrian, cycling, transit, commercial vehicle, parking and road network planning;
- Sustainable transportation; and,
- Regional transportation initiatives as they relate to City transportation infrastructure and services.

As part of the amendment process:

- Receive and make recommendations to Council on OCP and zoning amendment applications from Council, external applicants, staff and other interests as part of the amendment processes; and
- Consider Committee initiated proposed OCP amendments; a general, community wide, non-site specific OCP amendment may be initiated by the community through the Committee.

### Membership

The Committee must reflect a broad representation of community interests and a diversity of opinions in order to fulfill its mandate. While it is difficult to guarantee a complete cross-section of the community, Council recognizes that certain groups are identifiable.

- Three (3) members of Council
- One (1) member from the Business Community
- One (1) member from Neighbourhood Associations
- One (1) member from the Development Community
- One (1) member from Transportation User Groups
- Four (4) members of Community At Large

In addition to the members noted above, representatives from Snuneymuxw First Nation, Nanaimo Port Authority, Vancouver Island University, Downtown Nanaimo Business Improvement Association and School District 68 may be invited to attend on behalf of their respective organization, where their input is relevant to a given topic being considered by the Committee.

Two non-voting representatives may be appointed by the Committee from a Neighbourhood Association on a temporary basis, when a new or amendment to an existing associated neighbourhood plan is being considered, under the following conditions:

- attend the meetings where proposed OCP amendments relating to the neighbourhood plan are being discussed;
- comment on all aspects of the discussion about the proposed amendment;
- **not** participate in determining consensus or voting on the proposed amendment; and
- must **not** have a conflict of interest with any amendment proposed for the neighbourhood plan.

Input from agencies and associations will be requested and received when it is pertinent to the policy discussion.

### Meetings

Regular meetings will take place on a monthly basis. Meeting days and times will be established after consultation with the Committee members. Special meetings shall be at the call of the Chair.

- In addition to regularly scheduled meetings, members may meet more frequently to: assess proposed OCP and Zoning Bylaw amendments in an effort to ensure amendments are considered in a timely manner; or to participate with Staff, Council and Council Committees on specific task forces or project Committees.

See also:

- Advisory Commissions Terms of Reference; and,
- "Council Procedure Bylaw 2007 No. 7060".



## **DEVELOPMENT PROCESS REVIEW COMMITTEE MANDATE & OBJECTIVES**

*(adopted 2011-AUG-08)*

*(amended 2011-SEP-19)*

*(amended 2014-MAR-24)*

### Mandate

The Development Process Review Committee serves as an advisory body, responsible for making recommendations to Council on policy issues relating to development process including:

- Serving as a “sounding board” for proposed changes to development policy;
- Reviewing existing development processes and recommending policy changes, as identified, for Council’s consideration;
- Hearing delegations from those who wish to advance a process policy issue for Council’s consideration.

It is not the mandate of this Committee to make policy decisions on or review individual applications, except as they apply to general policy issues.

### Objectives

The objective of this Committee is to provide advice to Council on policy issues related to development process, with an emphasis on economic development and the interests of the development community.

In general, policy issues for review by the Committee would be identified through the following:

- Referrals from Council resulting from correspondence and/or other Staff / Committee reports;
- Concerns brought forward directly from members of the public to the Committee through correspondence and/or delegations;
- Issues brought forward that have been identified by individual Committee members; and
- Issues brought forward by City staff as requiring policy clarification.

The Committee shall consider the issues brought forward and provide recommendations of a policy nature to Council. Although the issues may be forwarded from a variety of sources, it is important that the Committee’s recommendations reflect the need to provide consistency in policy application. Accordingly, although the referral may be triggered by a specific application, the Committee’s recommendation should address the broader issues involved.

**Development Process Review Committee  
Mandate & Objectives  
Page 2**

Meetings

The Development Process Review Committee will meet monthly or at the call of the Chair.

Membership

The membership of the Development Process Review Committee will be comprised of:

- Three (3) members of Council
- Six (6) members of the development community
- One (1) member of the financial community

See also:

- Terms of Reference for Advisory Committees
- Council Procedures Bylaw

## SOUTH DOWNTOWN WATERFRONT COMMITTEE MANDATE AND OBJECTIVES

### MANDATE

The Committee serves as a collective of partners and stakeholders providing guidance and leadership over the South Downtown Waterfront Initiative.

### BACKGROUND

The South Downtown Waterfront Initiative a long range, high level consultation and visioning process for the Study Area illustrated in Attachment 1 and described as:

- The southern boundary aligns with the Snuneymuxw First Nation.
- The western boundary is along Esplanade and Front Street.
- The northern boundary includes the existing BC Ferries land and water lots (servicing Gabriola Island).
- The eastern boundary extends into Nanaimo Harbour, within the Nanaimo Port Authority jurisdiction.

This initiative will not result in a regulatory document or provide a level of detail for infrastructure and service planning. The intent is to provide Guiding Principles and an overall vision to serve as resources for guiding future planning processes, regardless of jurisdiction and ownership.

The South Downtown Waterfront Committee is a core element of project, with the City of Nanaimo providing a support.

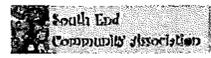
### OBJECTIVES

By December of 2013, the Committee should aspire to complete:

- shared Guiding Principles and a context for future collaboration and joint decision making between jurisdictions; and
- an integrated, high level vision for the Study Area, endorsed by the:
  - City of Nanaimo;
  - Snuneymuxw First Nation;
  - Nanaimo Port Authority; and
  - Regional District of Nanaimo.

Committee members will represent their associations at meetings and actively share in the planning process by:

- developing a Request for Proposal to retain a consultant(s) to assist with public, partner and stakeholder engagement, prepare and conduct the design charrette, and develop visioning options and Guiding Principles;
- liaising with land owners, tenants, business, neighbourhoods associations, public, community and government representatives;
- identifying issues and opportunities, constraints and strategies;
- reviewing and considering land use vision documents; and
- deliberating and establishing a set of Guiding Principles that enable implementation of the agreed Study Area.



*Mandate and Objectives—South Downtown Waterfront Committee, June 25, 2013*

**TIMELINE MILESTONES**

The following is intended to assist with developing a process timeline. The Committee should establish milestones and agree upon an overall process.

<b>Activity</b>	<b>When</b>
<i>City of Nanaimo begins South Downtown Waterfront Initiative</i>	<i>March 25</i>
<i>City of Nanaimo considers Committee Mandate and Objectives</i>	<i>April 8</i>
<i>Committee Formation</i>	<i>April-May</i>
<i>Committee Meetings</i>	<i>Ongoing</i>
<i>Process to Retain a Consultant(s)</i>	<i>June-July</i>
<i>Committee meeting with Consultant</i>	<i>July</i>
<i>Partner and Stakeholder Engagement and Participation, as determined by Committee, may include: online survey, open houses, public meetings</i>	<i>May-September</i>
<i>Community Charrette</i>	<i>September</i>
<i>Committee Review of Options and Guiding Principles</i>	<i>October</i>
<i>Referrals to Committee Member Associations, the Public and other identified partners and stakeholders</i>	<i>October-November</i>
<i>Committee Considers Final Recommendations</i>	<i>December</i>

**MEETINGS**

A schedule of meetings will be established by the Committee, with additional meetings held at the call of the Chair.

**MEMBERSHIP**

Council will appoint two community-at-large members, and ratify eight appointments of members recommended by their specific associations, as follows:

- Snuneymuxw First Nation
- Nanaimo Port Authority
- Regional District of Nanaimo
- Chair of the Nanaimo Advisory Planning Committee
- Downtown Nanaimo Business Improvement Association
- Nanaimo Economic Development Corporation
- South End Community Association
- Vancouver Island University

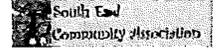
**APPOINTMENT AND TERM**

Committee members will serve for the duration of the Initiative, or up to 2014-May-13, whichever comes first.

Members of the Committee will serve without remuneration.

**CHAIR**

The Committee will elect a Chair and Vice-Chair from amongst its members.



Mandate and Objectives—South Downtown Waterfront Committee, June 25, 2013

**MEETING PROCEDURES**

All points of procedure not specifically provided for in these Mandates and Objectives shall be decided and determined in accordance with the current City of Nanaimo Council Procedure Bylaw and the *Community Charter*.

All Committee meetings shall be open to the public. Where the Committee wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with the *Community Charter*.

The order of business is to be as set out in an agenda package to be provided to Committee members in advance of the meeting date. All decisions of the Committee will be reached by consensus or a majority vote of the members present. All those abstaining or opposed to a motion will be noted for the record.

Minutes of the meeting will be adopted by the Committee at a subsequent meeting. Originals of the minutes will be signed by the Chair of the Committee and forwarded to the City of Nanaimo Legislative Services Department for safe keeping.

Staff Support

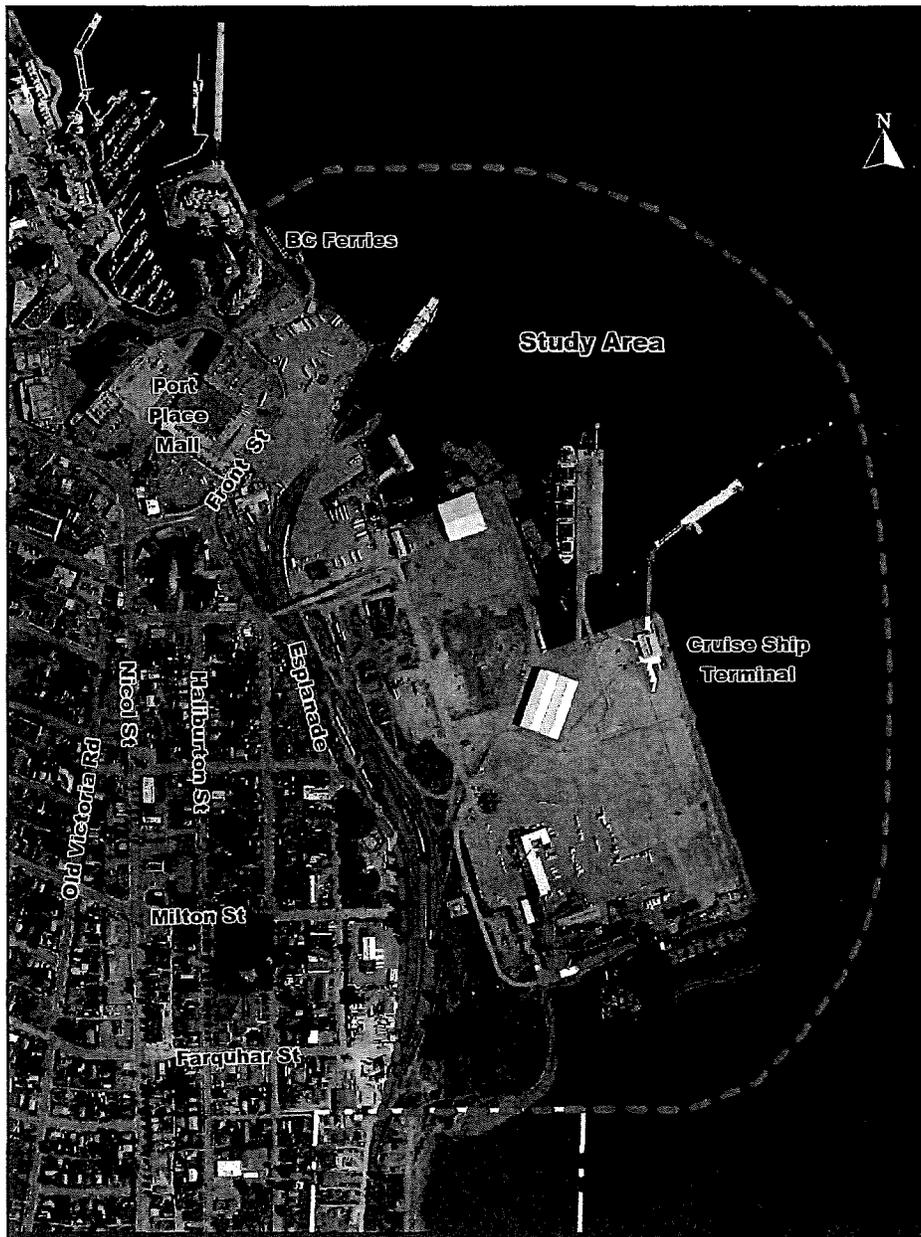
City of Nanaimo Staff support will be provided by the Community Planning Section as determined by the City Manager or his/her designate. Typical support functions include the following:

- organizing and preparing agendas, in conjunction with the Committee Chair;
- distributing agenda packages to Committee members;
- taking and preparing meeting minutes;
- managing the files of the Committee;
- maintaining a list of outstanding issues for Committee action;
- providing professional advice on issues discussed by the Committee; and
- other duties as authorized by the City Manager or his/her designate.

### Attachment 1 South Downtown Waterfront Study Area

For discussion purposes, the initial Study Area includes the area illustrated below described as:

- The southern boundary aligns with the Snuneymuxw First Nation.
- The western boundary is along Esplanade and Front Street.
- The northern boundary includes the existing BC Ferries land and water lots (servicing Gabriola Island).
- The eastern boundary is undefined but extends into Nanaimo Harbour within the Nanaimo Port Authority jurisdiction.





**SAFER NANAIMO ADVISORY COMMITTEE  
MANDATE & OBJECTIVES**  
*(adopted 2015-MAR-02)*

Mandate

The Safer Nanaimo Advisory Committee serves as an advisory body making recommendations to City Council on policy matters relating to issues of community safety, social exclusion and prevention of criminal activity in the City of Nanaimo.

Objectives

The objective of the Safer Nanaimo Advisory Committee is to provide policy advice to Council on:

- Issues affecting resident's perception of personal safety in the public areas of the city;
- Integrating enforcement and social responses to issues of community safety;
- Protecting vulnerable populations by reducing social exclusion;
- Reducing the adverse effects to the community arising from public disorder or criminal activities

Policy initiatives of the Safer Nanaimo Advisory Committee will support the goals of the Official Community Plan as well as Council objectives related to social and economic sustainability.

Chair

The Safer Nanaimo Advisory Committee will be chaired by a member of Council elected by the Advisory Committee.

Meetings

The Safer Nanaimo Working Group will:

- Meet at the call of the Chair, usually quarterly; and
- Establish meeting days and times after consultation with the Advisory Committee members.
- Provide opportunities for members of the community to attend SAFER Nanaimo meetings and present concerns related to public safety, social exclusion and crime prevention.
- Meet in "open" unless "In Camera" meetings are required pursuant to the provisions of the *Community Charter*.

### Membership

The membership of the Safer Nanaimo Advisory Committee will be comprised of:

- Three (3) members of Council
- Representation from VIHA, RCMP, DNBIA, City of Nanaimo, Nanaimo's Working Group on Homelessness (NWGH).
- Social Planning Advisory Committee Chair
- Two (2) at-large members from the public

Input from other agencies and associations will be requested and received when it is pertinent to the policy discussion.

### Reporting to Council

The Safer Nanaimo Advisory Committee may report to Council on any issue within its mandate or other issues as requested by Council.

### Staff Support

Staff support functions include the following:

- Providing administrative support to the Committee. Organising and preparing the agenda, in conjunction with the SAFER Nanaimo Committee.
- Distributing the agenda packages to SAFER Nanaimo Committee members.
- Taking and preparing draft minutes.
- Managing the files of the Safer Nanaimo Committee as necessary
- Maintaining a list of outstanding issues for the Safer Nanaimo Committee action.
- Providing professional advice on issues discussed by the Safer Nanaimo Advisory Committee
- In conjunction with the Chair drafting SAFER Nanaimo reports to Council

See also:

- Terms of Reference for Advisory Committees
- Council Procedures Bylaw

**Revised Terms of Reference**  
**Social Planning Advisory Committee**  
**City of Nanaimo**  
*(amended 2011-DEC-19)*

**INTRODUCTION**

The Social Planning Advisory Committee acts as a resource to Council and Staff in providing a broad-based social perspective on community issues and responding to specific matters of a social nature. In addition, the Committee assists Council in setting priorities amidst competing social objectives. In order to keep Council informed of issues in the community, the Committee acts as a liaison with community groups, agencies, the public and other government sectors.

**OBJECTIVES**

The Social Planning Advisory Committee is charged with meeting the following objectives:

- To support the community working together to provide a safe, **accessible** and people oriented environment which ensures access to all community amenities by all citizens regardless of age, income or other factors.
- To **encourage** citizen participation in all social planning decisions affecting Nanaimo.
- To respond to changing social needs and issues in a responsible, flexible, cooperative and innovative manner.
- **To provide public education and raise awareness on social issues.**

**SCOPE OF WORK**

To achieve these objectives, the Social Planning Advisory Committee will undertake the following activities:

- Advise Council and Staff on social needs, issues and priorities:  
**Community Development:**
  - ◊ Recommend strategic studies involving residents in social planning studies;
  - ◊ Identify municipal action respecting matters of community development;
  - ◊ Submit consolidated program proposals to Council having identified community social needs;
  - ◊ Initiate strategies to deal with areas of social need when identified;
  - ◊ Recommend methods of involving residents in social planning studies;
  - ◊ Recommend methods of educating the community about social planning issues;
  - ◊ Participate in long range planning projects **and projects of a more specific nature**;
  - ◊ Participate with Staff and Council on specific task forces or project committees.
- **Advise Council, when requested, on the implications of rezoning applications where applications have a potential social impact;**
- Advise Council on the social implications of development through participation (single seat) on the **Plan Nanaimo Advisory Committee**;
- **Annually make recommendations to Council on nominations to the Excellence in Social Development Awards Program;**
- **Annually make recommendations to Council on applications for funding to the Social Development Grant Program;**
- Advise Council, through participation on the Grants Advisory Committee (single seat), on the granting of community service and other monies;
- Assist with the development of Municipal social policy by commenting on Municipal social planning goals, objectives, policy and priorities as set by Council;
- Receive submissions on relevant matters from individuals and groups in or serving the community;
- **Monitor social conditions in Nanaimo as reported in the Social Status Report;**
- **Annually file a work plan for the upcoming year for endorsement by Council.**

## **MEMBERSHIP**

In order to offer a broad-based social perspective on community issues, it is critical that the Committee's membership emphasize citizen rather than agency representation. Committee members will be appointed by Council and shall include the following representation:

- ◇ two (2) Councillors;
- ◇ one (1) representative from Parks, Recreation and Culture Commission;
- ◇ one (1) representative from the School Board;
- ◇ nine (9) community-at-large members.

The goal of all appointments will be a balanced committee with consideration given to geography, areas of interest and expertise. Members-at-large should live in the City of Nanaimo.

## **APPOINTMENT AND TERM**

Council will appoint members to a three (3) year term. Following advertisement in the local press of a Committee vacancy, Council shall fill vacancies for the unexpired terms of the former member(s).

## **ADMINISTRATION AND MEETINGS**

Unless otherwise decided by the Committee, SPAC will meet once each month throughout the year. **The Committee's Council representative will act as Chair.** The Co-Chair will be elected by the Committee at its first meeting in each New Year. If both are absent from any meeting, an Acting Chair shall be chosen by those members present.

A total of seven (7) members, including the Chair, Co-Chair or Acting Chair shall constitute a quorum. If any member misses three (3) regularly called consecutive monthly meetings without giving a reasonable cause to the Chair or Staff in advance, he or she will be deemed to have resigned. Staff will send a letter to the Committee member after the second missed meeting notifying them that their participation will cease after a third missed meeting.

All members will be provided with an agenda package prior to each meeting. All decisions of the Committee will be reached by consensus or a majority vote of the members present. All points of procedure not specifically provided for in these Terms of Reference shall be decided and determined in accordance with Robert's Rules of Order.

Upon joining the Committee, new members will receive a binder containing Committee Terms of Reference, past minutes and reports. All new members, either individually or as a group, shall participate in a formalized orientation process facilitated by the Social Planner.

## **STAFF SUPPORT AND BUDGET**

The City's Social Planner shall provide professional advice and other staff assistance to the Committee at the discretion of the General Manager, Development Services Development. No staff person shall be a voting member of the Committee.

Endorsed by City Council, October, 1990. Revised: November, 1995, April, 1996, March, 2006, December 2011.



**TERMINAL/NICOL CORRIDOR STREETScape PROJECT**  
**TECHNICAL STEERING COMMITTEE**  
**TERMS OF REFERENCE**  
*(adopted 2015-JUL-20)*  
*(amended 2015-AUG-17)*

Background

A number of planning documents have been prepared for the Terminal/Nicol Corridor as part of revitalization efforts for downtown. The Nanaimo Downtown Plan and the Downtown Urban Design Plan and Guidelines call for taller mixed-use buildings along the length of the corridor, with an active streetscape that encourages pedestrian activity and supports retail use on the ground floor of the buildings. The current streetscape along the corridor is not inviting to pedestrians or cyclists and could better support adjacent businesses.

In addition, the road condition is reaching the end of its life and will need to be rehabilitated in the next five to ten years. While the City has a vested interest in the redevelopment of the corridor, Terminal Avenue / Nicol Street is under the jurisdiction of the Ministry of Transportation and Infrastructure (MoTI) and they are a critical partner in effecting change in this part of the downtown, and ultimately any changes to the roadway will require MoTI approval. The City would benefit from having a streetscape plan framed within the 'Complete Streets' paradigm to form the basis for the scope of work associated with the road rehabilitation.

In addition, as properties within the corridor are redeveloped, it would be beneficial to have a streetscape plan in place to ensure that reinvestment is consistent with the vision identified through this project.

The first phase of the streetscape project will center on the identification of public priorities for the corridor. This may include improved sidewalks, street trees, lighting, bicycles, lane modifications, traffic calming, on-street parking and other opportunities. Two public events are planned as part of this project. The study will require the services of a public engagement consultant and a traffic engineering consultant. The committee will report back to Council at the end of the project with a summary document highlighting the vision for the corridor and the preferred cross sections at key locations.

Purpose

These Terms of Reference outline the mandate, the structure, the key milestones and outputs associated with the Terminal Avenue / Nicol Street Corridor Streetscape Plan Technical Steering Committee.

### Mandate

The committee serves as a collective of partners and stakeholders providing guidance and leadership over the Terminal Avenue / Nicol Street Corridor Streetscape Plan.

### Study Area

The study area is outlined in Attachment A, but centers on the road right-of-way from Nicol and South Streets to Terminal Avenue and the George Pearson Bridge.

### Committee Structure

A community-led technical steering committee will direct all aspects of the streetscape project. The committee will be managed by DNBIA, with support from City staff and MoTI. The structure for this committee would include one member from each of the following project partners:

- 1 representative from Downtown Nanaimo Business Improvement Association (DNBIA);
- 2 Members of City of Nanaimo Council;
- 1 representative from Snuneymuxw First Nation;
- 1 representative from Chamber of Commerce;
- 1 representative from Nanaimo Economic Development Corporation (NEDC);
- 1 Member at large (representing South End); and,
- 3 Members at large (representing wider community).

### Appointment and Term

The term of the committee will coincide with the duration of the project, or up to July 2016, whichever comes first.

Members of the committee shall serve without remuneration.

### Objectives

The Technical Steering Committee will work with a consulting team to:

- Facilitate an interactive City-wide public process to determine public priorities for this corridor. These priorities may include increased sidewalks, trees, lighting, bicycles, lane modifications, traffic calming, on-street parking and others;
- Based on the feedback received during the public process, develop a concept level streetscape for the Terminal/Nicol Corridor that supports the goals of existing planning documents;
- Facilitate discussions with the appropriate partners to develop a multi stage action plan to implement the developed streetscape as development progresses along the corridor; and
- Complete a report to Council outlining next steps.

## Schedule

The goal is to complete the project by April 2016. The key milestones are laid out below:

<u>Event/Deliverable</u>	<u>Completion Date</u>
• Present update to Council and receive direction	22 June 2015
• Council approval of Terms of Reference	20 July 2015
• Prepare and issue RFP for consultant services	21 July 2015
• Assemble Technical Steering Committee	4 August 2015
• Award consultant contracts (Public Engagement and Traffic)	15 Aug 2015
• First public feedback session to coincide with Block Builder's Nanaimo event	20 Sept 2015
• Second public feedback session	October 2015
• Data reduction, design and public presentation of preliminary graphical feedback on possible streetscapes	January 2016
• Revisions and final public presentation to Council	April 2016

## Meeting Procedures

All committee meetings shall be open to the public and advertised in advance.

The order of business is to be set out in an agenda package to be provided to committee members in advance of the meeting date.

At the first meeting, the committee shall elect a chair.

Minutes of the meeting will be adopted by the committee at a subsequent meeting. Originals of the minutes will be signed by the chair of the committee and forwarded to the City of Nanaimo, Legislative Services department for safe keeping.

Quorum will require a minimum of five members present.

## Resources

A project budget of \$100,000 has been identified for this work. This includes \$50,000 from the City of Nanaimo, \$35,000 from the DNBI and \$15,000 from NEDC. DNBI will oversee the project and manage the consultant contract.

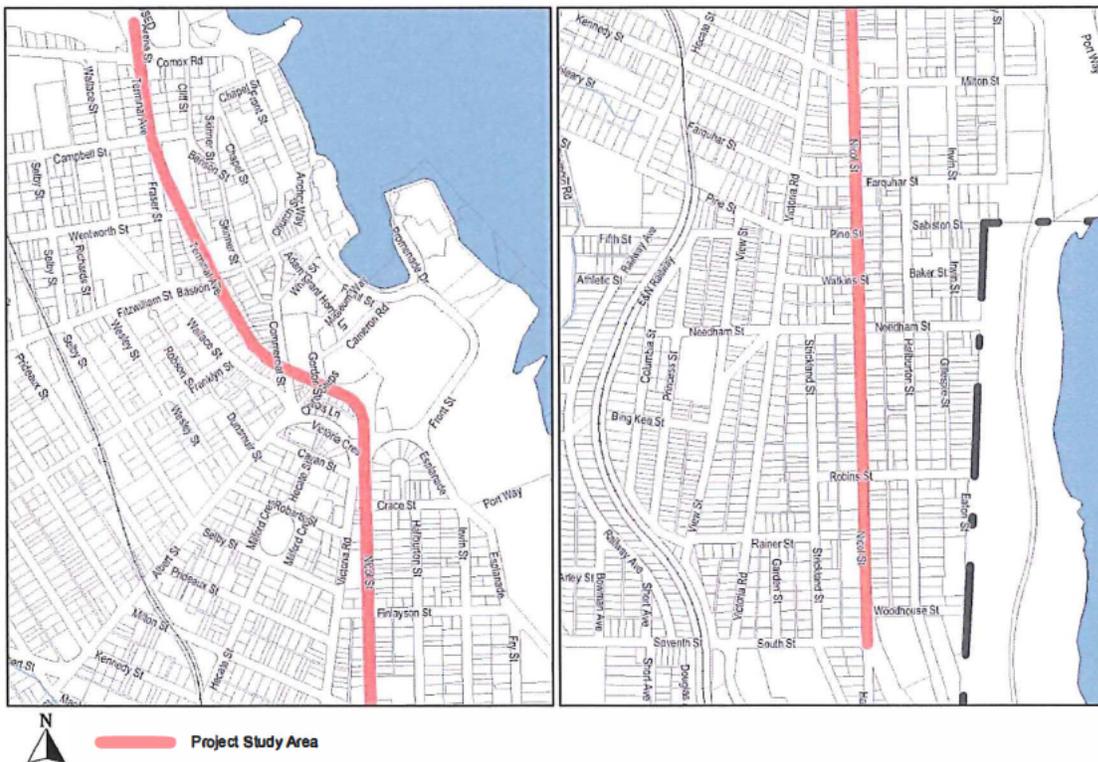
City of Nanaimo Staff will support the project. Typical support functions include the following:

- Organizing and preparing agendas (in conjunction with the committee chair);
- Distributing agenda packages to committee members;
- Taking and preparing meeting minutes;
- Managing the files of the committee;
- Maintaining a list of outstanding issues for committee action;
- Providing professional advice on issues discussed by the committee; and
- Other functions necessary to deliver the project.

### Attachment 1: Terminal/Nicol Corridor Streetscape Project Study Area

For discussion purposes, the study area includes the area illustrated below described as:

- The eastern and western boundaries are the properties adjacent to Terminal Avenue or Nicol Street;
- The southern boundary aligns with South Street;
- The northern boundary is the Pearson Bridge.



**CITY OF NANAIMO**  
**TERMS OF REFERENCE**  
**WATER SUPPLY ADVISORY COMMITTEE**

**MANDATE**

The Water Supply Advisory Committee serves as an advisory body, responsible for making recommendations to Nanaimo City Council on matters related to the supply of water to the City of Nanaimo and the South West area as defined in the *Nanaimo and South West Water Supply Act*.

Specific responsibilities of the Committee are to provide advice to Council regarding:

1. the preservation, protection and enhancement of water supply, quality and conservation;
2. long-range capital planning and financing related to water supply;
3. the establishment of regulations pertaining to water quality and water supply infrastructure safety; and
4. issues and implications related to the provision of water to outside Nanaimo and the South West area.

The Committee also serves as the City's liaison when there is a need to discuss matters related to water supply with groups, agencies, organizations, corporations or other government bodies.

**MEMBERSHIP**

The Water Supply Advisory Committee shall be appointed by Council resolution and shall include the following representation:

- four members of Nanaimo City Council, one of whom shall be appointed by Council as the Chair of the Committee;
- one member appointed from the South West area; and,
- two Community At-Large representatives.

**APPOINTMENT AND TERM**

Members will be appointed by Council for a three-year term to run concurrent with the Council term.

Council may, with the exception of the South West area representative, at any time, remove any member of the Committee and any member may resign at any time upon sending written notice to Nanaimo City Council.

Committee members who are absent for three consecutive Committee meetings will forfeit their appointment, unless such absence is authorized by resolution of the Committee.

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Committee members may stand for re-appointment at the conclusion of their term.

Members of the Committee shall serve without remuneration.

In the event of a vacancy occurring during the regular term of office, the vacancy may be filled for the remainder of that term, upon resolution of Council.

## **MEETING PROCEDURES**

Meetings of the Committee shall be held at the call of the Chair as required.

Unless otherwise authorized pursuant to Section 89 of the *Community Charter*, all meetings will be held in open session and in a location accessible to the public.

Unless otherwise authorized by the Committee, the public shall only address the Committee when they are a scheduled delegation on the Committee meeting agenda.

A majority of the Committee shall represent a quorum and a quorum must be present in order to hold a meeting of the Committee.

All decisions of the Committee will be reached by a single majority vote of the members present.

The order of business of the Committee shall only be conducted at a duly constituted meeting and the business to be conducted at this meeting shall be set out in an agenda package to be provided to the Committee members in advance of the meeting date. Minutes of the meeting will be prepared by the clerical staff of the Corporate Administration Office and then adopted by the Committee and signed by the Chair at the next regular meeting. Originals of the minutes will be retained by the Corporate Administration Office.

The rules/procedures followed at the meeting shall be those established by "COUNCIL PROCEDURE BYLAW 2004 NO. 5715".

## **REPORTING TO COUNCIL**

The Committee shall provide all of its recommendations directly to Nanaimo City Council.

The Committee Chair is the person designated to report to Council on behalf of the Committee.

Council is the body responsible for making all final decisions based on the recommendations put forward by the Water Supply Advisory Committee.

**CULTURAL COMMITTEE**  
**SUB-COMMITTEE OF PARKS, RECREATION & CULTURE COMMISSION**  
**TERMS OF REFERENCE**  
*(adopted 2010-OCT-18)*

Mandate

As a sub-committee of the Parks, Recreation and Culture Commission (PRCC), the Cultural Committee is responsible for coordinating the City's Arts and Culture Initiatives.

Objectives

The objectives of the Committee are:

- Advising the Commission and Council on cultural issues.
- Reviewing all applications for funding and making recommendations to the PRCC, based on criteria and guidelines established regarding the distribution of cultural operating grants and arts and cultural event grants.
- Promoting public awareness of cultural organizations and cultural activities in our community, and maintaining an annual cultural awards program.
- Coordinates the selection process for works of art for display in municipal public spaces and buildings.
- Sponsoring annual educational opportunities for arts and cultural organizations.

Meetings

The Cultural Committee will:

- (a) Meet at the call of the Chair, usually monthly; and
- (b) Establish meeting days and times after consultation with the Committee members.

Membership

The membership of the Cultural Committee will be comprised of ten members as follows:

- Four members appointed from the PRCC (*as per Commission Bylaw*); and,
- Six members-at-large selected and recommended from applications submitted to the PRCC.

The Cultural Committee term is for three (3) years and at-large members can re-apply for one additional three (3) year term. After serving two (2) terms, members must take three (3) years off before re-applying. Each term, three (3) members will step off the Committee and three (3) new members will be appointed.

Applications for the at-large members will be reviewed by the PRCC with appointments made at the inaugural meeting of the PRCC (first meeting following April 1<sup>st</sup>).

**Cultural Committee  
Mandate & Objectives  
Page 2**

Consideration will be given to applicants who:

- a. Are residents of Nanaimo;
- b. Have extensive experience as a creative professional, professional arts administrator, volunteer or other related experience in an arts and/or cultural field; and,
- c. Have a broad interest, understanding and commitment to cultural planning and development in Nanaimo.

Chair

The Cultural Committee will elect their Chair annually at the first meeting following April 1<sup>st</sup> from amongst its members.

See also:

- Parks, Recreation and Culture Commission Bylaw
- Council Procedures Bylaw



**PARKS AND RECREATION COMMISSION  
MANDATE & OBJECTIVES**  
*(adopted 2015-MAR-16)*

Mandate

The role of the Parks and Recreation Commission is to provide policy advice to Council for the planning, development, and provision of parks and recreation services and facilities within the City of Nanaimo.

Objectives

To achieve this mandate, the Parks and Recreation Commission will:

- Recommend policy to Council regarding the planning, development and provision of parks and recreation services and facilities;
- Inform and advise Council on emerging park and recreation trends, opportunities and issues in the community;
- Make recommendations to Council in relation to the effectiveness of existing policies and bylaws to meet the Community needs;
- To provide advice to Council on parks and recreation service levels;
- Recommend applications under the Travel Assistance Grant and Community Program Development Grant programs to Council; and,
- Allocate Volunteer in Parks funding.

Meetings

- The Parks and Recreation Commission will meet monthly or at the call of the Chair as required; and,
- In addition to the regularly scheduled meetings, members will be required to participate on the Parks sub-committee and the Recreation sub-committee.

Membership

The Commission shall consist of twelve (12) members, each appointed by Council as follows:

- three (3) members of Council;
- five (5) "community-at-large" members who shall each be a resident of the City of Nanaimo; and,
- one (1) member nominated from each of three (3) Electoral Areas of the Regional District of Nanaimo, and one (1) member from the District of Lantzville who participate in the Nanaimo Recreation Centre function.

Appointment and Term

Members may only serve two consecutive, three year terms. Reappointment to the Commission may be considered after an absence for at least one term.

Authority and Related Documents

The Parks and Recreation Commission Mandate & Objectives supplement other Council bylaws and documents, including:

- Advisory Committees Terms of Reference; and,
- "Council Procedure Bylaw 2007 No. 7060".

CITY OF NANAIMO

BYLAW NO. 3152

A BYLAW TO ESTABLISH A BOARD OF VARIANCE

WHEREAS pursuant to Section 961 of the Municipal Act, where a local government has adopted a zoning bylaw, the Council shall, by bylaw, establish a Board of Variance.

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo, in open meeting assembled, HEREBY ENACTS AS FOLLOWS.

Title

1. This bylaw may be known and cited for all purposes as the "BOARD OF VARIANCE BYLAW 1988 NO. 3152".

Interpretation

2. In this bylaw unless the context otherwise requires:

"Act" means the Municipal Act, R.S.B.C. 1979, and amendments thereto.

"Board" means the Board of Variance of the City.

"City" means the City of Nanaimo.

Establishment

3. There is hereby established in the City a Board to be known as the Board of Variance.

Meetings

4. (1) A meeting of the Board shall be held on the third Thursday of each month, unless otherwise directed by the Chairman.
- (2) The Board shall maintain a permanent record of all its decisions, and shall have in attendance at its meetings an employee of the City who shall keep minutes of the proceedings.

Applications of Appeal

5. (1) Any person desiring to appeal to the Board shall file a written notice of appeal with the Board not less than ten days prior to the date of the meeting. The notice shall state clearly the grounds upon which the appeal is based and the relief sought, and shall give an address to which all notices respecting an appeal hearing may be mailed.

Notification

6. Notices pursuant to Section 962 of the Act shall be mailed or otherwise delivered not less than seven (7) days prior to the date when the appeal will be heard.

Conduct of Appeal Hearing

7. (1) A majority of the members of the Board shall constitute a quorum.
- (2) The Chairman, if present, shall preside at all meetings of the Board.

- (3) The Board may receive any evidence that it considers proper to admit whether on oath or not. Any person who deems to have an interest in any such appeal shall have a right to be heard at the hearing and to adduce evidence, and may be represented by a solicitor or by an agent duly appointed in writing.
- (4) Evidence at a hearing may be given orally or in writing.
- (5) The appellant shall be afforded the first opportunity to present his evidence and arguments, and thereafter, evidence and arguments shall be presented in such sequence as the Chairman may direct until all parties to the appeal have been afforded an opportunity to present their evidence and arguments.
- (6) The Board may view the property affected by the appeal and surrounding properties. The Board may adjourn the hearing from time-to-time and may reconvene without further published notice if the time, date and place of reconvening is announced at the time of adjournment.
- (7) If the appellant or other persons notified do not appear at the hearing or any adjournment thereof, and have not advised the Board in advance that they wish to be heard at another date, the Board may proceed to decide the appeal in his absence.
- (8) The deliberations of the Board shall not be open to the public, unless otherwise directed by the Chairman.

Decision

8. (1) A decision of the Board shall be by a majority of those members in attendance at a hearing.

- (2) In all cases where votes of the members of the Board then present, including the vote of the Chairman or other person presiding, are equal for and against a question, the question shall be defeated and it shall be the duty of the member presiding to so declare. Any member of the Board then present who abstains from voting shall be deemed to have voted in the affirmative.
- (3) Verbal notification of the Board's decision respecting an appeal hearing may be made, upon request, the day following the hearing.
- (4) The Board shall, within seven (7) days of a decision respecting an appeal hearing, mail or otherwise deliver the written decision of the Board to the appellant and to the City's Building Inspector, and when requested, to all persons who made representation at the hearing.

Repeal

9. "BOARD OF VARIANCE BYLAW 1986 NO. 2937" and amendments thereto are hereby repealed.

PASSED FIRST, SECOND AND THIRD READINGS 1988-DEC-12.

ADOPTED 1989-JAN-16.

  
\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
CITY CLERK



**CITY OF NANAIMO  
SOCIAL DEVELOPMENT GRANT PROGRAM  
2014 GUIDELINES**

**If you read the following information and require further clarification please call  
John Horn, Social Planner, at 250-755-4483 or email him at [john.horn@nanaimo.ca](mailto:john.horn@nanaimo.ca)**

The Social Planning Advisory Committee is now soliciting from the community, proposals for projects that address key social issues. A total of \$50,000 is available to be allocated for 2014 Social Development grants.

**Step 1: Letter of Intent      Deadline: 4:30 pm, Friday, January 31, 2014.**

**Step 2: Full Application      Deadline: 4:30 pm, Friday, February 28, 2014**

**Step 1: Letter of Intent**

Letters of Intent must clearly articulate how the proposed project, program or service will address the criterion set out for this year's grant program by the Social Planning Advisory Committee:

***"Suicide prevention and / or social isolation"***

How to Submit a Letter of Intent:

Letters of Intent should be addressed to John Horn, Social Planner, Community Planning Section, City of Nanaimo, and may be mailed to 455 Wallace Street, Nanaimo, BC, V9R 5J6 or dropped off at the Social Planning Section, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC. Letters of Intent must not exceed three pages and must include a detailed project budget. Only one project idea per organization may be submitted.

**Note: E-mail submissions will be accepted; [john.horn@nanaimo.ca](mailto:john.horn@nanaimo.ca)**

Eligibility Criteria:

The proposed project, program or service must:

- Relate directly to the need(s) identified by the highlighted criteria;
- Substantiate the effectiveness and quality of the service;
- Have reasonable costs that are on par with similar programs;
- Connect or collaborate with services provided by other funders and agencies in cases where the services are being provided to essentially the same client group.

The applicant agency/organization must:

- Be a Nanaimo-based registered non-profit society, or recognized faith-based group.
- Demonstrate sound financial and administrative management; and adhere to generally accepted principles and practice of non-profit governance.
- Have services/programs accessible to people in the community;
- Demonstrate financial or in-kind partnerships;
- Complete the application form and provide requested documentation;
- Comply with City of Nanaimo bylaws and policies;
- Acknowledge the contribution from the City of Nanaimo in any brochures or pamphlets.

Ineligible Services/Expenses:

Any proposed service or program that falls within the legislated mandate of other levels of government will not be eligible for funding from the City of Nanaimo.

Other ineligible expenses include: training or banquets; travel expenses; and reducing or eliminating existing accumulated deficits.

Letter of Intent Deadline:

The deadline for submission of Letters of Intent is 4:30 pm, Friday, January 31, 2014. Please retain a copy of the Letter of Intent for your files.

Review Process:

Letters of Intent will be reviewed by the Social Planning Advisory Committee and a short-list of proponents developed. All applicants will be advised of the Committee's decisions, and those on the short-list will be asked to submit detailed applications.

Potential proponents should be aware that they may only receive funding for two consecutive years for a specific project. Projects currently receiving funding who submit a second request must complete an interim status report with a budget and a summary of outcomes achieved by their projects to date. This status report must be submitted with the completed full application.

### Grant Limitations:

All applications will be considered within the limitations of the overall program budget. Not all organizations meeting the criteria and the community priority will necessarily receive funding. All unused funds must be returned to the City of Nanaimo.

### **Step 2: Full Application**

Should your Letter of Intent be successful, you will be invited to submit a Full Application.

### How to Apply:

Application forms are available at the Social Planning Section, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC and on the City's website; [www.nanaimo.ca](http://www.nanaimo.ca).

Submissions should be addressed to John Horn, Social Planner, Social and Protective Services, City of Nanaimo, and may be mailed to 455 Wallace Street, Nanaimo, BC, V9R 5J6 or dropped off at the Social Planning Section, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC.

**Note: E-mail submissions will be accepted; [john.horn@nanaimo.ca](mailto:john.horn@nanaimo.ca)**

The following must be included:

1. Completed application form (available at the Social Planning Section, 411 Dunsmuir Street and on the City's website [www.nanaimo.ca](http://www.nanaimo.ca));
2. A copy of the society's philosophy or mission statement;
3. Job descriptions of any positions paid for by the civic grant;
4. A copy of the budget for the proposed program or service showing the current and next fiscal years;
5. List of Board of Directors (including position held, address and phone number).

### Review Process:

Applications will be reviewed by the Social Planning Advisory Committee and recommendations made to City Council. Applicants will be notified of the Committee's recommendations to Council and subsequent Council decisions.

### Evaluation Criteria:

1. Ability of the proposed project or program to address the criterion chosen for the current year's grant program and/or the project/program's anticipated outcome(s);
2. Demonstrated ability of the applicant to carry out the project or program;
3. Demonstrated in-kind or financial partnerships to ensure on-going sustainability;
4. Demonstrated benefit to the community;

5. Degree of collaboration demonstrated;
6. Completeness of the application package (see above).

Full Application Deadline:

The application deadline is 4:30 pm, Friday, February 28, 2014. Please retain a copy of the application for your files.

Accountability:

Organizations successful in obtaining a City grant will be asked to complete a final report on the funded activity or project. If a second grant is applied for, the report must be enclosed with the current application. The grant eligibility and evaluation guidelines should be used when completing the report and statistics should be included where applicable. The report must describe how the City grant assisted your organization in addressing the issue(s) highlighted by that year's criteria. **Note: Applications for additional funding will not be considered until the report has been submitted.**

g:\commplan\spac\soc dev grant 14\guidelines



**COLLIERY DAMS SELECT COMMITTEE**  
**TERMS OF REFERENCE**  
(adopted 2015-JUL-27)

**Mandate**

The Colliery Dams Select Committee serves as an advisory body to Council to provide a consultative role prior to and throughout the installation of the Auxiliary Spillway and Middle Colliery Dam remediation processes.

**Objectives**

The Committee will review, report findings, and provide input with respect to:

- The final design of the Labyrinth/Auxiliary Spillway
- Ensuring that appropriate permitting process has been followed in areas such as environmental, archaeological, fishery, water management, species at risk
- Ensuring that a risk mitigation strategy is developed for the proposed construction inclusive of disruption of construction
- Ensuring that data and reports refer to proposed swale area
- Installation of the labyrinth/box culvert, open channel Auxiliary Spillway
- Landscaping plan for the Auxiliary Spillway: all options will be reviewed to ensure that culturally modified trees will be protected.
- Enhancements to the area around the Auxiliary Spillway
- Any other matter the Committee deems necessary in order to provide a review of the installation of an Auxiliary Spillway at the Lower Colliery Dam
- Preparation of a conceptual plan for the Middle Colliery Dam
- Recommend further studies to increase Council's knowledge of the Colliery Dams, its watershed and its downstream areas

**Membership**

The Committee members will be comprised of up to eight Council appointed members, as follows:

- Two seats will be held for representatives from Snuneymuxw First Nation (SFN) if they choose to participate (any participation by SFN will not be considered consultation)
- Up to two representatives from the Colliery Dam Park Preservation Society
- Up to two individuals from the community-at-large appointed by Council
- Two City Councillors

The Committee will select a Chair at its first meeting.

The Committee will be supported by a facilitator and Golder Associates as the dam engineering resource. City Staff will function as a technical resource, plus provide administrative support.

**Appointment and Term**

The Committee term shall expire upon completion of the auxiliary spillway and middle dam remediation.

**Meetings**

Regular meeting dates and times will be established by the Committee. Special meetings shall be at the call of the Chair.

**Governance**

The Colliery Dams Select Committee is a select committee of Council, as per the *Community Charter*, and is subject to "Council Procedure Bylaw 2007 No. 7060" and Council's Advisory Committees Terms of Reference, dated 2010-JAN-25.

## A Governance Model (The Cuff Template)

The following is a combination of governance issues and concepts which the author has written about and discussed over the past two decades and which have, from time to time, gained some traction. On the other hand, there are likely at least an equal number of Councils which have decided for their own reasons to stick with what they know as a preferable course. It is my argument that every Council at the start of a term should seriously consider how they can make their decision-making process better.

### 1) The Impact of the Governance Model

Governance practices can and do impact the quality of decisions made and the sense of confidence by a Council in making them. It has been my experience that members of Councils that sense they are struggling with their governance model are often overheard to complain:

- “The process has been unnecessarily hastened and as a result, the calibre of decisions is called into question”.
- “The process has left minimal time for discussion with my fellow Councillors and the staff”.
- “This is a public issue and they have not been consulted. Why the rush?”
- Why do we refer such an important issue to the few members of Council serving on that Committee? All of us need to be at the table and consulted”.
- “Members of the public seem to have better access to our decisions than I do. I overheard xxx talking about this issue in the café yesterday and they seemed to know more about what our staff is up to than I do”.

The governance model (i.e. how we make decisions) can have a tremendous impact on any Council. Such impacts are felt in terms of:

- The time Council spends making a decision
- The number of times a decision is re-visited
- The sense (or question) that all the relevant information has been placed on the table

- The ease by which members of Council can make their point on any agenda issue
- The sense that all Council members are afforded the courtesy of a responsive and good listening audience
- The proximity of the decision-makers to the public
- The proximity of the decision-makers to the administration
- The ease by which the public can access the decision-making process at the critical stages
- The sense that the Procedural Bylaw either inhibits or promotes good decision-making
- The degree of comfort and confidence expressed between the Mayor and the Chief Administrative Officer
- The confidence of the Mayor in providing comment on key issues
- The objectives of the current Council and whether these are best achieved using the present governance model or another model.

## 2) Time to Consider

The best opportunity to consider changes to any governance system is immediately following an election. Change is easier to make when everyone is relatively new and has not yet seized ownership of a bad or flawed system. (There is a question as to whether or not the pain or angst of change is exceeded by that of the status quo). However, new members of Council may not as of yet experienced the frustration of their predecessors and thus may not understand the need to change.

A further opportunity typically presents itself part way into a term but sufficiently distanced from the final post of an election. Council members have experienced the flaws and may be convinced that a change in how they view governance will be required if any new system is likely to work. Often this follows the perception by the administration that this governance system does not fit this Council but until Council starts to ask for information on the alternatives, not much is likely to happen.

### 3) Confidence is the Key

All of the above has an impact on the confidence of a Council in its decisions. Council can be assured that its model is working to its advantage when it can make decisions even in heated circumstances and on divisive issues and still emerge from the process feeling that regardless of the heat, the decisions are defensible. It has been my observation that while the governance model is extremely important, it is far more critical that Council has confidence in its own ability to make good decisions that stand the litmus test of time.

### 4) An Agendas Committee

While many municipalities overlook the importance of the agenda to good Council decision-making, I believe that an agenda is central to the process of local government and one of the key instruments by which Council controls the decisions which impact upon the City. Without a thoughtful approach to building an agenda, the decision-making process will quickly appear mechanistic and stale. It will also be dominated by the administration that, while central to the process, should not be the only players involved in determining what is or is not on the agenda.

The agenda should be seen as your instrument in making sound decisions and for ensuring that important issues are constantly kept in the forefront of Council. Although the physical preparation of the agenda should be the responsibility of the CAO and Municipal Clerk, the agenda itself should still be seen as Council's decision-making tool and that of its principal advisor, the CAO. Rather than solely being a list of issues derived by management based on its need for certain answers, or responses to correspondence from the public and others, the Council agenda should also contain any issues which arise which are of concern to members of Council.

#### 4.1) Mandate and Guidelines for the Agendas Committee

The proposed mandate of the Agendas Committee is:

- to ensure that the business of Council is being dealt with fairly and expeditiously

- to review potential agenda items and ensure that these are appropriate for inclusion on a Council and/or the Governance and Priorities Committee agenda
- to ensure that the voice of individual Council members is heard and reflected in the agenda

to advise Council as to why any particular matter should not be brought forward for Council review at the present time.

The Agendas Committee should consist of two members of Council (Mayor, the Deputy Mayor)(If one of the foregoing is not available, a roster of alternates should be established which the Clerk utilizes to determine who to call to fill in). Advising the Agendas Committee should be the responsibility of the CAO (or designate) and the Municipal Clerk (or designate). This committee should meet about 3-4 days prior to a GPC meeting and review the agenda items as put forward by either the CAO, members of Council or by the Clerk. This committee should operate by consensus. Agenda items should include:

- those submitted by the administration (and which require Council's policy review and approval)
- those which Council members agree by a resolution of Council to refer to either this Committee or to the GPC agenda for consideration
- those issues which an individual Council member might submit which the Committee believes warrants a report by the administration (and thus which the Committee places before Council in the form of a "notice of motion")
- those which external boards/agencies believe require the guidance of Council before they can take a particular course of action.

The Agendas Committee is not intended to act as a censor for agenda items. Rather, it is to serve as a sounding board for both Council and the senior administration to ensure that issues are dealt with effectively and in the proper course of time. The Committee is charged with ensuring that the time a Council spends considering Council's business is used wisely and that business is conducted as openly as possible so as to be transparent before the public.

The Committee will ensure that the focus of Council is placed on “higher order” issues that potentially can impact current Council direction and policy. These “higher order” issues, for the most part, will likely be those of a strategic policy nature dealing with those issues which we outline as being within the purview of a Council.

The Agendas Committee will not have authority to defer any proposed agenda matter for longer than one regularly scheduled meeting without the prior consent of Council (by resolution). The Municipal Clerk should be responsible for establishing a mechanism for tracking these issues and for advising the Council as to their eventual disposition.

Any staff report intended for Council should be directed through the appropriate administrative channels to the CAO and thus becomes “his” report. That is based on the logic and protocol that it is through the CAO that all members of staff report. If the reports are authored by someone other than the CAO, then that name should also be shown on the “request for decision” covering page to which we have alluded earlier together with the name and signature of the appropriate department head. (As noted earlier, the CAO is expected to sign off all reports that are tabled at a committee or Council meeting).

A further important role for the Agendas Committee is the determination of which items ought to be referred to the Governance and Priorities Committee (GPC) for its review. Such items should be those which are policy-oriented or are perceived to generate controversy in the community or which the administration believes will likely take more time for Council to fully digest and appreciate. The GPC is not intended to be a “dry run” for a Council meeting where the latter forum becomes simply an exercise in baptising. The items on a GPC should be viewed by the Agendas Committee as significant and a cause to ponder.

### 5) Governance and Priorities Committee (GPC)

The GPC is expected to become a very important component of Council’s decision-making as Council gains familiarity with its usage. The GPC is **NOT** intended to be an extension of a Council meeting. It will have a distinctly **different agenda** which may feature only one or two priority business items which will also appear on the regular

Council meeting agenda. In addition, it may include a reporting process for any external committees to report on matters which they believe ought to be considered by Council for a decision.

The GPC could be utilized as well for dealing with an initial review of issues which individual Councillors have asked to be placed on the Council agenda.

The GPC should also be used by Council as an opportunity to hear from potentially a wide array of speakers on topics of some concern locally but on which the Council has yet to take a strong policy position. In such instances the GPC may decide to simply recommend the matter forward to Council "for information" or that it be referred back for further consideration by the GPC prior to a formal policy recommendation being presented to Council.

#### **Advantages of a GPC**

A GPC model makes a lot of sense from a number of perspectives:

- it brings all of Council together at the same time and venue to discuss "larger order" policy issues which will then be moved forward to a Council agenda. Council is afforded time to ponder.
- The GPC is primarily a discussion, information-seeking forum; that is, it is not intended as a dry run for the next Council meeting. Its agenda ought to be very different in that it might normally only have a few items which have been identified by the Agendas Committee (see terms of reference) as most likely to generate the more significant discussions.
- Council and its administration can determine how best to seek community input on significant issues but certainly the GPC is one useful mechanism. The GPC is open to the public although the GPC members could decide to move in camera on legitimate confidential matters. Council can use this committee in innovative ways through structuring of the agenda; through inviting specific individuals or groups to make presentations; etc.
- The GPC should be seen as more of a working committee where there will be less formality but still procedures being followed. It could take place in a boardroom (if one exists which is large enough) and Council and management might be

seated at the same table (whereas they would be at separate tables in a more formal Council meeting).

- The GPC is not a decision-making committee. All issues discussed at GPC go forward to a regular or special meeting of Council and will be accompanied by a management report which has been signed off by the CAO.
- The GPC should eliminate the need for any standing committees and will assure all members of Council that regardless of what ABCs (agencies, boards and committees) they serve on as a liaison of Council, such agenda matters requiring Council's attention would first be addressed at the GPC as necessary.

### 5.1) Terms of Reference

The following are proposed as the appropriate terms of reference for the Governance & Priorities Committee. **The GPC** may:

- Hear from delegations and/or refer these on to Council
- Review matters forwarded to it by the Agendas Committee or by Council
- Require that all agenda matters on the agenda be supported by a draft report from the CAO or as delegated
- Recommend that a new policy be approved by Council in order to deal with the matter under discussion
- Review reports or minutes containing action items from external boards and committees so that there is some degree of consistency as to how each is treated by the Council
- Invite guest speakers to attend and present on the topic(s) or stage a debate between two organizations or speakers known to hold varying views on the topic at hand
- Meet publicly at least monthly at a time which is deemed by a majority of Council to enable any interested public to attend
- May determine to meet in-camera on a vote of the committee at the conclusion of a meeting; in-camera matters are limited as per the legislation

- Meet principally as a forum for discussion rather than as a decision-making arena (enables all of Council to review and discuss key issues without the requirement to decide)
- May refer an item to the CAO for more information or clarification but must move the issue forward to Council for its consideration and decision upon receipt of the clarifying information (in other words, the referral process if used is intended to be limited on a normal basis to two weeks).

#### 6) Administrative Review of Agenda Issues

While the agenda and tone of a GPC meeting is not as formal as that of a regular meeting, the quality of any debate will depend on the quality of the input. This requires that the CAO and his department heads as appropriate establish their own timeline such that a meeting of the Corporate Leadership Team (CLT) occurs several days prior to the Mayor, CAO and CO who will review any agenda for the GPC and Council.

The key for the CAO and his CLT is to keep the focus on the broader and more strategic issues. The key determinants of whether or not an issue goes forward to the GPC meeting should incorporate consideration of:

- Is this a matter that we require Council's endorsement of?
- Is this a matter of a new or a revised policy?
- Does the issue have broad community significance?
- Is this an issue that it can be reasonably argued that Council would expect to see and provide direction to even though it may be within the parameters given to the CAO to act?

## Governance Model Options

There are a variety of “governance models” in use across Canada. Given that this choice is in many respects at least partially left up to each Council, various models have been chosen and have either been abandoned or are still in use today. The fact that there is a wide range of choices may be due to: history of use of committees; the degree of experience on Council; the style of the new Mayor or CAO; the activism of the community; and so on. We believe that many of these choices of governance model are up to each Council to make and as a result, are not set in stone.

### 12.1 Description of Options

The ones which we describe in this section are those which are more regularly seen than perhaps others but may not be the only ones in use across British Columbia today (as our research points out: see report in Appendix G):

- A. Council Executive Committee
- B. Standing Committees
- C. Committee of the Whole (Governance & Priorities Committee)
- D. Council Initiatives
- E. Combined Committee of Whole & Standing Committees
- F. Strategic Priority Committees
- G. Community Roundtables

We note that each of the foregoing offers both advantages and disadvantages to a Council relative to how it makes decisions. The only “right” one (or combination) is that which seems to best meet the needs and objectives of this Council.

#### A. Council-Executive Committee

##### ➤ Characteristics

- Generally found in only the larger cities
- Closest to a cabinet style of governance; considered to be the most powerful committee of the Council
- Comprised of the Mayor and a portion of the Council, generally less than a quorum; generally consists of the Mayor, Acting Mayor and chairpersons of standing committees

- The Committee may be delegated the authority to:
  - Review and recommend the budget to Council for its consideration and adoption
  - Enter into contracts on matters approved by the budget
  - Execute agreements; call for tenders
  - Approve for appointment or dismissal or recommend the appointment or dismissal of the CAO/commissioners/department heads
  - Perform other duties as assigned to it by the Council

➤ **Advantages**

- Increases the visibility of who is accountable for certain types of decisions
- Focuses key decision-making processes at the political level and provides mechanism to initiate/encourage adoption of policies
- Ensures the Mayor of some support for his/her initiatives (depending on whether or not the Committee is comprised of his/her nominees and whether or not the Mayor has any power to revoke their appointment)
- Tends to take on some of the responsibilities and powers normally ascribed to a standing committee system and may provide a clearer focus to these areas
- Increases the likelihood that the policy positions articulated by the Mayor during an election campaign will gain the support of Council

➤ **Disadvantages**

- The increase in power of members on the Executive Committee creates a sense of two classes of Councillors (those in the loop - and those not)
- The Councillors not on the Executive Committee may feel marginalized to the point of disrupting the Executive Committee initiatives
- The ultimate roles and powers of Council may be viewed as diminished due to certain of its powers having been delegated to the Executive Committee
- The reporting relationships of senior management may be diffused and possibly confused (i.e. Does senior management report to the CAO, Council, the Executive Committee, a standing committee, etc).

## **B. Council - Standing Committees**

### **➤ Characteristics**

A limited number of standing policy committees (3-4) are created by Council

- Should be governed by terms of reference
- CAO designates which senior staff advise which committees
- Agenda materials for standing committees are circulated to the CAO's office by department heads prior to consideration by a standing committee
- Administrative reports and policy issues are expected to be heard first by a standing committee prior to Council's consideration

### **➤ Advantages**

- Separation of Council from detailed involvement in administrative matters while affording Council the opportunity to review the key issues facing departments as well as the City as a whole
- Politics are left largely in the hands of politicians; Council's stature is enhanced
- All members of Council are equally involved in committee activity and all are concurrently informed as to the issues

### **➤ Disadvantages**

- Individual committees may control key aspects of Council's "agenda" and may limit the flow of information to others or Council as a whole
- Issues can be too narrow and thus invite Council into administrative issues
- Councillors can become the champions for a particular department
- Limited opportunity for Council to focus on the broader agenda
- Potentially diffuses the reporting relationships and responsibilities of the CAO and department heads

## **Standing Committees**

### **➤ The advantages of few standing committees are:**

- Less likelihood of Council members becoming directly involved in the management of civic departments

- Greater possibility that committees will focus on broader policy issues
- Improved opportunities for corporate integration of issues
- Fewer meetings to attend leaving Councillors more time to spend dealing with constituent issues.

### Standing Committees

#### ➤ The stated advantages of more standing committees are:

- Improved awareness by Councillors as to the full range of issues
- Increased time available to explore issues in depth
- Increased opportunity to review departmental staff in action as they present reports
- More opportunities for Councillors to act as chair of committees: thus greater sense of involvement in Council's (and administration's) work.

### C. Council - Committee of the Whole (Governance & Priorities Committee)(GPC)

#### ➤ Characteristics

- This model of Council's legislative involvement limits Council standing committees to one: a committee of the whole
- All members of Council are the invited participants with the CAO (and at his/her request members of the management team) acting in an advisory capacity
- Someone other than the Mayor generally chairs this decision-making step (or process); enables other Councillors to get a sense of the challenges of governing a meeting
- Agenda items are largely those submitted by the administration and which require Council's policy review and approval; based on the breadth of the organization, these issues will likely be "higher order" issues as time would not permit a review of lesser matters
- Council members and external boards/agencies may also have items placed on the agenda by the concurrence of Council or through a formal or informal screening process (e.g. Mayor, CAO, and Corporate Officer).

- Committee of the whole meetings generally have both a public and private component; private issues may include: legal matters, confidential City land purchases and sales and personnel issues; and any other issues as permitted by legislation.
- **The advantages of a GPC model are as follows:**
  - Council's focus is geared toward policy issues
  - The administrative analysis and advice can readily be orchestrated through the CAO's office
  - All of Council can participate in the policy debates
  - All of Council is concurrently informed and involved; no one member or group of members has more access to power or information than another
  - Has considerable flexibility so that Council can use this committee in innovative ways through structuring of the agenda
  - Allows policy issues to be surfaced at this step and thus provides for a time of reflection prior to formal consideration at Council.
- **The perceived disadvantages of such a model are:**
  - These meetings can become a dress rehearsal for Council meetings if the CO's office sets up the agenda to be patterned after that of Council
  - Focus will be on the important and broad policy issues; those Councillors who would rather focus on detail may be disappointed.

#### **D. Council Initiatives**

##### **➤ Characteristics**

- Council discusses and determines their sense of key City issues which Council wants to move forward in their term of office
- These items/topics are derived from Council's strategic plan and reflect Council priorities
- The Mayor identifies a member of Council to "head up" each initiative on an annual basis (e.g. Aboriginal relations; sustainable farming)

- The Corporate Officer's office assigns a staff member (under the direction of the CAO) to assist with any research and/or the calling together of community members to a forum or think tank on the issue
- The same clear terms of reference are attached to each Initiative prior to the Councillor being identified as "Lead Councillor" on that Initiative (e.g. homelessness, citizen participation, City aesthetics, etc.)
- The "Initiative" ceases as the report by the Councillor is tabled and received by Council
- The report may result in a new City policy, a budgeted item or a reaffirmation of a current approach
- The issue would likely be referred over to the CAO to incorporate into the next City budget (if applicable)
- No Councillor will be appointed to the same Initiative for more than 2 years
- **The advantages of this approach are:**
  - Council's key issues will be highlighted and get the coverage they deserve
  - Each Councillor will be identified with an initiative and will be deemed the lead spokesperson on that issue/mandate
  - The citizens will know that Council is governing and guiding the City
  - Councillors' involvement with the administration will be defined
- **The disadvantages of this approach are:**
  - Councillors may try to "end run" Council and the administration and operate as a "one man band"
  - There may be more rather than less confusion as to who does what between Council and the administration
  - The Council members may begin to treat each staff member assigned as their own research assistant

#### **E. Combined Committee of Whole & Standing Committees**

##### **➤ Characteristics**

- Council adopts a committee of the whole (Governance and Priorities Committee—GPC) and forms 3 standing committees (e.g. Finance & Corporate Services, Community & Planning Services, Operational and Safety Services)
- Terms of reference are established for each
- CAO and Corporate Officer's office determine which issues go onto which agenda
- All other advisory ABCs must be processed through one of these forums before their report is entertained by Council
- The CAO determines which administrative member is attached as the primary advisor to which committee
- Members of Council are rotated
- The Corporate Officer (based on the applicable terms of reference) will determine which issues will go to the standing committee and which to the GPC; the latter will deal with broad, major issues such as the annual budget

➤ **Advantages**

- Certain broad, city-wide or significant issues can be directed to the GPC (e.g. strategic plan, budget, Council-CAO relationship/performance reviews)
- Other issues directed to standing committees depending on terms of reference
- All issues recommended forward to Council for final approval; this retains all decision-making at Council table
- Councillors can chair these committees; provide policy leadership
- Committees chairmanship can be rotated to afford all members of Council so interested to have some experience chairing one or more committees

➤ **Disadvantages**

- May be some degree of confusion as to what issues go to which committees
- GPC (Committee of the Whole) may garner most of the larger issues; other committees may feel over-looked

- Number of committees may not afford all members of Council an equal opportunity to act as chair
- GPC may duplicate some of the work by the full Council; issues may appear to be repeated at Council meetings
- Too many committees will place a burden on the administrative resources

#### **F. Strategic Priority Committee(s)**

##### ➤ **Characteristics**

- Approach reflects Council's strategic priorities as determined by its annual planning process
- Priorities are born out of Council's "Vision, Mission and Core Values"
- Preferably Council will establish a condensed number of priority themes/goals
- Committee will focus on those goals as their primary objectives for the year
- Any other external/public committee would be required to report through this committee

##### ➤ **Advantages**

- Council's efforts in identifying its priorities are recognized
- The committee focuses its efforts on certain key themes
- All issues recommended forward to Council for final approval; this retains all decision-making at Council table

##### ➤ **Disadvantages**

- Issues which do not fall within these categories of major themes may not find a place to land
- New issues which come to the attention of the Council may not make the agenda or may replace the priority issues too readily

#### **G. Community Roundtables**

##### ➤ **Characteristics**

- This informal structure utilizes assemblies of interested citizens on an "as needed" basis

- An issue(s) would be identified by Council (and/or administration) and the insights of those affected would be solicited
- The assembly or gathering could be held over a series of weeks or a weekend but it is intended to not become a long-standing committee
- Council members would be invited to attend but would not chair these gatherings; a citizen at large would be chosen by the Corporate Officer and recommended for appointment by Council
- At the conclusion of each roundtable, Council would see developed a City over-arching policy statement which would then be used to guide Council's thinking and perhaps decision-making on related matters.

➤ **Advantages**

- The advantage would be one of short term engagement for a useful product/policy
- The lack of formality would be attractive to some people who tend to shy away from formal structures
- A variety of voices would be heard and not just those of a particular committee member
- Various roundtables/gatherings could be held throughout the year to address various topics of concern to Council and the community
- This model could seamlessly incorporate the Safety and Security Web (SSW) initiative supported by Council

➤ **Disadvantages**

- Council may find this model to be very much "hit and miss" and not a continual source of good public input
- There may be limited to negligible ongoing connections to the Council on related matters.