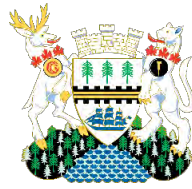


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Report to Council From the Office of Councillor Hunter Madsen

Date: July 19, 2020

Subject: Updating Corporate Policy – Mayor and Council Guidelines

Purpose

To propose several adjustments to the Mayor and Council Guidelines of our Corporate Policy that clarify optimal procedure in certain particulars, define a new weekly update on Port Moody in the news media, call for quarterly Council cross-briefings for certain types of member activity, add clarifying notice to the public regarding input to Public Hearings, and redefine the mayor's weekly updates as a requirement reserved for designated acting mayors when mayor is on leave.

Recommendation

THAT Council direct staff to draft modifications to the Corporate Policy – 01-0530-2019-01 – Mayor and Council Guidelines as recommended in the report dated July 19, 2020 from Councillor Hunter Madsen regarding Updating Corporate Policy – Mayor and Council Guidelines to accomplish the following:

- 1) Initiate Weekly Media Updates;**
- 2) Initiate Quarterly Council Cross-Briefings;**
- 3) Change Weekly Acting-Mayor's Update Requirements;**
- 4) Amend Daily Role Of Mayor; and**
- 5) Add Standard Response regarding the inclusion of input at Public Hearings.**

Background

On May 28, 2019 Council passed *Corporate Policy – 01-0530-2019-01 – Mayor and Council Guidelines* during the context of the Mayor's temporary leave, in order to clarify roles of Mayor and Council and specify additional procedures, especially some of those pertaining to the Executive Assistant to Mayor and Council. While most of these guidelines remain relevant and helpful today in improving transparency, process, and accountability on Council, the past year has highlighted additional opportunities to improve the updating of Council on matters related to our city, as well as the need to adjust the Guidelines in certain particulars, which are offered as proposals in this report.

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Discussion

- 1) Initiate Weekly Updates to Council Regarding “Port Moody in the News.” Council should be kept abreast of how our city is being covered in the news media, yet currently notices of press coverage come to some or all of us in a random and disorganized fashion, and are not shared with our body in any systematic, comprehensive format or process, other than, to a very limited and incomplete extent, in the Mayor’s Weekly Updates, which cover only the Mayor’s media contacts.

This motion proposes to correct this information gap by initiating a new weekly update, to be assembled and shared by the Executive Assistant to Mayor and Council, which will list and provide links to any new third-party media coverage that makes reference to Port Moody, City Hall, or specific city and elected officials and/or includes statements from them. Where appropriate for audio and video coverage, these links would go to edited clips excerpted in full from show broadcasts. The intention here is to capture all third-party press coverage of the city, its officials, and issues, but we would not ordinarily include posts or exchanges with journalists or others that may take place *exclusively* in social media – that would probably become too complex and unmanageable to keep track of.

To make sure that we’re not overlooking any important exchanges, we would ask Council members to alert staff in a timely manner to any Port Moody-related press coverage of which they may be aware.

These weekly media reports would also include a section listing the City’s own press releases that may have been issued during that time period.

These weekly updates will become an important and popular record of interest to the public and future historians of our city, and should be posted, archived, and made available for public viewing through the City’s website.

- 2) Initiate Quarterly Council Cross-Briefings on Our Special Assignments. Council members are often assigned by the Mayor and/or Council to serve on internal or external task forces, on issue-specific working groups, or representing the City in organizations outside City Hall on an ongoing basis. In many cases, Council and our Executive Leadership Committee may not hear back from such participants about those groups and their respective agendas for very extended periods of time, if ever, and a degree of transparency and accountability about City activities and relevant concerns is lost in the process. To help close these information gaps and share useful input, this report proposes that Council institute 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 ELT with verbal updates, either in closed or public session as appropriate, on the status of the initiatives to which each may have been assigned.

It is the intention of this motion that such updates need not include discussion of citizen committees, the activities of the Metro Vancouver Regional District Board of Directors or

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standing committees, or Translink: Council already receives substantial, regular updates from these bodies.

- 3) Require Weekly Updates for Acting Mayors Only. In the view of this report, it may make good sense to require the issuance of weekly updates by designated acting mayors under specific circumstances when the Mayor may be away on leave for some reason, and the continuation of weekly reports under those conditions is recommended here.

But this report argues that for the Guidelines to require a sitting mayor to dutifully file weekly reports detailing each element of their daily actions is unnecessary and unreasonable, and amounts to intrusive overkill. Such weekly reports are not conventional practice, being basically unheard of in other municipalities; they imply unwarranted distrust in the accountability of anyone occupying the mayor's office and thereby demean that office, and they can and should be discontinued with no meaningful risk to relevant transparency or accountability, which can be ensured by all the usual requirements and reporting processes at the disposal of Council and the community in regard to Council member activities.

In the view of this report, the highly unusual circumstances of temporary interim mayorship last summer warranted more extensive mayoral activity reports, since we were all going through that difficult period collaboratively, in the well-intended spirit of collectively filling in for the mayor on leave. Thankfully those days are now past, the elected mayor is back in charge, and we're back to standard operations.

In the view of this report, if it is right and proper for Council to be demanding a weekly log of all conversations and contacts by the mayor, then it is equally warranted to mandate "for the sake of full transparency" that all other members of Council - and perhaps all members of the ELT as well - must begin to circulate comprehensive contact reports concerning everyone we communicate with, each and every week from now on.

Yet asking all of us to go through such an exercise would, of course, be unnecessarily invasive: I'm sure it would have a chilling effect on the willingness of some constituents to come forward and connect with us if they knew that any personal communications by them on any and every issue or concern that they may have would result immediately in alerts to every other member of Council and the ELT, if not to the general public. There's no good reason to impose that same chilling effect on constituents who may want to talk one-on-one with our mayor.

What's more, asking us to produce weekly contact logs would amount a colossal collective waste of work time for all members of Council and for the Executive Assistant. After all, each of us is already legally and ethically bound to proper handling of the people's business, under code requirements that are clear and enforceable, and we should all be entrusted to do our jobs without one another constantly peering over each others' shoulders and vetting our every move. As for ensuring public transparency and accountability, whenever it becomes important to track down specific correspondence involving any of us, that's exactly

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what the standard Freedom of Information process is for, and this is precisely what fellow members of Council and the general public and press are empowered to initiate at any time.

Otherwise, none of us has any particular need to see a log of daily communications from other members of Council, including the Mayor. We're all busy officials focused on serving the public's interest, and we should trust one another to do our respective jobs conscientiously. Any time a Council member engages in communications with others that the member thinks their Council colleagues should be made aware of, we should trust them to speak up on their own and let the rest of Council know. We must expect just the same from anyone in the mayor's seat, who deserves the same respect, assumption of integrity, and consideration of daily operation in confidence that any other member should be accorded.

- 4) Refine Daily Role of Mayor in Guidelines List. The Guidelines currently enumerate 15 "duties" within "the daily role as Mayor," and this report proposes that one of those items be removed: that the Mayor has the duty "9. *To attend Tri-Cities Chamber of Commerce events.*" With Council's approval, the Mayor has, in fact, designated another member of Council to be the City's official representative to the Tri City Chamber of Commerce, which renders the Guidelines non-compliant with Council direction, and duty 9 is, in any case, out of place on that list and should not be deemed essential to the Mayor's duties. Note that we do not list attendance at any other community organization (Rotary, other business groups, real estate groups, UDI, etc.) as a specific expectation for any official. The report's recommended deletion of point 9 helps to create an even playing field of prioritization among many competing demands on the Mayor's attention and leaves prioritization to the discretion of Mayor and Council.
- 5) Improve Mail Correspondence regarding Input for Public Hearings. Under the *Procedures* section, *Mail Correspondence*, this report proposes to add a standardized response, to be sent by the Executive Assistant to Mayor and Council, in the case of those who are emailing in regard to Public Hearing items. The response should make clear that their input will not be included in the public record as part of the Public Hearing process unless that input is email to the Clerks. Suggested language for such a response might be as follows:

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

Therefore should Council pass the above resolution, the following would be the changes to the policy:

- 1) WEEKLY MEDIA UPDATES. Staff will initiate a new weekly update to Council, Port Moody in the News, which will list and provide links to third-party media sources, press stories and op-ed pieces, as well as any recent City press

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releases – to include, where appropriate, video and audio clips edited for easy viewing – in regard to the latest news events in which Port Moody, City Hall, City officials, and/or the Mayor and other Council members may be cited or quoted.

- a. Council members will alert staff in a timely manner to any Port Moody-related press coverage of which they may become aware.
 - b. Will not ordinarily include posts or exchanges with journalists or others that appeared exclusively in social media.
 - c. These Weekly Updates shall be posted, archived and available for public viewing through the City's website;
- 2) QUARTERLY COUNCIL CROSS-BRIEFINGS. At least once per quarter, Council will schedule and conduct a verbal cross-briefing session wherein members appointed by Council to serve on internal or external task forces, working groups, or representing the City in organizations outside City Hall shall provide the rest of Council and the Executive Leadership Team with verbal updates in closed or public session, as appropriate, on the status of these initiatives, in order to further transparency, mutual awareness, and accountability. These cross-briefings shall supplement, rather than displace, any other modes of reporting from these activities that may already be in place. These updates need not cover citizen committees, Metro Vancouver Board or committees, or Translink, regarding which Council is already briefed regularly through other means.
 - 3) WEEKLY ACTING-MAYOR'S UPDATES. Modify the language of the "Weekly Update" section to specify that issuance of these updates shall be required only by designated Acting Mayors in the event that the Mayor goes on leave.
 - 4) DAILY ROLE OF MAYOR. Delete bullet #9 – "to attend Tri-Cities Chamber of Commerce events" from the enumerated list of duties within "the daily role of Mayor."
 - 5) MAIL CORRESPONDENCE FOR PUBLIC HEARINGS. Under the Procedures section, Mail Correspondence, draft a standard response directed to members of the public who are emailing in regard to items related to pending Public Hearings, routinely notifying them that their input will not be included as part of the Public Hearing input unless they send it to the City's Clerks.

Other Option(s)

THAT Council reject these proposed changes to Corporate Policy – 01-530-2019-01 – Mayor and Council Guidelines.

OR

THAT Council affirm some of these changes, but not all, to be specified.

Financial Implications

There are no financial implications.

Communications and Civic Engagement Initiatives

There are no communication and civic engagement initiatives.

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Council Strategic Plan Objectives

Support Council Strategic Plan #1: Exceptional Service, especially “to provide the public with transparent and open government, and opportunities to provide input on City issues.”

Attachment

1. Corporate Policy – 01-0530-2019-01 – Mayor and Council Guidelines.

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Corporate Policy

100 Newport Drive, Port Moody, BC, V3H 5C3, Canada
Tel 604.469.4500 • Fax 604.469.4550 • www.portmoody.ca

Section:	Administration	01
Sub-Section:	Council – General	0530
Title:	Mayor and Council Guidelines	2019-01

Related Policies

Number	Title

Approvals

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

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Corporate Policy Manual Mayor and Council Guidelines

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 and other measures that, in the mayor's opinion, may assist the peace, order, and

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- 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 Tri-Cities Chamber of Commerce events;
10. to attend Police Board meetings and events;
11. to host open-door meetings with residents, business owners, societies, organizations, and outside agencies;
12. to meet with the City Manager to discuss ongoing items;
13. to meet with mayors or councillors from other municipalities as requested;
14. to meet with provincial and federal dignitaries as requested; and
15. 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

While fulfilling the above duties, the Mayor 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 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 Mayor attended;
- events that the Mayor was unable to attend and required an Acting Mayor; and
- information on upcoming events for which the 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 Mayor's weekly update. A redacted weekly update will also be placed on the following Regular Council meeting agenda as information.

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Mayor and Council Guidelines

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."

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,

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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:

- \$18.00 a person before taxes;
- must deliver to City Hall; 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.

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.

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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.

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.