

MINUTES
SPECIAL COMMITTEE OF THE WHOLE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
MONDAY, 2019-JAN-07 AT 1:00 P.M.

Present: Mayor L. Krog
Councillor D. Bonner
Councillor T. Brown
Councillor Geselbracht (arrived 1:19 p.m.)
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor S. D. Armstrong
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director of Parks and Recreation (arrived 1:15 p.m., vacated 1:50 p.m., entered 2:10 p.m.)
D. Lindsay, Director of Community Development (vacated 1:50 p.m., entered 2:10 p.m.)
B. Sims, Director of Engineering and Public Works (arrived 2:29 p.m.)
J. Van Horne, Director of Human Resources (vacated 1:50 p.m.)
K. Fry, Fire Chief (arrived 3:52 p.m.)
S. Gurrie, City Clerk (vacated 1:54 p.m., entered 2:10 p.m.)
S. Snelgrove, Steno Coordinator (vacated 1:50 p.m., entered 2:10 p.m., vacated 4:20 p.m.)
K. Gerard, Recording Secretary (vacated 1:50 p.m., entered 2:10 p.m., vacated 4:20 p.m.)

1. CALL THE SPECIAL COMMITTEE OF THE WHOLE MEETING TO ORDER:

The Special Committee of the Whole Meeting was called to order at 1:02 p.m.

2. APPROVAL OF AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. REPORTS:

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

John Van Horne, Director of Human Resources, provided Council with an overview and update of the proposed Council Code of Conduct. Mr. Van Horne requested that Council provide direction to Staff regarding the creation of a City of Nanaimo Council Code of Conduct.

R. Harding entered the Boardroom at 1:15 p.m.

Committee of the Whole discussion took place regarding:

- The importance of the Code of Conduct to Council and the public
- Examples from other local governments and the Union of British Columbia Municipalities that could be used as a template for the City of Nanaimo
- Creating the Code of Conduct as a bylaw type document vs. policy document
- Once the Code of Conduct is created and adopted regular reviews should be scheduled
- Code of Conduct should be written in plain language
- Repercussions and/or disciplinary action if a member of Council does not follow the Code of Conduct and who decides if a member is in non-compliance
- Third party intervention is important for any action taken against a member of Council

Councillor Geselbracht entered the Boardroom at 1:19 p.m.

Committee of the Whole discussion continued regarding:

- Sanctioning process and breaches of the Code of Conduct
- Code of Conduct should be signed at a public signing ceremony to show the public Council's commitment regarding behavior and respect
- Both the the Prince George Code of Conduct and the Union of British Columbia model are good examples that the City could use to create a Code of Conduct
- Signing document could state that Council recognizes that it is an honour and privilege to serve on this council
- Senior staff should have input and be able to review the document
- Consider a motion from Council regarding writing a letter to the Union of British Columbia Municipalities that the City of Nanaimo supports and appreciates their work

Jake Rudolph, Chief Administrative Officer, and John Van Horne, Director of Human Resources, summarized Council wishes and stated that Council has agreed to the following:

- City of Nanaimo Code of Conduct will include format and language taken from the Prince George Code of Conduct and the Union of British Columbia Code of Conduct model
- The Code of Conduct will include an executive summary that will summarize the Code of Conduct for Council and the public and will be signed, publically, at a future Council meeting
- Staff will return to a future Committee of the Whole meeting with a draft Code of Conduct for review

D. Lindsay, R. Harding and J. Van Horne vacated the Boardroom at 1:50 p.m.
K. Gerard and S. Snelgrove vacated the Boardroom at 1:52 p.m.

4. PROCEDURAL MOTION TO PROCEED IN CAMERA:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

The Committee of the Whole moved “In Camera” at 1:53 p.m.

The Committee of the Whole moved out of “In Camera” at 1:54 p.m., and reconvened the open meeting.

4. PROCEDURAL MOTION TO PROCEED IN CAMERA (continued):

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (d) the security of property of the municipality; and,
- (g) litigation or potential litigation affecting the municipality.

The motion carried unanimously.

S. Gurrie vacated the Boardroom at 1:54 p.m.

The Committee of the Whole moved “In Camera” at 1:55 p.m.

The Committee of the Whole reconvened at 2:10 p.m.

K. Gerard, S. Gurrie, R. Harding, D. Lindsay and S. Snelgrove returned to the Boardroom at 2:10 p.m.

B. Sims entered the Boardroom at 2:29 p.m.

3. REPORTS: (continued)

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

Introduced by Sheila Gurrie, City Clerk.

Presentation:

George Cuff, George B. Cuff & Associates, joined the meeting electronically and reviewed Attachment E, "Governance Template" from the report titled "Committee Structure", as follows:

- Options for different governance models and suggestions for committee structures
- Advantages of implementing a Governance and Priorities Committee (GPC) as well as an Agenda's Committee
- GPC and Agenda's committees need a clear mandate
- GPC meetings allow for full and wholesome discussion on high priority items
- At GPC meetings, delegations, community representatives, guest speakers and Staff, are given more time to speak and Council can debate and ask questions of the delegations for a longer period of time
- Updates and "for information only" reports should be under the Consent Items heading the on Regular Council agenda
- GPC's are structured around key items throughout the year but new items can be added
- Summary of items from the GPC discussion are presented at Regular Council meetings and members have the option to debate again but majority of debate should be done at the GPC meeting
- Round table discussions where the public is invited have been very successful
- Following a round table a report goes to a GPC meeting for discussion and recommendations then to Council to be voted on

G. Cuff disconnected at 3:14 p.m.

Council discussion included:

- Difference between a well-functioning Committee of the Whole and the Governance and Priorities Committee
- Committees could branch off of the GPC and recommendations would then go to Council
- Debate items in front of the public, live-streamed, at Regular Council meetings and debate at the GPC meeting
- Suggestion that the Agenda's Committee reviews items and recommends if they should go to the GPC or to a Regular Council meeting
- Terms of Reference and mandate of Committees needs be clear, concise and easily understood
- Selecting committees before or after the Strategic Plan has been created
- Items that have been identified in the Strategic Plan could be the catalyst for the creation of committees
- Committee recommendation approval process

K. Fry entered the Boardroom at 3:52 p.m.

It was moved and seconded that the Committee of the Whole recommend that the Committee Structure report dated 2019-JAN-07 be received for information. The motion carried unanimously.

5. QUESTION PERIOD:

- Dennis McMahon re: Agenda Item 4(a) – Code of Conduct and Agenda Item 4(b) – Committee Structure and asked if a Code of Conduct vision statement will be created.

The Committee of the Whole moved “In Camera” at 4:02 p.m.

The Committee of the Whole moved out of “In Camera at 4:32 p.m.

6. ADJOURNMENT:

It was moved and seconded at 4:32 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER