



Draft Council Procedure Bylaw  
Building on the December 2019 Review



# What is the Function of a Procedure Bylaw?

The *Community Charter* requires that Council must, by bylaw, establish the general procedures to be followed in the process of conducting their business...

## There are other tools...

- ✓ *CC and LGA*
- ✓ Committee and Commission Policy
- ✓ District Guidelines (being developed)
- ✓ *Land Use Procedures and Fees Bylaw No. 4653*
- ✓ Robert's Rules of Order
- ✓ And more



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## Re-examine practices for optimization

- ✓ Improve flow of information and associated timing
- ✓ Allow for flexibility of organizational requirements
- ✓ Manage procedural risk
- ✓ Manage meeting volumes

## Create clarity of process for ease of understanding and transparency

- ✓ Differentiate the course of business between Council and Committee of the Whole
- ✓ Streamline processes for consideration of land use applications through Council
- ✓ **Maximize public input** at the right time and in the right forum
- ✓ Clarifying key items for Committees and Commissions (public input, conflict of interest, Conduct, and more)

## Adherence to Legislation and Best Practices

- ✓ *Community Charter, Local Government Act, Standards of Conduct, and Respectful Workplace*



# Many Pieces of the Puzzle

- Creating educational/communication pieces (e.g. Municipal Website)
- Supporting learning with visual references
- Review and amend, not “break-fix” (1934, 1999, 2019-2020)
- It’s a long game and it’s not a “silver bullet”
- Creating linkages between tools to further optimize practice while enhancing ease of understanding



Companion Guidelines are operational tools that relate to governance pieces and impact service levels

Public  
Correspondence  
Guidelines

Agenda Publication  
Guidelines

Public Hearing  
Guidelines

Advisory Body Agenda  
Publication Guidelines

Minutes Guidelines  
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Other Possibilities...



# Informed Stakeholders

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- An informed public that knows **where**, **when** and **how** to provide their input on matters before Council
- A clearly defined process for land use applications (one piece of the puzzle)
- Relationship building between the District and the Community
- Thank you for the thoughtful input!



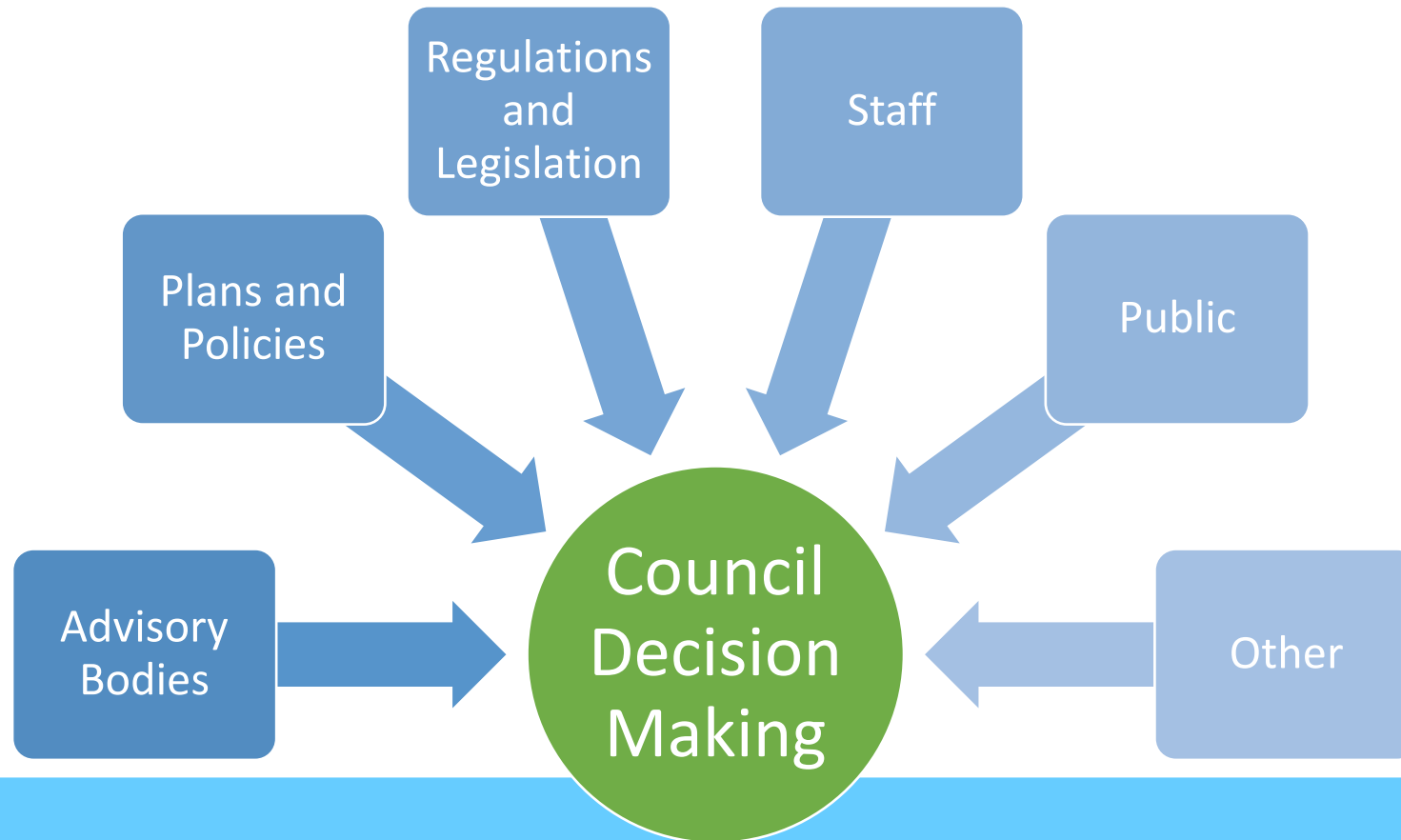
# Where, When, and How for Council

- **Notice of Motion**
  - COTW – introduction of non-urgent/time sensitive matters (23.3(11))
  - Council – from COTW, discussion and direction to staff (23.2(8))
- **New Business**
  - Council – introduction of urgent/time sensitive matters (23.2(13))



# Transparency and Accountability

- An informed public that understands the complexity of Council's decision making and when that decision making occurs





# Increased Opportunities for Public Input

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- More opportunities with more focus
- New definitions for *Presentation, Delegation, Public Input and Question Period (COTW)*, and differentiation from Public Input on agenda items and the Public Hearing process



# Increased Opportunity for Public Input

## Current Bylaw

- 20 minutes at Council (3 mins. per person)
- Agenda Items at COTW
- Correspondence on any item at any time
- Presentations by Organizations – 10 minutes

## Notes:

- ❖ Public Hearing
- ❖ Applicant Hosted Information Meetings

## Proposed Draft Bylaw

- Input on agenda items with time limit of 3 mins at Council (19.1 (1))
- 30 mins at COTW, 3 mins per person (20.1 (3))
- Specific agenda items at COTW, 3 mins (19.1 (2))
- Delegation at COTW: 2 delegations at 5 mins each (18.2 (2)(3))
- Presentations at Council: one presentation at 10 mins
- Correspondence at any time except after close of Public Hearing



# Transparency and Accountability

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- Streamlining and optimizing practices and processes; maximizing staff, volunteers and public's input and time (e.g. role clarification, working within mandates, process clarity, linkages to Council Priorities and Initiatives)



# Transparency and Accountability

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- Creating opportunities for flexibility and adaptability as conditions require (4 weeks to amend in an emergency)
- Balancing act (e.g. Public Hearing and recess)



# Rules of Conduct for all Stakeholders

## = Good Decision Making & Governance

- Essentially a new section
- Captures Respectful Workplace Legislation, Council Code of Conduct, and more
- Includes Mayor, Council, other Gov. Officials, staff, members of the public (expanded to include presentations, delegations, Public Comment and Question Period, and comments on Agenda Items)
- Includes Committees and Commissions (risk management)
- Includes the Public Hearing forum



# Committees and Commissions

- Advisory Bodies exist to augment Council's decision making
- Volunteerism is a profound way to contribute to community
- Meetings are Meetings = Increased Service Level
- Role clarification
- Terms of Reference/Establishing Bylaw
- Clear Mandates (e.g. CCAWG)
- Guidelines and standalone Committee and Commission Policy



# IAP2 Framework

developed by the international association for public participation

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.



# What We've Heard

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*There is a desire for early concept consultation with affected neighbours when it comes to land use applications.*

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While the Council Procedure Bylaw is not the mechanism to outline this, there is opportunity ...





# Early Public Input to Applicant on Major Applications (Requiring Public Hearings)

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The District will be revising its land use application process to provide for early public input to the applicant via an applicant hosted information meeting.

This process will be finalized in a separate document for Council's consideration prior to adoption of the draft Council Procedure Bylaw.



# Council Procedure Bylaw

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- Part of a continuum of improvement
- One piece of a puzzle
- Not cast in stone (subject to change/amendments)



DISTRICT OF

OAK  BAY

Public Input

250-598-3311



# Recommendations

THAT it be recommended that Council provide direction on proposed amendments including those contained in Appendix A Table 2 – Significant Proposed Additional Changes to the Current Draft Council Procedure Bylaw;

AND THAT it be recommended to Council that the *Council Procedure Bylaw, 2020, No. 4740*, be forwarded to Council for consideration of first, second and third Readings, and that public notice be undertaken in accordance with Sections 94 and 124 of the *Community Charter*.

