



MP 	
Director	CAO

<u>COUNCIL AGENDA</u>	
Date: <u>September 19, 2022</u>	Item: <u>12.4.</u>



DISTRICT OF WEST VANCOUVER  
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

12.4.

## COUNCIL REPORT

Date:	August 29, 2022
From:	T. Azuma, Committee & Policy Coordinator
Subject:	Proposed: General Council Committees Policy 0144; and General Council Committees Procedure 0145
File:	0282-20-0144/0145

### RECOMMENDATION

THAT

1. “General Council Committees Policy 02-10-280” be rescinded;
2. proposed “General Council Committees Policy 0144” be approved; and
3. proposed “General Council Committees Procedure 0145” be approved.

#### 1.0 Purpose

If approved, General Council Committees Policy 0144 and General Council Committees Procedure 0145 would replace General Council Committees Policy 02-10-280 with policy and procedure documents that fit within the District’s current policy framework and that better align with Council Committee Procedure Bylaw No. 5020, 2019 (as amended).

#### 2.0 Executive Summary

Following adoption of Council Committee Procedure Bylaw No. 5020, 2019 (as amended), Legislative Services reviewed General Council Committees Policy 02-10-280 to update existing and introduce new regulations to provide for increased clarity and procedural efficiency.

#### 3.0 Legislation/Bylaw/Policy

Legislation: The *Community Charter* provides for the establishment of standing and select committees, and general meeting rules.

Bylaw: Council Committee Procedure Bylaw No. 5020, 2019 (as amended) regulates the conduct of Council committee meetings, including the provision of public notice and meeting proceedings.

Policy: General Council Committees Policy 02-10-280 includes provisions regarding: membership and application; Council representatives; staff support; meeting schedule; quorum; the selection of Chair; committee agendas, minutes, and meeting notices; voting and procedural rules; conflict of interest provisions; reporting to Council; and public participation. This policy was approved in 2001 and last amended in 2005.

## 4.0 Council Strategic Objective(s)/Official Community Plan

Council committees are statutory bodies established pursuant to provincial legislation. The Official Community Plan does not apply.

## 5.0 Financial Implications

No significant changes to the current Council committee system are recommended at this time; no additional financial resources are requested or required.

## 6.0 Background

### 6.1 Previous Decisions

Council, at its September 29, 2021 special meeting, passed the following resolution:

*THAT proposed "Council Committee Procedure Bylaw No. 5020, 2019, Amendment Bylaw No. 5144, 2021" be adopted.*

Council, at its January 27, 2020 regular meeting, passed the following resolution:

*THAT the report dated January 2, 2020 from the Director of Legislative Services/Corporate Officer regarding Council Committees – Overview, Framework, and Administration be received for information.*

Council, at its November 4, 2019 regular meeting, passed the following resolution:

*THAT proposed "Council Committee Procedure Bylaw No. 5020, 2019" be adopted.*

It should be noted that, prior to the adoption of the Council Committee Procedure bylaw, no changes were made to Council committee framework documents for over a decade; earlier resolutions follow.

Council, at its March 7, 2005 regular meeting, passed the following resolution:

*THAT*

1. *The Youth Advisory Committee proposed work plan be received for information;*
2. *The General Council Committees Policy in Section 13.5 be amended with respect to the annual reporting period for the Youth Advisory Committee to read:*
  - "d) excepting the Youth Advisory Committee which will submit its report and plan each year based on its term of October 1 to June 30."*

Council, at its September 8, 2003 regular meeting, passed the following resolution:

*THAT*

1. *The report dated July 16, 2003 from the Director of Administrative Services regarding proposed Advisory Committee Terms of Reference and Council Procedure Changes be received;*
2. *The General Council Committee Terms of Reference Policy #1 (0115-00) adopted December 10, 2001 and Individual Advisory Committees Terms of Reference be amended as set out in report dated July 16, 2003 from Director of Administrative Services; and*
3. *The General Meeting Procedures of Council be changed as set out in report dated July 16, 2003 from Director of Administrative Services.*

Council, at its December 10, 2001 regular meeting, passed the following resolution:

*THAT*

1. *Council adopt the General Council Committee Policy No. 1 (General Terms of Reference) as received December 3, 2001.*
2. *Council adopt the individual terms of Reference for the following Advisory Committees as received December 7 and 10, 2001:*
  - *Policy No. 2 Design Advisory Committee;*
  - *Policy No. 3 Finance Advisory Committee;*
  - *Policy No. 4 Planning Advisory Committee;*
  - *Policy No. 5 Community Services Advisory Committee;*
  - *Policy No. 6 Heritage Advisory Committee;*
  - *Policy No. 7 Engineering Advisory Committee;*
  - *Policy No. 8 Lower Caulfeild Advisory Committee;*
  - *Policy No. 9 Parks & Environment Advisory Committee.*
3. *Council approve the Meeting Procedure Guide for the District of West Vancouver as received December 3, 2001.*
4. *That staff prepare an Orientation Manual for Committee members.*
5. *That Council continue its practice of recognizing the contribution of volunteers who sit on Boards and Committees by way of an annual recognition banquet.*
6. *That a general repeal bylaw be prepared for Parks & Recreation Advisory Commission Bylaw No. 3069, and amendments thereto, Advisory Planning Commission Bylaw No. 3068, and amendments thereto, Advisory Finance Commission Bylaw No. 3638, and amendments thereto, Heritage Advisory Commission Bylaw No. 3944, and amendments thereto.*
7. *That the Procedure Bylaw be amended to coincide with the Committee Structural/Terms of Reference changes.*

## 6.2 History

Council plays an important governance and oversight role as the approving body for Council committee framework documents developed by staff. General Council Committees Policy 02-10-280 (approved by Council on December 10, 2001 and subsequently amended in 2003 and 2005) provides the framework within which the District's Council committees have operated over the past two decades. General Council Committees Policy 02-10-280 includes provisions regarding: membership and application; Council representatives; staff support; meeting schedule; quorum; the selection of Chair; committee agendas, minutes, and meeting notices; voting and procedural rules; conflict of interest provisions; reporting to Council; and public participation.

On November 4, 2019, Council Committee Procedure Bylaw No. 5020, 2019 ("the bylaw") was adopted by Council. The bylaw contained new and updated procedural rules that superseded those contained in General Council Committees Policy 02-10-280, and created a separate and distinct procedure bylaw unique to Council committees. Prior to the adoption of the bylaw, Council committees were governed by the procedural rules contained in the Council Procedure bylaw, although ambiguity existed as to which provisions of the Council Procedure bylaw were applicable to Council committees, and which were unique to Council meetings. By creating a separate and distinct procedural framework for Council committee meetings, staff were able to update existing meeting procedures while increasing transparency and accessibility.

On January 27, 2020, Council received a report from the Director of Legislative Services/Corporate Officer titled "Council Committees – Overview, Framework, and Administration". The report provided information regarding: the role of staff and Council relative to Council committees; an overview of the Council committee system; an examination of existing and upcoming framework documents; and a summary of both recent and planned high-level administrative improvements.

## 7.0 Analysis

### 7.1 Discussion

The District's current policy framework requires the separation of policies and procedures into distinct documents. To that end, the contents of General Council Committees Policy 02-10-280 have been divided into two documents: one outlining the District's high-level policy regarding Council committees, and the other containing operational procedures that apply to select and standing committees.

Staff conducted a review of General Council Committees Policy 02-10-280 to determine how best to improve upon the existing policy. Although the core of this policy was deemed to be procedurally sound, and its provisions form the basis of proposed General Council Committees Policy

0144 and General Council Committees Procedure 0145, the following areas of improvement were identified: clarity; flow; and procedural efficiency.

With regard to clarity, many of the existing provisions have been re-worded and/or reformatted. Although the intent of these provisions remains largely unchanged, staff have made numerous linguistic and stylistic changes to create accessible documents that clearly convey the intent and applicability of each provision. Provisions have also been added to contextualize and better clarify the intent and applicability of existing content in relation to Council Committee Procedure Bylaw No. 5020, 2019 (“the bylaw”), as amended.

With regard to flow, many of the existing provisions have been re-ordered and/or relocated to different sections. These changes are intended to better mirror the flow of process and improve the ability of the reader to efficiently navigate the documents.

With regard to procedural efficiency, select provisions have been added, removed, or modified. Following is a summary of the relatively substantial changes proposed for the general policies and procedures that guide committees. Minor clerical changes and updates are not summarized in this report.

- Provisions regarding definitions were modified into select and standing committees to align with current practice;
- Provisions regarding membership were modified to include current recruitment practices and appointment procedures;
- Provisions regarding council membership were modified to clarify the appointment and role of Council members on committees to align with current practice;
- Provisions regarding staff support were modified to differentiate between staff roles and responsibilities and align with current practice;
- Provisions regarding the meeting schedules were removed as these provisions are included in the bylaw;
- Provisions regarding quorum were modified to clarify legislative requirements. Additional provisions regarding meetings, attendance, and materials were added to align with the bylaw and current practice;
- Provisions regarding chair, agendas, and minutes were removed as these provisions are included in the bylaw;
- Provisions regarding voting were removed as these provisions are included in the bylaw;
- Provisions regarding working groups were removed as these groups are governed by the Working Group Guidelines approved by the Community Engagement Committee, however provisions regarding sub-committees were modified to outline current practice;
- Provisions regarding report and authority were modified for clarity and a code of conduct section was added;

- Provisions regarding new committees were modified to differentiate between select and standing committees;
- Provisions regarding meetings open to the public were removed as these provisions are included in the *Community Charter*;
- Provisions regarding expulsion from meeting were removed as these are included in the bylaw;
- Provisions regarding public participation were removed as these are included in the bylaw; and
- Provisions regarding election were added to outline the responsibilities and expectations of committee members that run for office.

For certainty, proposed General Council Committees Policy 0144 and General Council Committees Procedure 0145 are only applicable to Council committees; working groups are governed by the Working Group Guidelines as approved by the Community Engagement Committee.

## 7.2 Sustainability

It is necessary to periodically review and update policies and procedures in order to ensure that they remain relevant and sustainable. Proposed General Council Committees Policy 0144 and proposed General Council Committees Procedure 0145 would provide for increased clarity and procedural efficiency.

## 7.3 Public Engagement and Outreach

No public engagement or outreach was conducted.

## 8.0 Options

### 8.1 Recommended Option

Staff recommend that Council approve the proposed General Council Committees policy and procedure.

### 8.2 Considered Options

Council may direct staff to conduct further research and to bring forward recommendations to improve West Vancouver's Council committee system, recognizing that additional resources beyond those currently allocated may be required.

## 9.0 Conclusion

Staff recommend that General Council Committees Policy 02-10-280 be rescinded and replaced by General Council Committees Policy 0144 and General Council Committees Policy 0145. The proposed changes would update existing and introduce new regulations to provide for increased clarity and procedural efficiency.

Date: August 29, 2022  
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Committees Procedure 0145

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Author:



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Committee & Policy Coordinator

Concurrence



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Manager of Legislative Operations

Appendices:

Appendix A – General Council Committees Policy 02-10-280

Appendix B – Proposed General Council Committees Policy 0144

Appendix C – Proposed General Council Committees Procedure 0145

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**District of West Vancouver  
CORPORATE POLICY 02-10-280**

Administration Division	<b>General Council Committees Policy #1 (General Terms of Reference)</b>
Council Committees Policy	
CIS File: 0115-00	
Page 1	

**PURPOSE**

The Council of the District of West Vancouver acknowledges the special skills, talents and experience of its residents in providing public involvement in the development of good governance for the District.

The Mayor may establish a standing committee and appoint Council and/or citizen members to the standing committees for matters the Mayor believes would be better dealt with by the committees. The Council may establish select and advisory committees to consider or inquire into any matter and report its findings and recommendations to Council. A committee shall provide Council with:

- advice and recommendations on any matters referred to it by Council;
- advice and recommendations to Council on public issues that are part of an annual work plan for the committee approved by Council. Council may amend the work.

**DEFINITIONS**

**“Standing Committee”** means a committee, created by the Mayor pursuant to section 141 of the *Community Charter*, to which the Mayor appoints Council members and citizen members. At least half of the members of a standing committee must be members of Council.

**“Select Committee”** means a committee created by Council resolution pursuant to section 142 of the *Community Charter* comprising of Council members and citizens to investigate and report on specific issues and projects identified in the resolution. The committee may also be referred to as a Task Force. The committee shall be established with a specific mandate established by Council. At least one member of a select committee shall be a member of Council.

**“Statutory Board/Committee”** means the boards, or committees created by an enabling statute. For example, a Library Board is established pursuant to the *Library Act*, a Police Board is established pursuant to the *Police Act*, the Family Court Committee is established pursuant to the *Provincial Court Act* and any other body is established pursuant to enabling legislation, which serves in an arms-length capacity on behalf of or in cooperation with the municipality.

**“Advisory Committee”** means a committee appointed by Council to advise and make recommendations to Council respecting spheres of interest within the mandate and purpose established by the Council.

**“Staff Representative”** means the staff member assigned by the Chief Administrative Officer to assist a committee in a non-voting capacity.

## **PROCEDURE**

### **1.0 Membership**

#### **1.1 Diversity**

Selection of membership will strive to reflect the diversity of the community with experience, knowledge and expertise in the sphere of interest of the committee being the primary consideration.

#### **1.2 Appointments**

**1.2.1** Annually, opportunities for appointment of members of the public to committees will be widely advertised so that any interested resident can apply to be considered for membership on a committee.

**1.2.2** The Mayor will appoint members to standing committees and their Chairs. The Mayor may recommend to Council the creation of select committees and the appointment of the Chair, Vice-Chair and members. Council will appoint members to select committees after first reviewing the intended appointments.

**1.2.3** Appointments to standing and select committees will be made in December of each year, except in an election year when they may be deferred to January.

**1.2.4** Appointments to statutory committees will be made in compliance with the enabling statute, bylaw, or resolution.

**1.2.5** Appointments to advisory committees are made by Council in December of each year using a public invitation process, upon receipt of the recommendation of the Mayor, except in an election year when they may be deferred to January.

**1.2.6** Committee members shall serve without remuneration at the pleasure of Council. Advisory Committee appointments shall remain in effect until a successor is appointed or otherwise determined by Council.

Unless otherwise provided, committee members appointed by Council must be West Vancouver residents, business operators/representatives or property owners.

#### **1.3 Applications for Membership are Confidential**

All applications for membership on committees shall be kept in confidence.

Amended Sept 8, 2003  
by Council resolution

## **1.4 Duration of Membership of Standing and Select Committees**

- 1.4.1** The duration of appointment is one year, unless otherwise specified by enabling statute, bylaw or resolution. The term of appointment of members to select committees is concurrent with the time frame provided to the select committee to complete its work; after which the members' terms expire unless extended by Council resolution.
- 1.4.2** An individual can serve for up to six consecutive years on any one committee.
- 1.4.3** When considering re-appointments for a consecutive term, committee stability and membership continuity will be considered.
- 1.4.4** A member shall remain in office until a successor is appointed, subject to sections 1.8 and 1.9.
- 1.4.5** The appointment of a Councillor to a committee expires on the date of the inaugural meeting of Council in the year of a general local election.

## **1.5 Duration of Membership of Statutory Committees**

The appointment of a member to a statutory committee is provided in the enabling statute, bylaw or resolution.

## **1.6 Duration of Appointment of Advisory Committees**

The duration of appointment of a member to an advisory committee expires as designated in the Terms of Reference establishing the Committees, up to a maximum of six consecutive years.

## **1.7 Committee Vacancy Replacement Term**

The person appointed by Council to fill a vacancy shall serve for the remainder of the term of the predecessor.

## **1.8 Resignation of Member**

A member of a committee may resign from the committee in writing to the committee Chair.

## **1.9 Removal of Member from Committee**

The Mayor, in the case of a Standing Committee and Council in the case of other Committees, may remove at the request of a committee or on the Mayor's and Council's initiative any of its committee appointees without cause.

## **1.10 Mayor's Role on Council Advisory Committees**

The Mayor is an *ex-officio*, non-voting member of every committee and as such has the same rights as other committee members, except to the extent he or she is a member of the committee but is not obligated to attend meetings and is not counted in determining if a quorum is present.

## **2.0 Council Membership on Advisory Committees**

- 2.1** Council may appoint members of Council as non-voting members of each advisory committee for a term designated in the Terms of Reference.
- 2.2** Any member of Council not appointed to an advisory committee may attend the committee meetings as an observer.
- 2.3** The Councillor appointed to an advisory committee is to serve as a communication liaison to and from Council.

## **3.0 Staff Support**

- 3.1** A Staff Representative will be appointed to each standing, select and advisory committee by the Chief Administrative Officer. The Staff Representative is not a member of the committee and is not entitled to vote. The role of the Staff Representative includes:
  - 3.1.1** receiving and transmitting all materials referred to the committee and being responsible for arranging all agendas, public notices and scheduling the activities of the committee;
  - 3.1.2** providing information and professional advice as by the committee;
  - 3.1.3** support the chairperson in developing agendas, arranging meetings and promoting effective committee functioning;
  - 3.1.4** preparation of reports of the committee to Council for signature by the Chair, and transmitting the reports to Council;
  - 3.1.5** arranging for an annual orientation meeting of the work of the committee, the structure of the District, and Council; annual goal setting and budgeting processes.
- 3.2** The Chief Administrative Officer shall assign a Committee Clerk to assist committees.

## **4.0 Meeting Schedule**

- 4.1** Committees shall establish their own meeting schedule, but must hold meetings that will respond in a timely way to requests from Council with a minimum two meetings per year.
- 4.2** Statutory committees meet as provided in their enabling statute, regulation, bylaw or resolution adopted by Council.

## **5.0 Quorum**

A majority of the voting members is required to constitute a quorum. For standing committees at least half of the quorum must be made up of members of Council.

## 6.0 Chair

The Mayor for a standing committee and Council for a select or advisory committee, may appoint the Chair and Vice-Chair at the time of the committee appointment or each committee shall, at its first regular meeting in January or as soon thereafter as possible, or as provided in its enabling statute, bylaw or resolution, elect a Chair and Vice-Chair, who shall hold office for a period of one year.

## 7.0 Agendas

**7.1** The Staff Representative, in consultation with the committee Chair shall prepare and distribute the committee agendas and handle the administrative requirements of the committee.

**7.2** The Staff Representative must give public notice of a meeting by posting the notice, and agenda stipulating the location of the meeting, at the Municipal Hall at least 48 hours before the date of the meeting.

**7.2.1** As required, special meetings may be called by the Chair, in compliance with applicable enactments or by resolution of Council and notice of the time, date, place and agenda. The notice must be posted in the posting locations at least 24 hours before the time of the meeting.

**7.3** Any member of the public who wishes to view any material on an agenda of a committee that is not excluded from the public pursuant to Section 90 of the *Community Charter*, and the *Freedom of Information and Protection of Privacy Act*, may request the Committee Clerk for a time to view said material.

**7.4** If the agenda for the meeting contains items under Section 90 of the *Community Charter*, which include issues regarding land, legal and personnel, the public may be excluded from the meeting but notice must be given in accordance with Section 92 of the *Community Charter*.

**7.5** Where it is deemed urgent or appropriate, the committee may hold a conference call meeting. All notification, including the location where the presiding officer will conduct the meeting, must be given in order to allow any member of the public to attend and hear all proceedings of the committee.

**7.6** Committee Clerks will place agendas on the municipal website for public access and convenience.

Amended Sept 8, 2003  
by Council resolution

Amended Sept 8, 2003  
by Council resolution

## 8.0 Minutes

Amended Sept 8, 2003  
by Council resolution

**8.1** Committee minutes, setting out the decisions made and the key points of the proceedings of all meetings of committees shall be legibly recorded in a minute record by the Staff Representative or designated committee clerk. The Committee clerk shall produce minutes no later than seven (7) days from the committee meeting and distribute them to committee members as directed by the Committee.

**8.2** Following adoption of the minutes of the committee they shall be signed by the Chair, or other member presiding.

Amended Sept 8, 2003 by  
Council resolution

**8.3** The Staff representative or designated Committee Clerk shall provide committee minutes to all members of the committee. The original signed committee minutes shall be provided to the Municipal Clerk for archival retention. Committee Clerks will place adopted committee minutes on the municipal website for public access and convenience.

Amended Sept 8, 2003 by  
Council resolution

**8.4** A copy of adopted committee minutes shall be placed on the Regular Agenda of Council for information purposes. A copy of adopted committee minutes of "Special Committee meetings From Which the Public May be Excluded" shall be placed on the "Special Meeting of Council from Which the Public May be Excluded Agenda" for information purposes. A copy of all unadopted committee minutes marked "DRAFT" shall be forwarded to the Municipal Clerk for distribution as directed by Council.

## 9.0 Rules of Procedure

**9.1** Committee meetings shall be conducted according to the requirements of the committee's enabling statute, establishment bylaw, the *Community Charter*, Council's Procedure Bylaw, and District Meeting Guidelines. The committee may rely for reference upon the advice of the Committee Clerk, Staff Representative or the Municipal Clerk.

**9.2** Questions of procedure that cannot be resolved by the Chair and committee shall be referred to the Municipal Clerk.

## 10.0 Voting

All voting members of a committee shall have a vote on any question before it. In the event of a tie vote, the motion shall be defeated. Any member present, who abstains from voting, without having declared a conflict of interest and leaving the meeting, shall be deemed to have voted in the affirmative.

## **11.0 Conflict of Interest**

### **11.1 Committee members to Avoid Conflicts of Interest**

A conflict of interest exists where:

- (a) a committee member is a director, member or employee of an organization seeking a benefit from the District upon which the committee will make a recommendation;
- (b) the committee member has a direct or indirect personal pecuniary interest in the matter which is the subject of the committee deliberations;
- (c) the committee member is involved in a matter that contravenes the conflict of interest guidelines adopted by Council from time to time.

Where a conflict of interest exists the committee members:

- (d) shall be prohibited from participating in any discussion of the matter or voting on a question in respect of the matter or make any representation on the matter to any other committee member or attempt to influence a vote;
- (e) must declare to the committee that a conflict exists and the nature of the conflict; and
- (f) shall obtain the leave of the Chair to leave the meeting during consideration of the matter to which the conflict relates.

The member's declaration of a conflict and their exit from and return to the meeting shall be noted in the minutes.

## **12.0 Working Groups**

**12.1** Sub-committees and working groups may be established by the Committee from among their members for specific tasks or projects identified in annual work plans approved by Council or for a special project approved by Council.

**12.2** A multi-committee working group made up of representatives on existing committees may be established to deal with special tasks and projects as approved by Council.

Amended Sept 8, 2003 by  
Council resolution

## **13.0 Reporting**

### **13.1 Establishment and Authority**

Members will not misrepresent themselves as having any authority beyond those delegated by Council.

**13.1.1** Standing and select committees must request to Council for authority to act, unless Council has delegated Council powers, duties or functions to the committee.

**13.1.2** Select committees shall complete their task within the time prescribed by Council or such an extension of time and report findings and recommendations to Council.

**13.1.3** Statutory committees conduct their business in accordance with the terms of their enabling statute, bylaw or resolution of the authority that established the committee.

**13.1.4** Advisory committees conduct their business in accordance with terms of their bylaw, resolution and/or policy adopted by Council.

### **13.2 Standing and Select Committee Reports**

When responding to an issue referred by Council standing and select committees will submit reports to Council with the assistance of the Staff Representative, in the prescribed format (Appendix "A" or "B"). If deemed appropriate by the Chief Administrative Officer, committee reports will be accompanied by a staff report.

### **13.3 Advisory Committee Reports**

Advisory Committees shall submit reports to Council with the assistance of the Staff Representative in the prescribed format (Appendix "A" or "B"). Committee Reports shall be signed by the Chair. If deemed appropriate by the Chief Administrative Officer, committee reports will be accompanied by a staff report. A recommendation of a committee shall be referred to in any applicable staff report going forward to Council. Minutes of all advisory committees shall be circulated to Council for information and reference.

### **13.4 Timing of Reports to Council**

Reports from committee meetings falling in the week prior to a Council Meeting will be submitted for the agenda of the following week for the next Council Meeting after that, or as soon as reasonably possible.

Amended Sept 8, 2003  
by Council resolution



### **13.5 Annual Reports**

Amended Sept 8, 2003  
by Council resolution

On an annual basis, in December, standing, select, statutory and advisory committees will submit a report, in the format prescribed in Appendix "B", that:

- (a) summarizes their activities over the past year; and
- (b) in the case of select committees, comments on the status of work on their assigned task including expected completion date;
- (c) annual work plan, if any, for the following year;
- (d) excepting the Youth Advisory Committee which will submit its report and plan each year based on its term of October 01 to June 30.

13.5(d) Amended  
March 7, 2005 by  
Council resolution

### **14.0 Authority**

Except as may be provided in an enabling statute, bylaw or resolution, committees do not have the authority to communicate with other levels of government, to pledge the credit of the District of West Vancouver or to authorize any expenditure to be charged against the Municipality.

### **15.0 Budget**

The committee shall have reasonable use of miscellaneous services such as photocopying, paper supplies, meeting areas, appropriate refreshments, and other requirements which are primarily provided through the Committee Clerk and the applicable District Division.

### **16.0 Personal Liability**

No member of a committee shall be liable in his or her personal capacity for any debt or liability of the District, except as provided in Section 287(3) or 287.2(6) of the *Local Government Act*. It is the responsibility of District to insure and indemnify the members of committees against all liabilities relating to fulfilling their responsibilities as members of the committee.

### **17.0 Orientation**

- 17.1** The Clerk's Department will provide an orientation package for newly appointed members.
- 17.2** An orientation session will be conducted by the Staff Representatives for each committee Chair and committee member after annual committee appointments are made and where deemed necessary to committee representatives.

## 18.0 New Committees

When considering the formation of a new select committee, standing committee or advisory committee, Council will request staff to prepare Terms of Reference for consideration by Council prior to establishing the committee.

## 19.0 Meetings Open to the Public

All meetings of Council committees are open to the public, unless excluded in accordance with the *Community Charter*. Procedures for public participation are set out in Section 22.

## 20.0 Expulsion From Meeting

If the Chair, at a committee meeting, considers that any person is guilty of conduct causing disruption of the meeting, she/he may expel and exclude that person from the meeting.

## 21.0 Taping of Meetings Prohibited

Taping of the proceedings of a meeting is prohibited except by the Committee Clerk.

## 22.0 Public Participation

**22.1** Standing and select committees may receive reports and schedule delegations and or presentations to be heard by the committee.

**22.2** The role of the public at any standing, select or advisory committee meeting shall be as observers only of the proceedings, save as provided under section 22.1. This does not apply to an applicant who has an application under consideration by the District.

**22.3** The Chair shall provide an opportunity for members of the public to ask questions regarding process and disposition of recommendation to Council or motion passed by the Committee, which is the result of the meeting in progress. The time limit for such questions shall be a maximum of two (2) minutes.

Amended Sept 8, 2003 by  
Council resolution

**22.4** All other questions or comments by the public must be submitted in writing to the Committee Clerk, before or after the meeting, who will refer them to the Chair or Staff Representative for disposition.

Amended Sept 8, 2003 by  
Council resolution

<b>Approval Date:</b> December 10, 2001 Council Meeting	<b>Approved by:</b> Council
<b>Amendment Date:</b> September 8, 2003 Council Meeting	<b>Signature:</b> Chief Administrative Officer
<b>Amendment Date:</b> March 7, 2005 Council Meeting	

<u>COUNCIL AGENDA/INFORMATION</u>		
<input type="checkbox"/> Closed	Date: _____	Item # _____
<input type="checkbox"/> Reg. Council	Date: _____	Item # _____
<input type="checkbox"/> Supplemental	Date: _____	Item # _____

Director	CAO
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DISTRICT OF WEST VANCOUVER  
750 – 17<sup>TH</sup> STREET, WEST VANCOUVER, BC V7V 3T3

**COUNCIL REPORT**

**//APPENDIX/A/**

Date:  
From:  
Subject:

File:

**Amended by  
September 08, 2003  
Council resolution**

**1.1 RECOMMENDED THAT:**

1.

**Purpose**

**Executive Summary** (optional if greater than 4 pages and complex)

**Background**

Prior Resolutions  
History

**Policy**

Policy  
Bylaw (optional)  
Reference to Corporate Business Plan (optional)

**Analysis**

Discussion  
Environmental Implications  
Social Implications  
Financial Implications  
Consultation

**Options**

text

Author: \_\_\_\_\_

Concurrence \_\_\_\_\_  
(optional)

Appendices: (List and label) (optional)

DISTRICT OF WEST VANCOUVER  
750 – 17<sup>TH</sup> STREET, WEST VANCOUVER, BC V7V 3T3

**COMMITTEE REPORT TO COUNCIL**

Date:

File:

***APPENDIX B***

From:

Subject:

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**1.2 RECOMMENDED THAT:**

1.

**Purpose**

**Executive Summary** (optional if greater than 4 pages and complex)

**Background**

Prior Resolutions  
History

**Policy**

Policy  
Bylaw (optional)  
Reference to Corporate Business Plan (optional)

**Analysis**

Discussion  
Environmental Implications  
Social Implications  
Financial Implications  
Consultation

**Options**

text

Author: \_\_\_\_\_

Concurrence \_\_\_\_\_  
(optional)

Appendices: (List and label) (optional)

Title: General Council Committees  
Division: Legislative Services  
Policy Number: 0144  
File Number: 0282-20-0144

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## 1. Purpose

- 1.1. To establish best practices and processes for Standing and Select Committees.

## 2. Scope

- 2.1. This policy applies to Standing and Select Committees. Working groups are governed by the Working Group Guidelines approved by the Community Engagement Committee.

## 3. Definitions

- 3.1. "Select Committee" means a committee created by Council pursuant to section 142 of the *Community Charter*.
- 3.2. "Standing Committee" means a committee created by the Mayor pursuant to section 141 of the *Community Charter*.

## 4. Policy Statement

- 4.1. The District will establish and maintain committees as determined by Council (Select Committees) and the Mayor (Standing Committees).
- 4.2. The District will conduct recruitment processes for Select and Standing Committees in a manner and at a time determined by Legislative Services, with assistance from other divisions as required.
- 4.3. The District will provide administrative and technical support for committees.
- 4.4. Select and Standing Committees will operate in accordance with General Council Committee Procedure 0145.


## 5. Authority

- 5.1. The *Community Charter* requires that Council, by bylaw, establish general procedures to be followed by Council committees in conducting their business.
- 5.2. Council Committee Procedure Bylaw No. 5020, 2019 (as amended) regulates Council committee meeting proceedings.

## 6. Related Procedure

6.1. General Council Committees Procedure 0145.

## 7. Approval

<b>Approved by</b>	<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor and Council
<b>Approval date</b>	Click here to enter a date.	
<b>Council minutes eDocs # (Council Policies only)</b>		
<b>Council report eDocs # (Council Policies only)</b>		
<b>Signature</b>		

## 8. Additional Information

<b>Category</b>	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Administrative
<b>Related procedure</b>	<input checked="" type="checkbox"/> Yes (0282-20-0145)	<input type="checkbox"/> No
<b>Date of last review</b>	Click here to enter a date.	

Title: General Council Committees  
Division: Legislative Services  
Procedure Number: 0145  
File Number: 0282-20-0145

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## **1. Governing Policy**

- 1.1. This procedure is associated with General Council Committees Policy 0144.

## **2. Scope/Application**

- 2.1. This procedure applies to all Select and Standing Committees. Working groups are governed by the Working Group Guidelines approved by the Community Engagement Committee.

## **3. Definitions**

- 3.1. "Committee" means a Select or Standing Committee.
- 3.2. "Select Committee" means a Committee created by Council pursuant to section 142 of the *Community Charter*.
- 3.3. "Standing Committee" means a Committee created by the Mayor pursuant to section 141 of the *Community Charter*.
- 3.4. "Terms of Reference" means the policy that defines the mandate, role, membership, and functions of the Committee.

## **4. Procedure**

### **4.1. Creation**

- 4.1.1. A Select Committee is created when Council approves, by resolution, the Committee's Terms of Reference.
- 4.1.2. A Standing Committee is created when the Mayor approves the Committee's Terms of Reference.

### **4.2. Recruitment**

- 4.2.1. Twice per year, Legislative Services, with assistance from other divisions as required, will conduct an annual recruitment process to fill vacancies on Select and Standing Committees.
- 4.2.2. Legislative Services, with assistance from other divisions as required, will, from time to time, conduct additional recruitment processes:

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- a) in order to fill unexpected Committee vacancies where those vacancies inhibit the ability of the Committee to fulfill its mandate; and/or
  - b) in response to the establishment of a new Committee for which vacancies must be filled in advance of the scheduled annual recruitment process.
- 4.2.3. An applicant is required to submit a District application form for appointment or re-appointment prior to the application deadline in order to be considered.
- 4.2.4. All applications for membership on Committees must be kept in confidence.

### **4.3. Appointments to Select Committees**

- 4.3.1. Once the recruitment process outlined in section 4.2 is complete, Council will review the Committee applications and make appointments based on the merits of the applications relative to the Committee's Terms of Reference.
- 4.3.2. Selection of membership will strive to reflect the diversity of the community, with experience, knowledge and expertise in the sphere of interest of the Committee being the primary consideration.
- 4.3.3. All applicants must either reside, own property, or represent a business that is located in the District of West Vancouver, except as otherwise determined by Council.
- With respect to this requirement, if a committee member's primary place of residence or the location of their business changes to another municipality during the term of an appointment, the member must notify the Chair and staff representative regarding the change of address. Depending on the length of appointment term remaining, the committee member may be asked to step down, thus creating a vacancy.
- 4.3.4. For each Committee for which appointments are required, staff will prepare a report to Council containing appointment recommendations, each application form (and resume if submitted), and a matrix that highlights the strengths of each applicant.
- 4.3.5. Appointments will be made in accordance with applicable enactments.
- 4.3.6. Once Council has appointed one or more applicants to a Committee, Legislative Services staff will send:
- a) a letter to the successful applicants informing of their appointment; and
  - b) a letter to the unsuccessful applicants informing that they were not appointed.
- 4.3.7. Volunteer members must be appointed or re-appointed to a Committee for a term of up to 2 years, except that no person shall serve more than six (6) consecutive years, or as otherwise determined by Council.
- 4.3.8. Volunteer members must not be appointed such that they serve on more than two Committees concurrently, except as otherwise determined by Council.
- 4.3.9. Appointments terminate on December 31 of the year in which the member's term is scheduled to expire, except as otherwise determined by Council.



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4.3.10. Council may, by resolution, rescind an appointment to a Select Committee.

### **4.4. Appointments to Standing Committees**

4.4.1. Appointments to Standing Committees are made by the Mayor.

4.4.2. The Mayor may rescind an appointment to a Standing Committee.

### **4.5. Remuneration**

4.5.1. Committee members serve without remuneration.

### **4.6. Code of Conduct**

4.6.1. Decorum and Debate: Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee's mandate, and be respectful of others' thoughts and opinions.

4.6.2. Authority and Reporting: The Committee and its members will not represent themselves as having any authority beyond that delegated to the Committee by Council, as per this procedure.

4.6.3. Media/Social Media: Members of the Committee are not permitted to speak to the media as representatives of the Committee unless authorized to do so by the Director of Community Relations & Communications. Committee members must strive to convey the public interest and remember that they represent the District of West Vancouver; this means that they must be consistent with the District's position on specific issues.

4.6.4. Professionalism: Committee members who engage in activities regarding the District of West Vancouver or Committee initiatives/projects and promotions are expected to maintain a respectful, constructive, professional tone that maintains the brand consistency of the District of West Vancouver.

4.6.5. Confidentiality: All new committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" (the Agreement) as part as their general orientation. All re-appointed committee members who have previously signed a copy of the Agreement are expected to honour and uphold the provisions as outlined within the Agreement.

4.6.6. Conflict of Interest: The conflict of interest provisions contained in this procedure apply to all committee members.

### **4.7. Resignation of Member**

4.7.1. A member of a Committee may resign from the Committee in writing to the Committee Chair and staff representative.

### **4.8. Role of Council on Select Committees**

4.8.1. The Mayor is an *ex-officio*, non-voting member of every Select Committee and as such has the same rights as other committee members, except to the extent they are a member of the Committee but are not obligated to attend meetings and are not counted in determining if a quorum is present.

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- 4.8.2. Council will appoint one (or more) members of Council to serve as Council representatives on each Select Committee.
- 4.8.3. The term of a Council representative to a Committee is one year except in the year of a general local election, in which case the term expires on the date of the inaugural meeting of Council.
- 4.8.4. A Council representative will serve as a communication liaison between Council and the Select Committee.
- 4.8.5. Council representatives are non-voting members of the Select Committee(s) to which they are appointed, and are not counted in determining if a quorum is present.
- 4.8.6. Any member of Council not appointed to a Select Committee may attend an open committee meeting as a member of the public.
- 4.8.7. Notwithstanding sections 4.8.2-4.8.4, Council members may be appointed to a Select Committee as voting members if permitted by that Select Committee's Terms of Reference.

### **4.9. Role of Council on Standing Committees**

- 4.9.1. Appointments to Standing Committees are made by the Mayor for a one year term, unless otherwise determined by the Terms of Reference.
- 4.9.2. The Mayor is an ex-officio, non-voting member of any Standing Committee to which they are not appointed, and as such has the same rights as other committee members, except to the extent they are a member of the Committee but are not obligated to attend meetings and are not counted in determining if a quorum is present.
- 4.9.3. Council members appointed to a Standing Committee are voting members and are counted in determining if quorum is present.

### **4.10. Meetings, Attendance, and Materials**

- 4.10.1. A Committee must consist of at least the minimum number of members stipulated in its Terms of Reference in order to hold a meeting.
- 4.10.2. A Select Committee meeting cannot occur unless 50% plus one of the Committee's voting members are in attendance.
- 4.10.3. A Standing Committee meeting cannot occur unless both:
  - a) 50% plus one of the Committee's voting members are in attendance; and
  - b) 50% of those committee members in attendance are members of Council.
- 4.10.4. Meetings may be cancelled by the staff representative if there are:
  - a) no items referred to the Committee by Council; and
  - b) no items scheduled for consideration by the Committee.

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- 4.10.5. A meeting will be cancelled by the staff representative if:
- a) it has been determined, in advance, that quorum for the scheduled meeting will not be met; or
  - b) the committee membership drops below the minimum number of members stipulated in its Terms of Reference.
- 4.10.6. Any member who is absent from three (3) meetings of the Committee without reason satisfactory to the Committee may be removed from the Committee by Council.
- 4.10.7. Any member of the public who wishes to view any material on a Committee agenda may request a copy of that material from the staff representative for the Committee.
- 4.10.8. Notwithstanding section 4.10.7, agenda material that pertains to, or is protected by, closed meeting confidences and/or the *Freedom of Information and Protection of Privacy Act* will not be provided.

### 4.11. Election

- 4.11.1. Committee Member Running for Office
- a) Committee members are permitted to run for elected office while serving on a Committee.
  - b) Committee members must not campaign for elected office during committee meetings or allow their campaign activities to unduly interfere with their role as a committee member.
  - c) If a committee member who runs for elected office campaigns during committee meetings or allows their campaign activities to unduly interfere with their role as a committee member, Council will consider whether to rescind the appointment of that committee member to the Committee.
  - d) If a committee member who runs for elected office is elected to the position of Mayor or Councillor for the District of West Vancouver, that committee member must resign from the Committee, with their resignation to be effective on the date which they take office.

### 4.12. Staff Support

- 4.12.1. The Chief Administrative Officer (or designate) will appoint a Staff Representative to the Committee. The Staff Representative is not a member of the Committee and is not entitled to vote. The role of the Staff Representative includes:
- a) providing information and professional advice as requested by the Committee;
  - b) support the Chair in developing agendas, arranging meetings and promoting effective Committee work;
  - c) preparation and submission of reports of the Committee to Council for signature by the Chair;

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- d) arranging for an annual orientation meeting of the work of the Committee, the structure of the District, and Council; and
  - e) annual goal setting and budgeting processes.
- 4.12.2. The Chief Administrative Officer (or designate) will appoint a Committee Clerk to the Committee. The Committee Clerk is not a member of the Committee and is not entitled to vote. The role of the Committee Clerk includes:
- a) receiving and transmitting materials referred to the Committee;
  - b) arranging all agendas and public notices;
  - c) providing for public access to all open committee meeting materials;
  - d) scheduling the meetings and activities of the Committee;
  - e) ensuring quorum in advance of scheduled meetings; and
  - f) taking minutes of committee meetings.

### **4.13. Rules of Procedure**

- 4.13.1. Committee meetings must be conducted in accordance with applicable enactments. The Committee may rely for reference upon the advice of the Committee Clerk, Staff Representative, or the Corporate Officer (or designate).
- 4.13.2. Questions of procedure that cannot be resolved by the Chair and Committee shall be referred to the Corporate Officer (or designate).

### **4.14. Conflict of Interest**

- 4.14.1. Committee members must take reasonable steps to ensure that they are not in a conflict of interest on a matter under consideration by the Committee.
- 4.14.2. A conflict of interest exists when:
  - a) a committee member is a director, member or employee of an organization seeking a benefit from the District upon which the Committee will make a recommendation;
  - b) the committee member has a direct or indirect personal pecuniary interest in the matter which is the subject of the Committee's deliberations.
- 4.14.3. When a conflict of interest exists, the committee member:
  - a) is prohibited from participating in any discussion of the matter or voting on a question in respect of the matter or making any representation on the matter to any other committee member or attempting to influence a vote;
  - b) must declare to the Committee that a conflict exists and the nature of the conflict;
  - c) must exit the meeting prior to consideration of the matter to which the conflict relates; and
  - d) must not return to the meeting until consideration of the matter is complete.

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- 4.14.4. The Committee Clerk must record the committee member's declaration of a conflict, as well as the time that they exit from and return to the committee meeting.

### **4.15. Sub-Committees**

- 4.15.1. Sub-committees may be established by the Committee from among their members only for specific tasks or projects identified in annual work plans as approved by Council, or for a special project approved by Council.
- 4.15.2. Tasks or projects that require the allocation of additional resources must be clearly identified in the annual work plan.
- 4.15.3. Sub-committees will only be established when additional resources can be allocated to support the proposed sub-committee.

### **4.16. Delegation of Authority & Reporting**

#### 4.16.1. Delegation of Authority

- a) Select and Standing Committees must submit a request to Council for the authority to act on a matter, unless Council has delegated Council powers, duties or functions to the Committee.
- b) Committees must not act outside of the scope outlined in their Terms of Reference.
- c) Select and Standing Committees must conduct their business in accordance with their Terms of Reference and applicable enactments.

#### 4.16.2. Reporting

- a) Where applicable, Select Committees must complete their task within the time prescribed by Council, including any extensions of time that may be granted, and report their findings and make recommendations to Council.
- b) Annual reports will be provided to Council, except as otherwise stated in a Committee's Terms of Reference. The annual report must:
  - summarize the Committee's activities over the past year; and
  - outline the Committee's annual work plan for the current year.

### **4.17. Expenditures & Inter-Governmental Communication**

Except as may be provided in an enabling statute, bylaw or resolution, committees do not have the authority to communicate with other levels of government, to pledge the credit of the District of West Vancouver, or to authorize any expenditure to be charged against the Municipality.

### **4.18. Budget**

The Committee shall have reasonable use of miscellaneous services such as photocopying, paper supplies, meeting areas, appropriate refreshments, and other requirements which are primarily provided through the Committee Clerk and the applicable District Division.

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### 4.19. Personal Liability


No member of a Committee shall be liable in his or her personal capacity for any debt or liability of the District, except as provided for in an applicable enactment. It is the responsibility of District to insure and indemnify the members of committees against all liabilities relating to fulfilling their responsibilities as members of the committee.

### 4.20. Orientation

4.20.1. Staff will provide an orientation package for newly appointed members.

4.20.2. Staff will conduct an orientation session for each Committee Chair and committee members after annual Committee appointments have been made.

## 5. Approval

<b>Approved by</b>	<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor and Council
<b>Approval date</b>	<a href="#">Click here to enter a date.</a>	
<b>Council minutes eDocs # (Council Procedures only)</b>		
<b>Council report eDocs # (Council Procedures only)</b>		
<b>Signature</b>	<div style="text-align: center;">  <hr style="width: 30%; margin: 0 auto;"/> </div>	

## 6. Additional Information

<b>Category</b>	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Administrative
<b>Date of last review</b>	<a href="#">Click here to enter a date.</a>	