



COUNCIL REPORT

Report Date: October 21, 2024
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Meeting Date: November 12, 2024
[Submit comments to Council](#)

TO: Vancouver City Council
FROM: City Clerk
SUBJECT: Amendments to the Mayor and Councillors Expenses By-law

Recommendations

- A. THAT Council approve, in principle, proposed amendments to the Mayor and Councillor Expenses By-law generally in accordance with Appendix "A".
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to amend the Mayor and Councillor Expenses By-law generally in accordance with Appendix "A".

Purpose and Executive Summary

This report recommends amending section 5.1 of the Mayor and Councillor Expenses By-law (the "By-law") to reflect the City's processes, without altering the intent of the By-law. The report also recommends adding the Lower Mainland Local Government Association's Annual General Meeting and Conference to the list of pre-approved annual conferences Council members are entitled to attend under section 3.1 of the By-law.

Council Authority/Previous Decisions

Under section 196 the *Vancouver Charter*, Council may, by by-law, provide for payments for:

- remuneration to Council members for discharge of the duties of office - a portion of which may be an allowance for expenses incidental to those duties; and
- expenditures made or expenses incurred by a Council member when they are representing the city, engaging in city business, or attending a meeting, course or convention.

The By-law currently in effect was approved by Council in June 2016 and amended in July 2023.

Section 196A of the *Vancouver Charter* requires that Council publicly report on an annual basis the total remuneration paid to the Mayor and each Councillor and the total amount of expense payments made to each Council member (i.e. Mayor and Councillors) made at least once a year.

Every 3 months, the City also publishes through its online open data catalogue the details of local expenses and discretionary expenses incurred by the Mayor and each Councillor.

City Manager's Comments

The City Manager concurs with the foregoing recommendations. As indicated below, staff have identified a discrepancy between the By-Law and the historical approach to budget approvals for the Mayor's Office. This discrepancy was a function of the financial reporting structure as determined by staff. Commencing with the upcoming report recommending the 2025 Operating Budget, staff will adjust the delineation of the operating budget for Council's approval to align with the By-Law.

Context and Background

I. Section 5.1

Section 5.1 (Mayor's discretionary fund) of the By-law currently does not include a section for political staff salaries, professional services and general operations expenses to operate the Mayor's Office such as office supplies, equipment and maintenance, technology costs, administrative services or essential office upkeep or maintenance. Staff salaries, professional services and general operational expenses are required to operate an office, and historically these expenses have been paid from the Mayor's discretionary expense fund. Currently, the By-law does not specifically include a section that clearly establishes that the Mayor's discretionary fund should be used for this purpose and this oversight should be corrected.

Section 5.2 (Mayor's discretionary expenses limit) stipulates that the maximum amount available to the Mayor to allocate to discretionary expenses as defined in the By-law must be approved by Council as part of the City's annual budget. Staff have identified that, historically, the presentation of the Mayor's office budget within the annual operating budget report prepared by staff and approved by Council has been inconsistent with Section 5.2. Specifically, in past years, the operating budget report prepared by staff has included a single line item reflecting the entire overall budget for the Mayor and Council, including expenditures defined as discretionary expenses under Section 5.1 as well as other expenses (e.g. the Mayor's salary, Councillors' salary).

Under Section 5.2, Council is required to provide an explicit approval for the maximum amount in the Mayor's discretionary fund, as distinct from other expenses incurred by the Mayor and Councillors' office. Commencing with the 2025 operating budget report, staff will format the draft budget in a manner that includes a specific budget line for the Mayor's discretionary fund, as defined in Section 5.1, in order to accommodate Council's explicit approval of this amount.

II. Section 3.1

Section 3.1 (Approved eligible expenses) of the By-law does not include attendance by Mayor and Councillors at the annual general meeting and conference of the Lower Mainland Local Government Association (LMLGA). The LMLGA is one of the five area associations of the Union of BC Municipalities (UBCM). It includes 33 local governments (from Pemberton to Hope) and 3 regional districts: Squamish Lillooet Regional District, Metro Vancouver and Fraser Valley Regional District.

The LMLGA AGM and Conference is an annual event for elected officials from Lower Mainland local governments, which provides a venue to debate issues and move resolutions forward to UBCM. The AGM is also a unique opportunity to network and explore ideas and initiatives that are relevant and specific to the communities of the Lower Mainland. Councillors' attendance at and participation in the LMLGA AGM and Conference is essential to their role as representatives of Vancouver residents at a regional level.

The By-law requires Council approval for Council members' reimbursement of travel expenses incurred while carrying out eligible activities outside of the Greater Vancouver Regional District. The LMLGA AGM and Conference switches venue each year between Harrison Hot Springs and Whistler, both of which are outside Metro Vancouver.

Each year prior to the LMLGA AGM and Annual Conference, staff spend time polling Councillors' interest in attending the conference, preparing a budget and drafting a report seeking Council approval for Council members' attendance and reimbursement of travel expenses incurred to attend this conference.

Since 2008 every Council report seeking approval for Council members travel to the LMLGA AGM and Conferences has received unanimous consent. This indicates that the report is low risk and that annual attendance at this conference is considered a regular part of Council members' role and responsibility like attendance at the Union of British Columbia Municipalities AGM and Conference and the Federation of Canadian Municipalities AGM and Tradeshow, both of which are pre-approved eligible activities under the bylaw.

Discussion

The following section summarizes the proposed changes to the By-law **in bold**.

A. Mayor's Discretionary Fund

5.1 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:

- (a) registration and attendance fees for courses, meetings, conventions including those approved under section 3.1 of this By-law, and other events;

- (b) those eligible expenses set out in the Corporate Travel Policy of the City of Vancouver;
- (c) communications expenses;
- (d) fees for consulting or other contracted services;
- (e) costs of research and information gathering; **and**
- (f) costs of community outreach and events; **and**
- (g) staff salaries, professional services and general operating expenses.**

B. Approved Eligible Expenses

3.1 Council approves the attendance by the Mayor and Councillors at each annual convention, and attendance by an appointed member of Council at any committee meeting, of the Federation of Canadian Municipalities, ~~or~~ the Union of British Columbia Municipalities **or the Local Mainland Local Government Association**, as eligible activities.”

Financial Implications

There are no anticipated financial implications to the By-law amendments because general office expenses are already paid from the Mayor’s discretionary fund, and Councillors attendance at the LMLGA AGM and Conference is regularly approved on consent and paid for via the Council Travel and Training Budget each year, which has sufficient funds to cover the costs.

Legal Implications

The proposed by-law amendments are authorized under section 196 of the *Vancouver Charter*.

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APPENDIX A

BY-LAW NO. ____

**A By-law to amend the Mayor and Councillor Expenses By-law No. 11529
regarding miscellaneous amendments**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of the Mayor and Councillor Expenses By-law No. 11529.
2. Council strikes section 3.1 and replaces it with the following:

“

3.1 Council approves the attendance by the Mayor and Councillors at each annual convention, and attendance by an appointed member of Council at any committee meeting, of the Federation of Canadian Municipalities, the Union of British Columbia Municipalities, or the Local Mainland Local Government Association, as eligible activities.”
3. In section 5.1, Council:
 - (a) strikes the “and” at the end of subsection (e);
 - (b) strikes “.” at the end of subsection (f) and replaces it with “; and”; and
 - (c) inserts a new subsection (g) as follows:

“(g) staff salaries, professional services and general operating expenses.”.
4. A decision by a court that any part of this by-law is illegal, void, or unenforceable severs that part from this by-law, and is not to affect the balance of this by-law.
5. This by-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2024

Mayor

City Clerk