

## COUNCIL MEMBER'S MOTION

### 15. **Toward Best Practices in Civic Governance: Clarifying Council's Role as an Elected Board**

Submitted by: Councillor Bligh

#### WHEREAS

1. Section 6 of the *Vancouver Charter* states that the inhabitants within the defined physical boundaries of Vancouver are “a corporation and a municipality with the name of City of Vancouver.”;
2. Municipalities and regional districts in British Columbia (B.C.) are represented by elected officials who exercise the powers and perform the obligations of the local government with input from staff and citizens;
3. A board of directors is a governing body typically defined as an elected group of individuals who variously represent the shareholders, members, or constituents of a defined group and meet at regular intervals to set policies for corporate management and oversight;
4. Boards make decisions of a fiduciary nature on behalf of their shareholders, members, or constituents. Responsibilities that generally fall under a board's purview typically include the setting executive compensation, setting policies and broad goals, and ensuring the company or organization has adequate, well-managed resources at its disposal;
5. Governance systems set the parameters under which management and administrative systems operate;<sup>1</sup>
6. In B.C., local government decisions are the responsibility of the local government's governing body – for municipalities, a council comprising a mayor and councillors and for regional districts, a board comprising electoral area directors and directors from member municipalities and, in some cases, Treaty First Nations;

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<sup>1</sup> The concept of governance refers to structures and processes designed to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation. Governance also represents the norms, values and rules of the game through which public affairs are managed in a manner that is transparent, participatory, inclusive and responsive (see UNESCO International Bureau of Education Technical Notes: <http://www.ibe.unesco.org/en/geqaf/technical-notes/concept-governance>).

7. Under the definitions in Chapter 1 of the *Local Government Act*, “local government” means (a) the council of a municipality, and (b) the board of a regional district;
8. Municipalities and regional districts in B.C. are empowered by provincial legislation to govern in a wide range of areas. Local government governance and powers focus specifically on how municipal councils and regional district board of directors organize, operate, provide services and make themselves accountable to their communities;
9. Local government administration in B.C. refers to the staff and other resources needed to provide these functions. Local government administrative staff implement the direction and decisions set by municipal councils and regional district boards;
10. Based on the definitions in Chapter 1 of the *Local Government Act*, which states that “local government” means (a) the council of a municipality and (b) the board of a regional district, a reasonably minded person would commonly understand that the Council of a municipality and the Board of a regional district are cognates and that, for all intents and purposes, the Council of a municipality serves the same purposes and functions of a Board;
11. Various occupations and professions have professional and other practice standards and/or a code of ethics they must adhere to which may require practitioners to report to an organization’s Senior Management and/or its Board. For example, the Institute of Internal Auditors – an international professional association serving the internal audit profession – has a Performance Standard 2060 (i.e., Reporting to Senior Management and the Board) which requires a chief audit executive to report periodically to senior management and the board regarding the internal audit activity’s purpose, authority, responsibility, and performance relative to its plan as well as its conformance with the association’s Code of Ethics and the Standards.

THEREFORE BE IT RESOLVED THAT Vancouver City Council direct staff to clarify Council’s role as an Elected Board for those areas, circumstances, and situations where Elected Board status might naturally or potentially apply, such as for City employees or employee groups whose employment with the City falls within an occupational or professional group category that carries with it Practice Standards and/or a Code of Ethics requiring periodic reporting to the Board of the organization they serve, and for staff to report back to Council no later than the Fall of 2020;

FURTHER THAT staff be directed to compile and include – as part of their report back to Council – a list of occupational and professional groups employed and/or working within the City of Vancouver that have, or may potentially have, Practice Standards and/or a Code of Ethics requiring, or potentially requiring, periodic reporting to the Board of the organization they serve, including information regarding any corresponding duties and obligations of a Board for each occupational or professional group category so noted.

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