

Corporate Policy

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Section:	Administration	01
Sub-Section:	Council – General	0530
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Related Policies

Number	Title

Approvals

Approval Date: May 28, 2019	Resolution #: <u>RC19/240</u>
Amended: January 14, 2020	Resolution #: <u>RC20/002</u>
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Policy

The purpose of this document is to establish guidelines and procedures for Mayor and Council in executing their duties to ensure fairness, ethical behaviour, and accountability to one another. The aim of this policy is to:

- establish guidelines for Mayor and Council for communicating with the general public, City staff, and one another;
- establish a framework to ensure that communications are sent and received by Mayor and Council in a consistent manner; and
- establish procedures for authorizing and monitoring Mayor and Council's activities.

Legislative Framework

The legislative framework for municipal governments is set out in the *Community Charter* (SBC 2003). Legislation most pertinent to understanding the role of an elected official is outlined in:

- Part 2 – Municipal Purposes and Powers; and
- Part 5 – Municipal Government and Procedures.

As defined in the *Community Charter*, Council, as governing body (Part 5, Division 1, Section 114), is the custodian of the municipality's powers, both legislative and administrative. It is a continuing body, notwithstanding changes in the membership by election or appointment of officials. Council develops policies; adopts bylaws, resolutions, and policies; and then ensures that they are executed by the administration. The *Community Charter* provides that Council can exercise the powers of the municipality in proper form, either by bylaw or by resolution passed at a regular or special meeting of Council when a quorum is present. It is important to note that individual members of Council cannot make a valid and binding decision on behalf of Council, regardless of whether Council is in agreement with the decision. They must provide direction as a group at a properly convened meeting.

Council's Principal Role (Part 2, Division 1, Section 7)

(1) The purposes of a municipality include:

- (a) providing for good government of its community;
- (b) providing for services, laws, and other matters for community benefit;
- (c) providing for stewardship of the public assets of its community; and
- (d) fostering the economic, social, and environmental well-being of its community.

Responsibilities of the Mayor (Part 5, Division 1, Section 116)

- (1) The mayor is the head and chief executive officer of the municipality.
- (2) In addition to the mayor's responsibilities as a member of Council, the mayor has the following responsibilities:
 - (a) to provide leadership to the Council, including by recommending bylaws, resolutions

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- and other measures that, in the mayor's opinion, may assist the peace, order, and good government of the municipality;
- (b) to communicate information to the Council;
- (c) to preside at Council meetings when in attendance;
- (d) to provide, on behalf of the Council, general direction to municipal officers respecting implementation of municipal policies, programs, and other directions of the Council;
- (e) to establish standing committees in accordance with section 141;
- (f) to suspend municipal officers and employees in accordance with section 151;
- (g) to reflect the will of Council and to carry out other duties on behalf of the Council; and
- (h) to carry out other duties assigned under this or any other Act.

Responsibilities of Councillors (Part 5, Division 1, Section 115)

Every Council member has the following responsibilities:

- (a) to consider the well-being and interests of the municipality and its community;
- (b) to contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
- (c) to participate in Council meetings, committee meetings, and meetings of other bodies to which the member is appointed;
- (d) to carry out other duties assigned by the Council; and
- (e) to carry out other duties assigned under this or any other Act.

Procedures

It is generally recognized that Mayor and Council responsibilities include, but are not limited to:

1. establishing and maintaining procedures for conducting the business of Council;
2. establishing and updating goals and policies;
3. developing and continuously updating a Strategic Plan and ensuring that decisions are made in accordance with the Plan;
4. monitoring and evaluating plans and programs to ensure that they meet goals and policies and the objectives of the Strategic Plan;
5. demonstrating financial accountability for public funds by reviewing and approving budgets and financial statements;
6. ensuring long-range financial stability;
7. selecting the City Manager, defining their duties and responsibilities, and evaluating performance;
8. providing the procedure for evaluation of public service and all other phases of performance in relation to accepted standards;
9. ensuring that the community is well informed about municipal goals, performance, and achievements; and
10. ensuring services meet community needs.

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Within the daily role as Mayor, the Mayor is expected to fulfill the following duties:

1. to execute agreements, contracts, permits, bylaws, and minutes in a timely manner;
2. to provide direction on correspondence received by the Mayor's office when required, in a timely manner;
3. to review and approve outgoing mail from the Mayor's office in a timely manner;
4. to attend events as requested by schools, service clubs, societies, etc. for presentations;
5. to attend speaking engagements for City events as needed or provide direction to the Acting Mayor;
6. to attend speaking engagements as requested by community groups or provide direction to the Acting Mayor;
7. to provide responses to inquiries within five business days;
8. to act as Council's media spokesperson;
9. to attend Police Board meetings and events;
10. to host open-door meetings with residents, business owners, societies, organizations, and outside agencies;
11. to meet with the City Manager to discuss ongoing items;
12. to meet with mayors or councillors from other municipalities as requested;
13. to meet with provincial and federal dignitaries as requested; and
14. to follow up with and provide direction on correspondence from external agencies such as E-Comm, Metro Vancouver, TransLink, and the School District.

Weekly Update

When a Councillor is in the Acting Mayor position, they will provide a weekly update to Council by email, showing their schedule for the previous week. The update must include the following:

- all meetings attended as the Acting Mayor within the office and outside of the office with residents, businesses, developers, and organizations, including a brief description of the contents of the meetings;
- correspondence to the Mayor's Office;
- correspondence from the Mayor's Office;
- events that the Acting Mayor attended; and
- information on upcoming events for which the Acting Mayor deems an update to Council appropriate.

The weekly update will be included as an information item in a Closed Meeting of Council each week to allow an opportunity for addressing any questions or concerns about the Acting Mayor's weekly update. A redacted weekly update will also be placed on the following Regular Council meeting agenda as information.

Weekly Media Coverage Updates

The Executive Assistant to Mayor and Council will send out weekly media coverage updates to Council. This update will list links to any third-party media coverage that makes reference to Port Moody, City Hall, or specific city and elected officials, as well as any media releases the

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City sends out. Council members must alert the Executive Assistant, in a timely manner, to any Port Moody related press coverage of which they may be aware. This coverage will not include posts or exchanges with journalists or others that appeared exclusively in social media.

Mail Correspondence

The Executive Assistant to Mayor and Council will have full access to the Mayor's email and calendar. Mail and email correspondence will be reviewed by the Executive Assistant to Mayor and Council and distributed through the following process:

1. incoming mail addressed to Mayor and Council will be sent by email to Council with the original going to the Mayor;
2. incoming mail addressed to individual Council members will be placed in their in-boxes; and
3. incoming mail addressed to the Mayor will be opened by the Executive Assistant to Mayor and Council, who will request direction, if required. The Mayor will provide direction in a timely manner to forward correspondence to Council or staff as required.

Should the Mayor or any member of Council want to address a correspondence item, a request should be submitted to the Corporate Officer to include the item on an upcoming agenda under Other Business or Information Items as appropriate.

Any emails that are sent by members of the public to the Mayor and all of Council with questions, concerns, or comments, will be responded to with the following message from the Executive Assistant with a carbon copy to Council and the City Manager:

"Thank you for your email to Mayor and Council. This email is to acknowledge that Mayor and Council have received your email. Your inquiry is very important to us and has been forwarded to staff for review and follow-up."

Should the question be of a political nature, as the Council Spokesperson, the Mayor will respond in writing within five business days and the following response email will be sent by the Executive Assistant:

"Thank you for your email to Mayor and Council. This email is to acknowledge that Mayor and Council are in receipt of your email. Should your email require a response from Council, the Mayor will respond within five business days."

Any emails that are sent to Council that are emailing regarding a Public Hearing item, the response should be made clear that their input will not be included in the public record for the Public Hearing. Therefore, the Executive Assistant to Mayor and Council will send the following response:

"Thank you for your email to Mayor and Council. Your email has been received by Council; however, it will not form part of the public record. If it is your desire to have your correspondence form part of the public record for the Public Hearing on <date of

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Public Hearing>, then you are required to submit it directly to the Clerk's Office by email at clerks@portmoody.ca".

Requests for Information

All requests for information from staff should be forwarded to the City Manager directly or through Executive Assistant to Mayor and Council for action.

Committee Liaisons

Council members serving as Committee Chairs may contact their staff liaisons directly with respect to Committee agenda items or work plan items approved by Council. Staff Liaisons will bring any matter outside of these parameters to the attention of the City Manager.

Responding to the Media

The City Manager and/or the Manager of Communications and Engagement will assess the nature of the media inquiries immediately upon receipt. If the media inquiry is not considered to be operational in matter, the inquiry will be referred to the Mayor, as Council's spokesperson, via the Executive Assistant to Mayor and Council. For media inquiries that are operational in nature, staff will respond accordingly.

Events

Mayor and Council will provide sufficient notice to the Executive Assistant regarding attendance at events. If the Mayor is unable to attend an event, the Acting Mayor or Second Acting Mayor will be asked to attend. If the Mayor or Acting Mayors are unable to attend, the Executive Assistant will reach out to other Council members.

Conferences

If a member of Council receives approval to attend a conference outside of the Council-approved conferences (UBCM,FCM, and LMLGA), that member of Council will be required to provide a briefing about the conference at a Regular Meeting of Council within 30 days.

Council Dinners

Council dinners will be provided for all Council members who are expected to be in attendance at Council meetings (including Finance Committee and CPAC) for a period lasting longer than 3.5 hours. The dinner choice will be made on a rotational basis between Council members. Special requests are confined to dietary restrictions. It is recommended, where possible, that the catering be a Port Moody restaurant or caterer. The establishment choice of dinner must adhere to the following criteria:

- ~~\$2518~~.00 a person before taxes delivery and tip;
- must deliver to City Hall or provide options for delivery; and
- must accept credit card by phone or will wait for cheque to be issued.

Disposition of Physical Environment and Property

This section is intended to provide clarification on the disposition of Council-related City property.

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Mayor's Office

An inventory of physical property in the Mayor's Office—such as furnishings and objects associated with the office—must be kept by the Executive Assistant to Mayor and Council, and regularly updated in accordance with Council direction. The Mayor has full discretion on the content and set-up of the Mayor's office, and may securely store items that are listed on the inventory of physical property outside of the Mayor's Office. Items may not be added or removed from the inventory without Council direction.

Councillors' Office

Council as a whole may provide direction on the content and set-up of the Councillors' Office.

Council-Related City Property

Council-related City property, such as Council photographs and contents of display cases in City Hall, must not be altered, moved, or disposed of except as directed by Council as a whole.

Quarterly Council Cross-Briefings on Special Assignments

Mayor and/or Council will be required to provide quarterly updates to Council on internal or external task forces, on issue-specific working groups, or representing the City in organizations outside City Hall.

Council will provide a regular check-in discussion, at least once per quarter, in which designated participants in groups and initiatives that do not otherwise provide regular updates get an opportunity to provide the rest of Council and the Executive Leadership Team with verbal updates, either in closed or public session as appropriate, on the status of the initiatives to which each may have been assigned. These quarterly briefings will be done in January, April, July, and October.

Examples of such assignments are Metro Vancouver Committee Appointments, Tri-Cities Homelessness and Housing Task Force, internal task force, TransLink Mayors Council.

Council-Administration Relationship

This section is intended to clarify the relationship between Council and administrative staff.

Council – Collective Decision Making

Council is a democratic body which authorizes action through bylaws and/or resolutions. Council as a whole – as opposed to individual members of Council – has the full authority to commit the municipality to action, give direction to members of staff through the City Manager, and expend civic funds. Individual Council members must not give direction to staff.

Administration – Mandate to Implement Council Direction

On any matter, City staff are bound to implement the most recent decision of Council. The authority for staff to act arises from Bylaws, resolutions, budgets, and corporate plans, all of which require Council approval. When plans are found to conflict, when new circumstances arise, or where prior direction lacks clarity, staff must seek further direction from Council as a whole.

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Administration – Role

In the system created by the *Community Charter*, Council delegates the administrative handling of issues to the Chief Administrative Officer (City Manager). The City Manager, in turn, is accountable to Council for ensuring that its policies are implemented and all direction received from Council is followed.

The City Manager directs the work of the Executive Leadership Team (ELT). The City Manager is the link between Council and those who implement Council's direction. The City Manager is responsible for appointing members to the ELT and other senior positions in the organization, for assigning responsibilities to senior staff, and for the performance of the organization as a whole.

Relationship with Mayor and Council

The Mayor acts on behalf of Council and serves as the spokesperson for Council. For all routine matters, the Mayor and the City Manager act as liaisons between Council and the ELT. The City Manager responds to requests that reflect the will of Council, made by the Mayor. Such requests from the Mayor are interpreted by the City Manager as direction issued on behalf of Council. The City Manager remains accountable to Council as a group for their implementation. To support the integrity and transparency of a process where the Mayor and the City Manager act as liaisons between Council and the ELT, the City Manager will ensure that all Councillors have access to the same information required in their governance functions.

Monitoring/Authority

Council is the monitoring authority for this policy. The Executive Assistant to Mayor and Council has City oversight and implementation authority and will bring violations forward to the attention of Council should they occur.