

B.5

COUNCIL MEMBER'S MOTION

5. **Amending By-Law No.11529 Mayor and Councillor Expenses to Clearly Define Eligible and Prohibited Uses of Discretionary Funds**

Submitted by: Councillor Dominato

WHEREAS

1. The City of Vancouver and Vancouver City Council are committed to the principles of transparency, accountability, and good governance, and to ensuring that these core principles are embedded within, and applied to, all City processes and activities;
2. Discretionary funds are allocated to the Mayor and Councillors for a variety of eligible expenses. The discretionary expenses of Vancouver's Mayor and Councillors are outlined and enabled in the City's By-law No. 11529 (Mayor and Councillor Expenses);
3. PART 5 of By-law No. 11529 (Mayor's Discretionary Expenses) states under section 5.1 that "the Mayor's discretionary expenses are eligible expenses if incurred by the Mayor or by the Mayor's staff, while carrying out eligible activities, and may include" – among other things – communications expenses, fees for consulting or other contracted services, costs of research and information gathering, and costs of community outreach and events;
4. PART 7 of By-law No. 11529 (Councillor Discretionary Expenses) states under section 7.2 that "Councillor discretionary expenses are eligible expenses if incurred by one or more Councillors while carrying out constituency activities related to eligible activities and not provided for elsewhere in this By-law, and may include..."
 - (a) communications expenses
 - (b) fees for consulting or other contracted services
 - (c) costs of research and information gathering
 - (d) costs of community outreach and events
5. Provincially, each Member of the Legislative Assembly (MLA) receives an annual office allowance to run the day-to-day operations of their respective constituency offices. This office allowance covers operating expenses, including office staff payroll and discretionary expenses;
6. Similar to the discretionary funds allocated to the Mayor and Councillors under By-law No. 11529, Members of the Provincial Legislature are able to use their constituency office allowance for communications with constituents, "which can be in the form of a newsletter, household flyer, or advertisement (e.g., print, online, radio, or television)";

7. The content of advertisements and messages sent by Members of the Provincial Legislature to their constituents is specifically, and unambiguously, restricted “to announcing or reporting on constituency office activities, how to contact the Member, the role played by the Member in the legislative process, and services provided by the Member to constituents. Members may not use constituency office resources or funds to distribute or mail physical or digital content which promotes partisan or political messages or solicits financial support.”;
8. Unlike the clearly defined prohibitions on Members of the Provincial Legislature, whereby they are not allowed to use constituency office resources or funds “to distribute or mail physical or digital content which promotes partisan or political messages or solicits financial support,” the City’s current By-law does not adequately and clearly define the limits and/or appropriate expenditures and uses of Mayor and Councillor discretionary funds; and
9. In the absence of clear definitions as to the scope of eligible expenses, which has proven to be too broad and open to interpretation, the potential exists for misuse and/or inappropriate use of public dollars for partisan purposes – perceived or otherwise – which can only serve to erode trust in government and the integrity of government processes.

THEREFORE BE IT RESOLVED THAT Council direct staff to review By-law No. 11529 (Mayor and Councillor Expenses), with reference to Parts 5 and 7, and make recommendations to strengthen the By-law with respect to eligible and prohibited use of discretionary funds;

FURTHER THAT Council direct staff to report back with their analysis and recommendations by or before the end of Q4 2022.

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