

Policy	Committee and Commission Policy
Approved By:	Council
Approval Date:	July 27, 2020
Amendments:	December 7, 2020

TABLE OF CONTENTS

POLICY VISION 2

PURPOSE 2

APPLICATION AND SCOPE 2

DEFINITIONS 2

RULES OF INTERPRETATION 3

 1. Municipal Governance and Decision Making 3

 2. Basis for Establishing Committees and Commissions 4

 3. Roles and Responsibilities 4

 4. Review of Committee and Commission Structure 7

PROCEDURES AND ADVISORY BODY OPERATIONS 7

 1. Procedure to Establish Committees or Commissions 7

 2. Procedure to Establish Sub-Committees 7

 3. Authority of Committees and Commissions 7

 4. Advocacy and Representation 8

 5. Appointments and Recruitment 8

 6. Terms of Appointment 9

 7. Committee Attendance 10

 8. Resignation of Member 10

 9. Removal of Member from Committee or Commission 10

 10. Agendas 10

 11. Minutes 11

 12. Reporting 11

 13. Communication 12

 14. Meeting Schedule 12

 15. Site Visits 12

 16. Meetings Open to the Public 13

 17. Presentations to Committees or Commissions 13

 18. Rules of Procedure 13

 19. Voting 13

 20. Conflict of Interest 14

 21. Budget 14

 22. Personal Liability 14

 23. Orientation 14

 24. Media Relations 14

 25. Website and Social Media 15

 26. Code of Conduct 15

 27. Members Running for Office 15

 28. Email Privacy and Information Sharing 15

Related Bylaws, Policies and Guidelines 16

Appendix A – Types of Committees and Commissions 17

POLICY VISION

Local government Committees and Commissions are strong public engagement tools for civic involvement. For the District of Oak Bay, they are primarily established to inform Council's governance role and associated decision-making process through the receipt of input, advice and recommendations that represent the broader interests of the community.

PURPOSE

To outline the guiding principles and procedures for the establishment and conduct of the District's Committees and Commissions.

APPLICATION AND SCOPE

- This Policy applies to all Committees and Commissions established by the Mayor and/or Council.
- This Policy does not apply to Council or Committee of the Whole.
- This Policy is to be used in conjunction with the District's current *Council Procedure Bylaw*, Council's Code of Ethics, Respectful Workplace Policy, applicable Council resolutions and any additional legislation specific to Committees or Commissions.
- This Policy works in conjunction with the appropriate Terms of Reference or Establishing Bylaws as approved by Council.

DEFINITIONS

For all definitions not specifically covered below, Section 40(1) of the *Interpretation Act* (British Columbia) provides that definitions in the *Local Government Act* and the *Community Charter* (British Columbia) are deemed to apply to bylaws made under those Acts.

"CAO" means the individual appointed by Council as the Chief Administrative Officer for the District, or their designate;

"Chair" means the Member presiding, appointed or elected in accordance with the Terms of Reference or Establishing Bylaw, who is chairing a Meeting;

"Commission" means a Commission, including any Sub-Committees of a Commission, established pursuant to the *Community Charter* or the *Local Government Act*;

"Committee" means a Standing, Select or other Committee of Council, including any Sub-Committees, established pursuant to the *Community Charter*, but does not include Committee of the Whole;

"Corporate Officer" means the individual appointed by Council as the officer assigned the responsibility of corporate administration of the Corporation, or their authorized deputy;

"Council" means the Municipal Council of The Corporation of the District of Oak Bay;

"Council Liaison" means a Member of Council appointed by the Mayor as a Member of a Committee or Commission;

"Council Member" means the Mayor or a Councillor of the District of Oak Bay;

"Council Procedure Bylaw" the current *Council Procedure Bylaw*, as amended or replaced from time to time.

"Councillor" means a person presently holding the office of Councillor in the District;

“District” means The Corporation of the District of Oak Bay;

“Mayor” means the Mayor of the Corporation of the District of Oak Bay, Chief Elected Official (CEO), or the person appointed by Council as Acting Mayor, or a Member of Council who is the presiding officer at a meeting of Council;

“Member” means a person appointed as a volunteer to a Committee or Commission by Council;

“Municipal Hall” means The Corporation of the District of Oak Bay Hall located at 2167 Oak Bay Avenue, Victoria, British Columbia;

“Recorder” means the staff Member designated by the CAO or Corporate Officer to provide administrative support to the Committee or Commission. The Recorder is not a Member of the Committee, is not entitled to vote, and is not counted in determining quorum;

“Respectful Workplace” means a work environment in which all individuals are treated with mutual dignity and respect as per the District’s current *Respectful Workplace Policy*, as amended from time to time, and WorkSafe BC legislation;

“Staff Liaison” means the staff person(s) designated by the CAO to support the Committee or Commission. The Staff Liaison is not a Member of the Committee, is not entitled to vote, and is not counted in determining quorum.

RULES OF INTERPRETATION

In this Policy, the term “Advisory Body” refers to a Committee or a Commission, and the term “Advisory Bodies” refers to both. The use of the word “advisory” shall not limit, in any manner, Council’s authority under the *Community Charter* to delegate (by bylaw) further powers, duties and functions to a Committee or Commission, to the extent provided within the Act.

PRINCIPLES

1. Municipal Governance and Decision Making

Municipal Council is the main governing and legislative body of the District of Oak Bay and is made up of the Mayor and six (6) Councillors who are elected at large for a four-year term. Council receives input from Members of the public, staff, Advisory Bodies (i.e. Committees and Commissions), and other sources to inform governance decisions and plans.

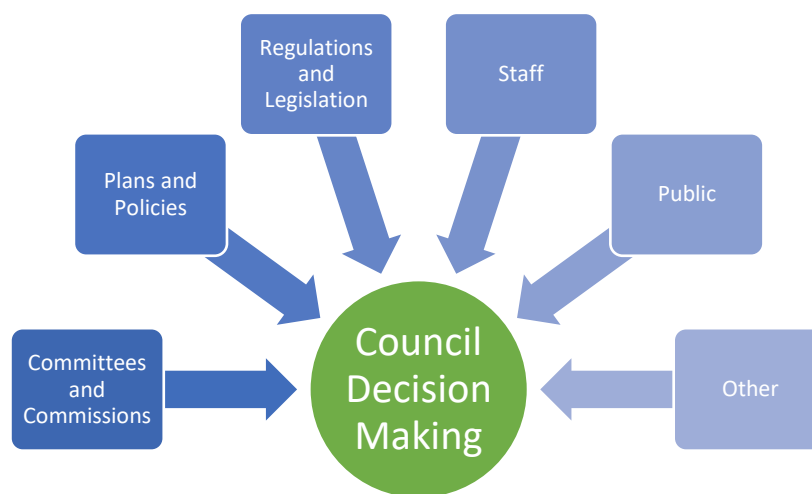


Figure 1 – Components of Council’s Decision-Making

Committees and Commissions provide advice and recommendations to Council on matters related to their mandate or referred to them by Council. In some cases, Council may, by bylaw, delegate further powers, duties and functions to Committees and Commissions, to the extent provided within the *Community Charter*. The mandate of a Committee or Commission is outlined in the Terms of Reference or Establishing Bylaw as approved by Council.

Staff are employees of the District of Oak Bay, who provide professional advice and expertise to Council, implement Council's decisions and Strategic Priorities, and enforce the rules established by Council and relevant legislation. Staff are also responsible for municipal operations dependent upon Council's allocation of resources.

Members of the Public include residents, property owners, business owners or other stakeholders involved in the community. There is a broad spectrum of direct and indirect ways that the public may be involved and contribute to Council's decision-making process. The public may provide input to Council during public consultation opportunities such as Public Hearings, the budget process and public input periods as per the District's current *Council Procedure Bylaw*. Another way is serving on a Council Committee or Commission.

Unless provided for in the applicable Terms of Reference or Establishing Bylaw, members of the public do not present to Advisory Bodies. This is in order to allow the Committee or Commission Members to focus on the matter before them, and to direct all public input to Council as the District's main governing and decision making body, as per the District's current *Council Procedure Bylaw*, as amended from time to time.

Public input, while an important component of Council's decision-making, is not a requirement for an Advisory Body to make a recommendation for Council's consideration (see Figure 1). The public may observe the proceedings of the Advisory Body meeting and will have an opportunity to provide input to Council as noted above, during regular Council or Committee of the Whole meetings, Public Hearings, public consultation opportunities or by submitting written comments as outlined in the District's current *Council Procedure Bylaw*.

2. Basis for Establishing Committees and Commissions

For the District of Oak Bay, Council Committees and Commissions are primarily established to augment Council's governance role and associated decision making. Participation as a Member of an Advisory Body also provides an additional opportunity for Members of the public to serve the community.

When considering the establishment of Committees and Commissions, Council will consider alignment with each of the following:

- Council's Strategic Plan and identified priorities and corporate objectives
- the Official Community Plan and the identified goals
- the Five-year Financial Plan and allocated resources
- Council procedures to establish Committees and Commissions as outlined in the *Council Procedure Bylaw* and in this Policy.

The mandates for each Committee and Commission should directly assist Council and the organization in achieving its strategic priorities and corporate objectives. Refer to Appendix "A" for a detailed description of the types of Committees or Commissions that may be established in accordance with the *Community Charter* or *Local Government Act*.

3. Roles and Responsibilities

The main role of District of Oak Bay Committees and Commissions is to provide advice and recommendations to Council on matters related to their mandate or referred to them by Council. The mandate of a Committee or Commission is outlined in the Terms of Reference or Establishing Bylaw as approved by Council.

The roles and responsibilities of key groups and individuals involved with Committees and Commissions is as follows:

Council will:

- Appoint and remove Members of Committees and Commissions
- Appoint a Council Liaison to each Committee or Commission with full voting privileges and Membership rights as appropriate, and as provided for in the Terms of Reference or Establishing Bylaw

Council Members who are attending (in person) an Advisory Body meeting of which they are not an appointed Member:

- May participate in a discussion, only with the permission of the majority of all Members of the Committee or Commission
- Must not vote on a question

Committee or Commission Members will:

- Elect a Chair and Vice-Chair, if required, as per the Terms of Reference or Establishing Bylaw
- Attend orientation and training sessions as provided by the District
- Represent community interests within the mandate of the Advisory Body
- Participate and come prepared to meetings
- Make recommendations to Council in a collective manner; all Members have equal voting rights
- Adhere to District policies regarding conduct and Respectful Workplace behaviour
- Participate in the development of an Annual Work Plan (if required in the Advisory Body's Terms of Reference or Establishing Bylaw) and Annual Report to be approved by Council

Chairs (or Vice Chairs) will:

- Preside over and maintain order at meetings and ensures compliance with the District's current *Council Procedure Bylaw*
- Uphold the District's current *Respectful Workplace Policy*
- Set a positive tone for the Committee or Commission, establishing collaborative and respectful working relationship amongst fellow Members and with District staff
- Maintain compliance with the Advisory Body's mandate as defined in the Terms of Reference or Establishing Bylaw as approved by Council
- Ensure all Members, staff, and applicants, as appropriate, have an opportunity to participate and be heard at meetings
- Work with staff to develop agendas
- Facilitate adherence to agenda items
- Ensure a Member is not present at any part of a meeting where a conflict of interest has been declared
- Lead the development and presentation to Council of an Annual Work Plan (where required in the Advisory Body's Terms of Reference or Establishing Bylaw) and an Annual Report to Council, in collaboration with the Staff Liaison and Council Liaison

Council Liaisons will:

- Provide an information and liaison role between Council and the Committee or Commission, including introducing any Advisory Body recommendations (excluding Land Use Applications), and providing regular updates of key activities and achievements at Council meetings, including Member recognition (e.g. milestone service anniversaries, retirements, etc.) as appropriate.
- Vote on recommendations to Council, if permitted by the Terms of Reference or Establishing Bylaw, and in accordance with the *Community Charter* and *Local Government Act*

- Support the Chair to ensure that the work of the Committee or Commission falls within the established mandate and priorities of Council and the District
- Support the Chair in establishing collaborative and respectful working relationship amongst Committee or Commission Members, and with District staff
- Assist with the development of the Annual Work Plan, if required, and the Annual Report, including supporting the Chair with presentation to Council
- Present an Annual Report and Annual Work Plan, if required, to Council in collaboration with the Chair and Staff Liaison
- Attend and support staff in the delivery of Member orientation and training sessions
- Report back to the Advisory Body on the outcome of any Council decisions (i.e. decision to approve, deny or other) pertaining to recommendations related to land use applications

Staff Liaisons will:

- Prepare technical reports and deliverables, and provide information and professional advice to the Advisory Body
- Provide professional recommendations which may not necessarily align with those of the Advisory Body (i.e. staff recommendations are another component of Council's decision making – see Figure 1)
- Assist the Chair with meeting procedures, maintaining the Advisory Body's mandate and setting a positive, collaborative tone amongst Committee or Commission Members and with District staff
- Advise the Corporate Officer or CAO if an Advisory Body proceeds to consider a matter that falls outside the scope of its mandate, as set out in its Terms of Reference or Establishing Bylaw
- Support the Chair in developing agendas and gathering supporting documents, arranging meetings, writing reports and recommendations to Council, developing Annual Reports and Annual Work Plans (if required) and promoting effective Committee or Commission operation
- Monitor and report on the Advisory Body's budget, if applicable
- In the absence of the Recorder, assist with the preparation of agendas and minutes
- Following each regular recruitment process, work with the Corporate Officer to develop and deliver a comprehensive Member orientation program, including roles and responsibilities and the mandate of Committee or Commission
- Perform other duties as assigned by the CAO regarding the function of the Committee or Commission

The Recorder will:

- Prepare meeting agendas and meeting minutes in accordance with the District's established standards
- Maintain Member attendance records and ensure that the Committee or Commission Membership list and contact information is current, and updated regularly
- Circulate completed agendas and official copies of minutes to the Corporate Officer for filing following each meeting
- Assist the Committee with logistical support such as arranging meeting space and completing required set-up and clean-up
- Assist the Chair and Staff Liaison to prepare routine correspondence as approved by the Committee, as appropriate

The Corporate Officer is responsible for administrative oversight of all Committees and Commissions, and will:

- Maintain official records of the Advisory Bodies
- Coordinate recruitment and orientation of Advisory Body Members
- Provide administrative advice and guidance as required to Members and Advisory Bodies as a whole

- Report back to the Advisory Body, in the form of a memo, on the outcome of any Council decisions pertaining to Committee or Commission recommendations on any matter other than land use applications

4. Review of Committee and Commission Structure

In consultation with staff, Council will review the Committee and Commission structure and mandate on a regular basis to determine continued alignment with Council's strategic priorities and corporate objectives. The Advisory Bodies and/or their respective Chairs will be invited to provide input to Council through means of a Member survey or similar consultation method. The Terms of Reference and Establishing Bylaw for each Committee or Commission will also be put before Council as part of the review process.

The first review shall take place approximately one year from the adoption of this Policy. Following that, a regular review shall take place bi-annually. This is to provide for an earlier opportunity to assess the changes introduced by this Policy, and to establish a schedule thereafter in which a review will not fall in the same year as a general municipal election.

PROCEDURES AND ADVISORY BODY OPERATIONS

1. Procedure to Establish Committees or Commissions

In considering the formation of any new Committees or Commissions (except for Mayor's Standing Committees), Council will request staff to prepare Terms of Reference or an Establishing Bylaw for consideration by Council prior to establishing the Committee or Commission.

At a minimum, each resolution or bylaw to establish a Committee or Commission must:

- Name the Committee or Commission;
- Establish the Terms of Reference;
- Establish the composition and terms of appointment of Members;
- Establish the requirements for reporting to Council; and
- Allocate any necessary budget or other resources required to support the activities of the Committee or Commission.

2. Procedure to Establish Sub-Committees

- (a) Upon request to Council and subsequent receipt of an authorizing resolution, a Committee may appoint a Sub-Committee to deal with a matter in more detail and make recommendations to the Committee for consideration. The Sub-Committee may be made up of a sub-section of the Committee Membership or may include additional expertise as required. The same meeting procedures for the Committee apply to the Sub-Committee. Council must approve a Terms of Reference as appropriate before a Sub-Committee can be formed.
- (b) All existing Sub-Committees are on hold pending completion of the procedure described in Section 2(a) above and approval by Council.

3. Authority of Committees and Commissions

- (a) Committees and Commissions must make recommendations to Council requesting authority to act unless Council has granted delegated authority to make decisions in specific circumstances.

- (b) Select Committee and Working Groups with a specific task must conduct their business in accordance with the Terms of Reference and within the time prescribed by Council, following which they will report their findings and opinions to Council for consideration in accordance with Section 12(b) of this Policy, under Reporting.
- (c) Referral of matters to Committees and Commissions are made by Council. A Committee or Commission may request to refer a matter to another Advisory Body for comment by making a recommendation to Council in accordance with Section 12(b) of this Policy, under Reporting.

4. Advocacy and Representation

- (a) Members shall represent the mission and goals set out in the Terms of Reference or Establishing Bylaw of the Committee or Commission to the best of their ability when designated as delegates for this purpose.
- (b) When presenting their individual opinions and positions outside of officially convened Advisory Body meetings, Members shall explicitly state they do not represent the Committee, Commission or the District, nor shall they allow the inference that they do.
- (c) Members of a Committee shall refrain from speaking on behalf of a Committee or Commission at non-Committee/Commission events unless authorized to do so by the Advisory Body during a meeting.
- (d) Unless otherwise provided for in their Terms of Reference or Establishing Bylaw, or by Council resolution, Committees and Commissions do not have the authority to communicate with other levels of government, to pledge the credit of the District, or to authorize any expenditures to be charged to the District.
- (e) Members will not misrepresent themselves as having any authority beyond that delegated by Council as outlined in the Terms of Reference or Establishing Bylaw.
- (f) Members will not identify themselves as a Member of an Advisory Body when speaking individually, as a resident, to Council on a land use application.
- (g) Members will make decisions by a majority vote, in the best interests of the community. Regardless of how individual Members vote on a matter, all Members have a duty to accept majority decisions of the Committee or Commission as collective decisions.

5. Appointments and Recruitment

- (a) Staff will regularly review the terms of each Committee or Commission Member to determine any upcoming vacancies. The first review shall take place approximately one year from the adoption of this Policy. Following that, a regular recruitment shall take place bi-annually. This is to ensure that recruitment coincides with the Committee and Commission Structure Review schedule described in Section 4 under Principles, and to establish a regular recruitment schedule that does not fall in the same year as a general municipal election.
- (b) During regular recruitment years, vacancies will be advertised in November, in the local newspaper, on the District's website, and by any other method as determined by the Corporate Officer.

- (c) Vacancies that occur partway through a Member's term will be reviewed by staff to determine whether recruitment is required prior to the regular time identified in sub-section (a) and (b) above, based on the following criteria:
- i. impact on quorum requirements
 - ii. timing of the vacancy
- (d) Appointments to Committees and Commissions will be made by Council in accordance with the Terms of Reference or Establishing Bylaw.
- (e) Committee and Commission Members must be residents of the District of Oak Bay, except as provided in the Terms of Reference or Establishing Bylaw. Resident appointees who move from the District will cease to be Members of the Committee or Commission, except as provided for in the Terms of Reference or Establishing Bylaw.
- (f) All applications for Membership on Committees or Commissions will be kept in confidence when submitted to the District.
- (g) Committee and Commission Members will serve without remuneration.
- (h) Members may be reimbursed for pre-approved "out of pocket" expenses incurred in performing their duties. These expenses must be pre-approved by the CAO or Director of Financial Services, as appropriate.
- (i) Applications for Membership shall be submitted on the District's application form prescribed by the Corporate Officer, as may be amended from time to time.
- (j) All applications submitted to the District will be provided to Council for their consideration at a closed ("in-camera") meeting, pursuant to Section 90 of the *Community Charter*. Council resolutions to appoint Committee and Commission Members will subsequently be reported publicly in an open meeting of Council, as a "Rise and Report" item.

6. Terms of Appointment

- (a) Committee and Commission Members (not including Council Liaisons) will initially be appointed for a term expiring December 31, 2020. Subsequently (beginning January 1, 2022), Members will be appointed for two (2) calendar years, unless otherwise stipulated by Council or as provided in the Terms of Reference or Establishing Bylaw. This is to ensure that the terms coincide with the Committee and Commission Structure Review schedule described in Section 4 under Principles, and to avoid expiry of terms immediately following a general municipal election.
- (**Amended December 7, 2020)*
- (b) Chairs elected or appointed by the Advisory Body will serve a maximum two-year term. Council may consider any extenuating circumstances and extend the appointment of an Advisory Body Chair as it deems necessary.
- (c) Committee appointments may continue until a successor is appointed by Council.
- (d) Unless otherwise appointed by Council, or as stipulated in sub-section (ii) below or in the Terms of Reference or Establishing Bylaw, an individual can serve for up to six (6) consecutive years on any one Committee or Commission.

- i. Council may also take into consideration any extenuating circumstances regarding the status of any Committee or Commission appointments and extend any appointment as it deems necessary.
- ii. Any new Members appointed to a Committee or Commission beginning in 2021 can serve up to five (5) consecutive years on that particular Committee or Commission. This is to ensure that the term maximums coincide with the terms of appointment described in Section 6(a) above, as well as the Committee and Commission Structure Review schedule described in Section 4 under Principles, and to subsequently avoid Members reaching term maximums immediately following a general municipal election.

(e) When considering re-appointments for a consecutive term, Committee and Commission stability and Membership continuity may be considered.

(f) Subject to Section 6(c), Council may appoint Members to fill vacancies on any Committee or Commission for the unexpired term of former Members. In the event of a vacancy, the person appointed to fill the vacancy will hold office for the remainder of the term of the vacated office.

(g) At the completion of their term, all Members wishing to continue serving on the Advisory Body must submit an application to Council for consideration of re-appointment during the appropriate recruitment period.

7. Committee Attendance

Unless otherwise provided for in the Terms of Reference or Establishing Bylaw, any Member who is absent from three (3) consecutive scheduled meetings without permission or leave from, or without satisfactory reasons to, the Committee or Commission Chair, will cease to be a Member of the Committee or Commission. The Staff Liaison will be advised by the Committee or Commission Chair and will undertake the appropriate process to fill the vacancy in consultation with the Corporate Officer.

8. Resignation of Member

Any Member wishing to resign from a Committee or Commission is requested to provide the resignation in writing to the Committee or Commission Chair, with a copy to the Staff Liaison. The Staff Liaison will advise the Corporate Officer of a vacancy. The Corporate Officer will action as appropriate.

9. Removal of Member from Committee or Commission

At the request of a Committee or Commission, or on its own initiative, Council may remove or request the resignation of any of its Committee or Commission appointees for malfeasance, lack of attendance, violations of the District's current *Respectful Workplace Policy*, or any other good and sufficient cause.

10. Agendas

(a) The Staff Liaison is responsible, in consultation with the Committee or Commission Chair, for developing the meeting agendas.

(b) Agenda packages will be prepared and distributed to Committee and Commission Members by the Recorder, in accordance with the District's current Council Procedure Bylaw. Agenda packages will also be posted to the District's website.

- (c) Committee Members may submit agenda items to the Chair and Staff Liaison for review and approval. Requests should be submitted at least seven (7) days in advance of the meeting and be accompanied by any relevant background documents.
- (d) As per the District's current Council Procedure Bylaw, late agenda items will not be placed on the agenda for the next regular meeting unless, in the opinion of the Chair, in cooperation with the Chief Administrative Officer or the Corporate Officer, the item is deemed to be urgent in nature.

11. Minutes

- (a) Committee and Commission minutes will set out the Advisory Body's recommendations in accordance with the District's standards, as amended from time to time. The minutes will be recorded by the Recorder or Staff Liaison.
- (b) The minutes, marked DRAFT, will be prepared and forwarded to the Staff Liaison for review.
- (c) Following review by the Staff Liaison the draft minutes will be posted to the District's website within seven (7) days of the meeting date, with a disclaimer that the minutes are not official until adopted by the Committee or Commission.
- (d) Minutes will be considered for approval and adoption by the Committee or Commission at its next meeting. Once adopted, the minutes will be certified correct, and signed by the Recorder and the Committee or Commission Chair. Draft minutes posted to the District's website must be replaced with adopted minutes, once available.
- (e) The Staff Liaison will provide the Corporate Officer with the original signed copy of the minutes as adopted, as well as the final electronic version for proper retention.

12. Reporting

- (a) Recommendations regarding land use applications will be reported to Council as part of the staff report accompanying the application and will include relevant excerpts from the Advisory Body's meeting minutes or draft minutes if not yet adopted.
- (b) All other recommendations will be provided to the Corporate Officer by way of Memorandum from the Staff Liaison or Recorder and will be accompanied by any reports, or background material provided as part of the appropriate Advisory Body meeting agenda, along with any relevant excerpts from the Advisory Body's meeting minutes or draft minutes if not yet adopted. This includes recommendations for projects or initiatives that the Advisory Body may wish to initiate in addition to those already approved in the in the Annual Work Plan (if required), or otherwise directed, authorized or delegated by Council. Council will consider such recommendations within the context of the Committee or Commission mandate, departmental workloads, budget and previous commitments outlined in the Corporate Plan and Council's Strategic Priorities.
- (c) As per Section 3 under Principles (Roles and Responsibilities), Council decisions on land use applications (i.e. decision to approve, deny or other) will be reported back to Advisory Body Members through the Council Liaisons. Council decisions on all other Committee or Commission recommendations will be reported back to the Advisory Body by the Corporate Officer via memorandum.

- (d) All Advisory Bodies shall submit an Annual Report to Council in the form prescribed by the Corporate Officer, as amended from time to time. Annual Reports for the preceding calendar year must be submitted no later than March 31, at a Committee of the Whole or Council meeting designated for that purpose.
- (e) If required under the Terms of Reference or Establishing Bylaw, the Advisory Body shall also submit an Annual Work Plan to Council in the form prescribed in the form prescribed by the Corporate Officer, as amended from time to time. Work plans for the following calendar year must be presented annually prior to December 31 at a Committee of the Whole or Council meeting designated for that purpose.

13. Communication

Unless provided for in the Terms of Reference or Establishing Bylaw, official communication specifically pertaining to District business between Committees and Commissions will only occur by way of a recommendation to Council. Council may at any time direct staff to refer a matter to another Advisory Body.

14. Meeting Schedule

- (a) At the first meeting after its appointment, a Committee or Commission shall be provided with an annual schedule of regular meetings by the Corporate Officer. The schedule will be developed by the Corporate Officer or the CAO for Council's endorsement or direction prior to the first meeting of the Committee/Commission, with consideration to department workloads, staffing capacity and budget impact.
- (b) Committee and Commission meetings will not be held in August. During an election year, Committee and Commission meetings will not be held in the month of the municipal election.
- (c) The Committee or Commission Chair may cancel a regular meeting or, subject to 14(b) above, schedule a special Committee and Commission meeting in consultation with the Staff Liaison, and with the approval of the CAO.
- (d) Committee and Commission meetings will be held in the Council Chambers at the Municipal Hall whenever possible, or at an alternate location approved by the Corporate Officer or CAO, in accordance with the District's current *Council Procedure Bylaw*.
- (e) Public Notice of all Committee and Commission meetings must be posted by staff in accordance with the *Community Charter* and the District's current *Council Procedure Bylaw*.
- (f) Committee and Commission meetings shall be adjourned no later than two (2) hours from the scheduled start time of the meeting. If business cannot be completed within two (2) hours, the Chair or Council Liaison may request a special meeting through the Corporate Officer or CAO, for the sole purpose of completing the unfinished business.

15. Site Visits

Committee and Commission Members are not permitted to enter onto private property, whether buildings or land. If a site visit is considered necessary in order to carry out the Advisory Body's duties as assigned under the established mandate, a Committee or Commission member may view a property from the street or other public space. A quorum of Members must be avoided at all times, unless alternate arrangements have been made by the Chair and Staff Liaison and approved by the CAO or Corporate Officer.

16. Meetings Open to the Public

Unless a meeting or part of a meeting is authorized to be closed to the public in accordance with the provisions of the *Community Charter*, all Committee and Commission meetings shall be open for public attendance.

17. Presentations to Committees or Commissions

At the discretion of the Chair, a Committee or Commission may invite other persons to participate in making presentations to the Committee or Commission in order to benefit from additional knowledge or expertise, as provided for in the Terms of Reference or Establishing Bylaw. Presentations must be scheduled in advance, prior to the agenda deadline and must not pertain to land use applications.

18. Rules of Procedure

- (a) All Committees and Commissions, and their respective Sub-Committees, must conduct their business in accordance with the Terms of Reference, Establishing Bylaw, and the District's current *Council Procedure Bylaw*.
- (b) No action of any Committee or Commission, except where delegated authority is expressly conferred on the Committee or Commission, will be binding on the District, unless Council has approved such action.
- (c) Unless otherwise stated in the Terms of Reference or Establishing Bylaw, the quorum for a Committee or Commission is a majority of all its Members, excluding any vacancies.
- (d) If there is no quorum of Committee or Commission present within fifteen (15) minutes of the time specified for the meeting, the procedures will be as set out in the District's current *Council Procedure Bylaw*. Business items will be brought forward to the next regularly scheduled meeting as per the District's current *Council Procedure Bylaw*.

19. Voting

- (a) All Members of a Standing or Select Committee of Council, including the Chair and Council Liaison, have a vote on any motion before it, unless as otherwise determined in the Terms of Reference or Establishing Bylaw; and in all cases, in the event of a tie vote, the motion is defeated.

Advisory Body	Council Liaison Voting Rights
Advisory Planning Commission – Land Use (formerly Advisory Planning Commission)	No (per LGA Section 461(5))
Advisory Planning Commission – Design (formerly Advisory Design Panel)	No (per LGA Section 461(5))
Heritage Commission	No
Heritage Foundation	No (per Bylaws and Constitution)
Public Art Advisory Committee	Yes
Oak Bay Tourism Committee	Yes
Additional Standing or Select Committees	Yes

(**Amended December 7, 2020)

- (b) Any Member who abstains from voting, without having declared a Conflict of Interest and leaving the meeting, is deemed to have voted in the affirmative. Proxy votes are not permitted.

(c) The names of Members who vote against a motion will be entered in the minutes as "Opposed."

20. Conflict of Interest

Committee Members shall familiarize themselves and act in accordance with the provisions set out in the Disclosure of Conflict section within the *Community Charter*. Committee Members who have a direct or indirect financial interest in a matter of another interest that constitutes a conflict of interest are not entitled to participate in the discussion of a matter or to vote on a matter. Members are required to state, in general terms, the reason why the member considers there to be a conflict of interest.

21. Budget

- (a) Unless otherwise provided for in the Terms of Reference or Establishing Bylaw, Committees and Commissions may request budget funds from Council for special projects or initiatives outlined in the Committee or Commission's Annual Work Plan as approved by Council. In collaboration with the Chair, the Staff Liaison shall submit the budget request to the Director of Financial Services as part of the annual financial planning process with Council, or as an additional request mid-year when achievable within existing budget.
- (b) Any solicitation or application for funds from other organizations, requires the prior approval of Council.
- (c) Committees and Commissions will have reasonable use of miscellaneous District services such as photocopying, paper supplies, meeting rooms etc., to be coordinated through the Staff Liaison and/or Recorder.

22. Personal Liability

No Committee or Commission Member will be liable in his or her personal capacity for any debt or liability of the Committee or Commission. The District will insure Members of Committees or Commissions against liabilities related to the responsible fulfillment of their duties as Members of the Committee or Commission.

23. Orientation

In order for the Committee or Commission Members to fully understand the operations of Council Committees and Commissions, staff will provide an orientation session bi-annually or as required. Members are required to attend all training sessions provided by the District, except where special permission has been provided by the CAO.

24. Media Relations

- (a) The Mayor is the official spokesperson for the District. A Committee or Commission Member will not speak to the media on behalf of the Committee or Commission. Any media inquiries to the Committee or Commission should be directed to the Staff Liaison or Corporate Officer.
- (b) Members may represent their own individual views as a resident of Oak Bay to the media, but may not represent those of the Committee or Commission. Reference to the individual being a Member of the Committee or Commission is prohibited when speaking to the media as this acknowledgement may imply that they are representing the views of the Advisory Body as a whole.

25. Website and Social Media

- (a) The District of Oak Bay's website is the go-to digital source for all District information. District staff are responsible for web and social media content and are available to work with Committees and Commissions to upload content onto the website. Requests for this assistance will be made by the Advisory Body Chair through the Staff Liaison to the Corporate Officer.
- (b) The District does not permit Committees and Commissions to maintain their own websites or social media accounts separate from the District's official sites.
- (c) Committees and Commissions may request a dedicated webpage on the District's website, as follows:
- The Committee or Commission must pass a motion to request a dedicated webpage
 - The Advisory Body Chair shall then collaborate with the Staff Liaison to forward the request to the Corporate Officer, including a basic concept for webpage design and draft content
 - Webpage design and content is subject to the approval of the Corporate Officer and must adhere to District standards – Advisory Bodies are not permitted to develop or use their own logos or branding (i.e. colours, graphics, fonts, etc.)
 - Any required modifications to the draft design and content will be communicated back to the Committee or Commission by the Corporate Officer, through the Staff Liaison. Committees and Commissions are responsible to finalize the content in accordance with the Corporate Officer's requirements
 - Once the design and content is finalized and approved, the Corporate Officer will direct staff to implement the webpage as appropriate
 - Communications staff will monitor the webpage for consistency with District standards related to content and branding
 - The Recorder will act as web author for routine requests to update content on the Committee or Commission webpage. Any requests involving more extensive changes to content or design must be submitted to the Corporate Officer for review.

26. Code of Conduct

The conduct of Committee and Commission Members will be governed by the Council approved Code of Ethics that sets out expectations for Members in carrying out their duties and responsibilities and ensuring a Respectful Workplace, as required by WorkSafe BC, and in accordance with the District's current *Respectful Workplace Policy*.

27. Members Running for Office

- (a) Committee or Commission Members running for office in an election are generally not required to resign. Members should however be aware of the potential for Conflict of Interest and make decisions accordingly on their attendance and Membership on the Committee or Commission.
- (b) Members who are running for office will not use contact information of other Members to engage in election activities without the Members' explicit permission. District distribution lists may not be used for election activities.

28. Email Privacy and Information Sharing

The *Freedom of Information and Protection of Privacy Act* of British Columbia (FIPPA) allows applicants to request records in the care and custody of the District. Committee and Commission Members are reminded that FIPPA applies to all email correspondence related to District business, including those records sent to and/or received from personal email accounts. Should the District receive a request for records of this nature, the Member is required to produce a copy of the record to the Corporate Officer who then will determine if it

may be disclosed subject to FIPPA. Personal email and devices are not exempted from FIPPA and the District requires that Members conduct the Committee or Commission business in accordance with the applicable legislation and procedures.

Related Bylaws, Policies and Guidelines

- Council Procedure Bylaw
- Code of Ethics
- Respectful Workplace Policy

Appendix A – Types of Committees and Commissions

The following types of Committees or Commissions may be established in accordance with the *Community Charter* or *Local Government Act*.

Standing Committees

The Mayor may establish Standing Committees for matters in which the Mayor considers would be better dealt with by Committee and must appoint Members to those Committees. A Standing Committee will consider items within its mandate as determined by the Terms of Reference and report back to Council with or without a recommendation.

At least 50% of the Standing Committee Members must be Council Members and the remaining Members can be other than Council Members.

Select Committees

Council may establish a Select Committee to consider or inquire into a particular matter and report their findings and recommendations to Council. Appointments are made by Council, and at least one Council Member must be appointed to the Select Committee as a Council Liaison with full voting and Membership rights. The remaining Members can be recognized professionals, or Members from the community at large.

Select Committees provide advice and recommendations to Council on matters that are determined by Council and defined in the Terms of Reference. Council will provide direction to the Select Committees for undertaking projects such as work plans, checklists, policies, or other matters as appropriate.

Task Forces and Working Groups

The Mayor or Council may establish a Task Force or Working Group as either a Standing or Select Committee to look into a specific matter and provide advice and recommendations back to Council. The mandate of the Task Force or Working Group typically relates to a specific item and the body dissolves once it has reported its findings to Council.

The establishment and Membership of a Task Force is determined by the requirements noted above for a Standing or Select Committee. The procedural requirements for meetings also apply to Task Forces and Working Groups as provided for in the *Community Charter* and the Council Procedure Bylaw.

Commissions

A Council may establish and appoint a Commission to do one or more of the following:

- Operate services
- Undertake operation and enforcement in relation to the Council's exercise of its authority to regulate, prohibit and impose requirements
- Manage property and licenses held by the municipality.

Council may delegate some of its authority, by bylaw, to a Commission.

Advisory Planning Commission

Section 461 of the *Local Government Act* allows for Council, by bylaw, to establish an Advisory Planning Commission to advise Council on all matters respecting land use, community planning or proposed bylaws and permits under Divisions 4 to 14 of Part 14 and section 546 [*amendment or discharge of land use contracts*]

that are referred to the Commission by Council.

The bylaw must provide for the composition of the Advisory Planning Commission and the manner by which Members are appointed; the procedures governing the conduct of the Commission; and how matters will be referred to the Advisory Body.

At least 2/3 of the Members must be residents of the municipality and the following individuals are not eligible to be a Member, however they may attend in a resource capacity: a council Member; an employee or officer of the municipality; or an approving officer.