

Parks, Recreation & Culture Committee Manual

January 2026

* subject to revision



DISTRICT OF
OAK BAY

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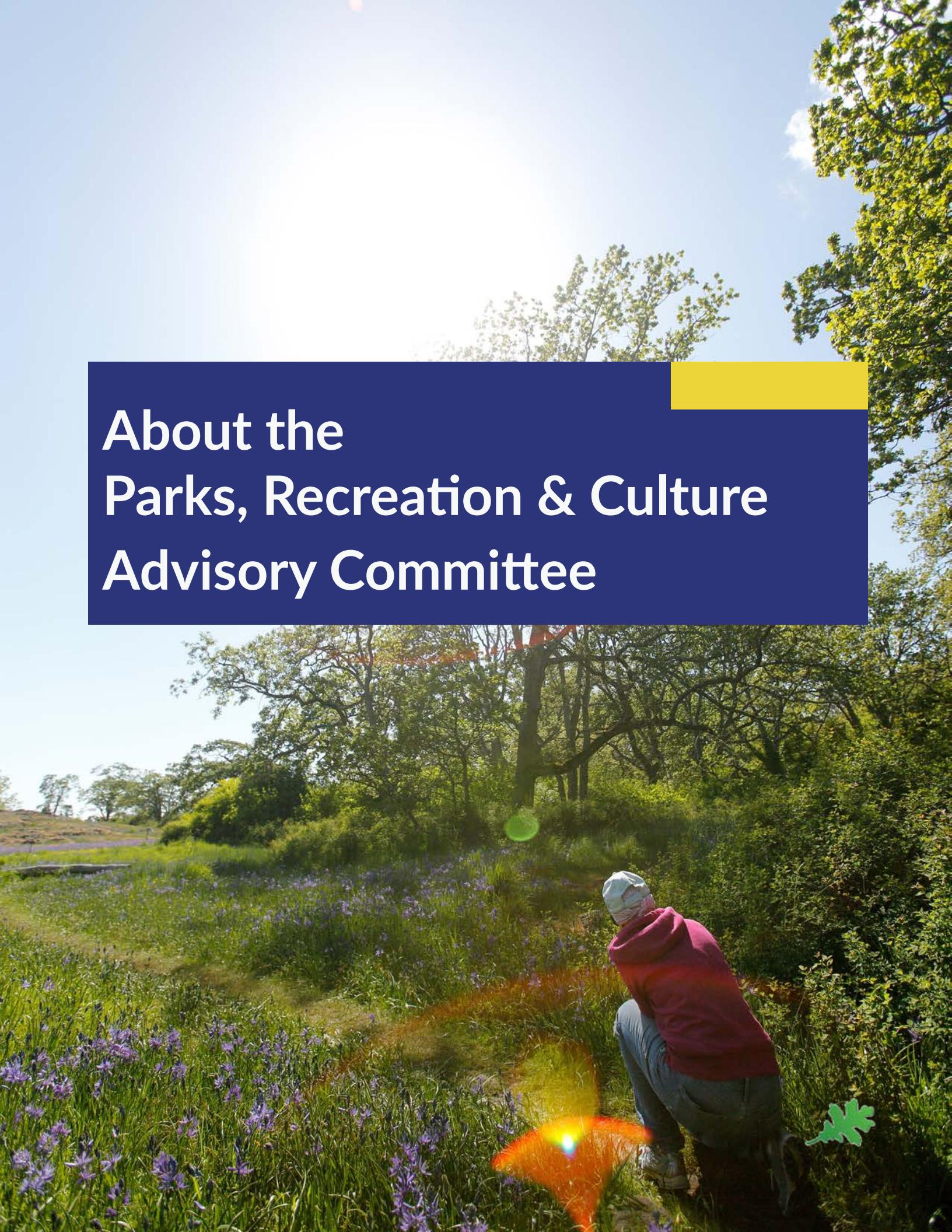


Territory Acknowledgment

We acknowledge that the land on which we live and work is the traditional territory of the Coast and Straits Salish Peoples.

Specifically we recognize the Lekwungen Peoples, known today as the Songhees Nation and Esquimalt Nation, and that their historic connections to these lands continue to this day.





About the Parks, Recreation & Culture Advisory Committee

Introduction



Thank you for volunteering to be a member of Oak Bay's Parks, Recreation and Culture Committee.

The Committee plays an important role in advising Council and helping to promote community wellness, inclusivity and healthy active living opportunities for residents of all ages, abilities and backgrounds. The members bring valuable perspectives on the sense of community in Oak Bay and assist Council to address a variety of matters related to District parks, community recreation and culture as referred or approved by Council.

The Oak Bay Parks, Recreation and Culture Committee is a Select Committee of Council in accordance with section 142 of the BC *Community Charter* (refer to Schedule E for further information). The Committee has a mandate to advise Council on a range of Parks, Recreation and Culture matters. The Committee's specific duties are spelled out in the Parks, Recreation and Culture Committee Terms of Reference, which was adopted in 2022. The Terms of Reference are included in this manual as Schedule A. The role and mandate of the Committee are described in detail in the following pages.

While Parks, Recreation and Culture Committee members are sought for the personal skills they bring to the Committee, they are expected to represent the collective desires of the community in their recommendations.

We hope this manual will be helpful to you in your role with the Parks, Recreation and Culture Committee.



Mandate

The mandate of the Parks, Recreation and Culture Committee is clearly laid out in the Committee's Terms of Reference (Schedule A). You are expected to provide a community perspective and advice to Council on a variety of Parks, Recreation and Culture matters in Oak Bay, with an emphasis on inclusivity and creating healthy, active living opportunities for residents of all ages, abilities and backgrounds.

Specifically, the Parks, Recreation and Culture Committee Terms of Reference sets out the following duties for the Committee:

1. *Provide a community perspective and input to Council on all matters referred to the Committee, which may include (but is not necessarily limited to) new Parks, Recreation and Culture initiatives or projects under consideration, potential service level adjustments, as well as facility development, expansion and/or rehabilitation.*
2. *Provide feedback and recommendations to Council during the development of department Master Plans or strategic plans.*
3. *Review and provide feedback to Council, as requested, on draft policies and strategies under consideration by the Parks, Recreation and Culture department.*
4. *Provide advice to Council, as requested, on specific arts and culture-related initiatives, which may include proposed gifts, donations, bequests, deaccessions and loans of artwork to the Municipal collection.*
5. *Review and evaluate (relative to the program criteria) nominations for the annual Wall of Fame Community Recognition program and recommend award recipients to Council.*

Volunteers from the Committee membership may be requested, from time to time, to assist with implementation of community-based parks, recreation and culture events and initiatives, including assisting with Arts Laureate projects and/or possible jurying of artwork submitted to the ArtsAlive program.

This document is intended to provide information and context; it is not a legal document

Where there is a conflict between a District bylaw or provincial legislation and this manual, the bylaw or legislation will prevail

The Parks, Recreation and Culture Committee is an advisory body to Council. The Committee has no decision making responsibility or authority and does not establish policy



Functions

The specific functions of the Parks, Recreation and Culture Committee are:

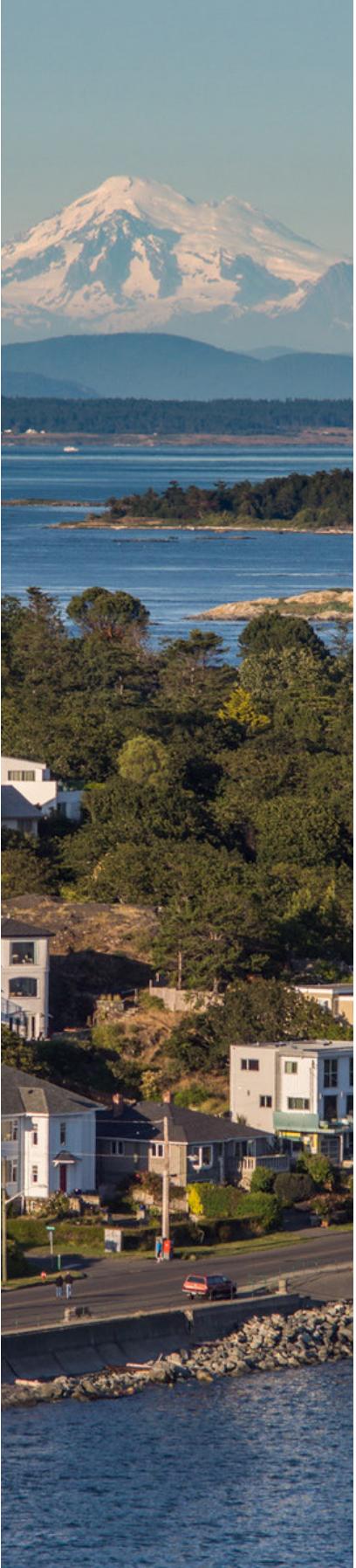
- Respond to issues referred by Council and Staff
- Bring a community lens to the table when deliberating matters before the Committee that fall within its mandate
- Provide information, advice or recommendations to Council or Staff on specific issues related to its mandate as requested

As an Advisory Body to Council, the Committee plays an important role in considering Parks, Recreation and Culture matters that could have long term impact on our community.

It is therefore critical that members of the Committee, both as individuals and as a collective group, take care to understand the issues at hand and approach matters with an open and enquiring mind when developing recommendations. During discussion and deliberation, you must bear in mind the Committee mandate as laid out in the Terms of Reference, together with any applicable legislation, policies and other guidelines.

The list of the Committee's duties spelled out in the Terms of Reference is quite extensive and you will have plenty of work to do! It is critical for members to understand, however, that your role is that of an advisory body. Staff and Council will request and value your input on matters related to parks, recreation and culture. However, the Committee does not oversee or make recommendations on operational matters or the day to day functions of the department.





Membership

Volunteering for the Parks, Recreation and Culture Committee is an opportunity for citizens to become actively involved in our community and provide in-depth consideration of issues related to parks, recreation and arts/culture within the District of Oak Bay.

Composition

The Committee is composed of up to seven volunteer members appointed by Council. At least two thirds of the volunteer members must be residents of the District of Oak Bay. In making appointments, Council seeks to ensure that members have a broad range of demonstrable skills, experience and/or interests related to the Committee's mandate encompassing parks, recreation and arts/culture. Council will also endeavour to achieve diverse representation with respect to various characteristics, such as age, gender, ethnicity and ability.

The Committee membership also includes one Council Liaison appointed by the Mayor who is a voting member in accordance with section 142 of the *BC Community Charter*. The Committee is rounded out by one Staff Liaison and a Recorder.

Terms

Members are appointed by Council for one term at a time, usually starting in January. Terms are generally two years, as determined by Council. If you wish to serve beyond your initial term, you may apply to be reappointed to the Committee for each additional term, and may serve for a total of six years.

Members who have served the maximum of six years must step away from the Committee for at least one term, unless Council deems their reappointment to be necessary for expertise and continuity purposes.

If a Committee member resigns before the end of their term, Council may appoint a replacement to complete the remainder of the term. If the replacement wishes to continue as a member of the Committee, they would apply for reappointment at the appropriate time.

A member who misses three successive Committee meetings -- except because of illness or as previously approved by Council -- is considered to have resigned from the Committee.

Chair and Vice Chair

The Committee has a Chair and Vice Chair, who are elected at the first meeting of each year by the members to serve for the current term. The Chair is responsible to manage Committee meetings, and to work with staff to develop meeting agendas. The Vice Chair serves as Chair in his or her absence. The Chair and Vice Chair may serve no more than two consecutive years in the position.

Guiding Documents

Some familiarity with the *Local Government Act* and *Community Charter*, and the District's Official Community Plan, will help you in your role as a Committee member.

Community Charter

The BC *Community Charter* provides the statutory framework for all municipalities in B.C. except the City of Vancouver. The Community Charter sets out municipalities' core areas of authority, including:

- Broad powers (for example, municipal services, public spaces, public health regulation and entering into agreements)
- Property taxation
- Financial management
- Procedures (for example, adopting bylaws)
- Bylaw enforcement

The Community Charter's broad powers include fundamental municipal powers:

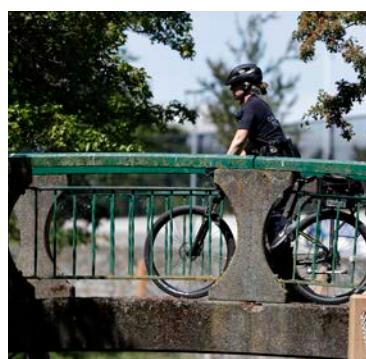
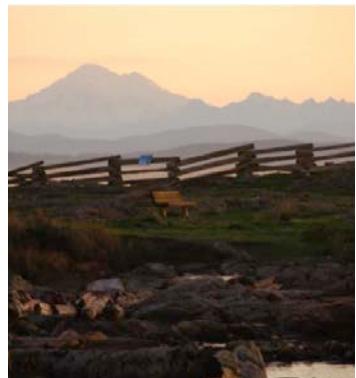
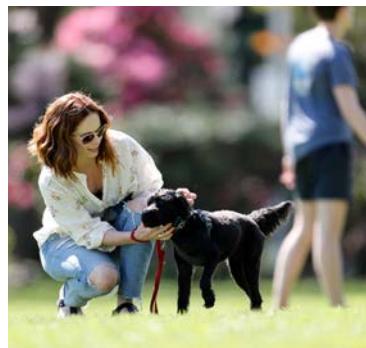
- Corporate ("natural person") powers
- Service powers
- Regulatory powers
- Specific powers (for example, expropriation)

To balance the broad powers provided to local governments, the Community Charter contains accountability and public participation provisions, such as:

- Elector approval processes
- Annual municipal reporting
- Ethical conduct rules for elected official

Local Government Act

Certain provisions of the *Local Government Act* apply to municipalities for matters not covered by the Community Charter. The Local Government Act also covers important authorities for both municipalities and regional districts, such as planning and land use powers and statutory requirements for administering elections.



Official Community Plan

The Official Community Plan (OCP) represents a vision for the future of our community and is a framework to guide growth and decisions about the use of land and the character of the community. The [OCP](#) and its related [Schedules](#) describe how and where residential, commercial and other types of development will occur; guide the provision of necessary road, water, sewer and other infrastructure; and provide policies for environmental, economic and community well-being.

Specific OCP goals related to the work of the Parks, Recreation and Culture Committee include the following:

Community and Social Well-being – Encourage and support community and social facilities and services that benefit residents of all ages and needs, foster interaction across generations and cultures, and strengthen community networks and services in recreation, education, and health and well-being.

Arts and Culture – Encourage and support arts and culture in Oak Bay for the benefit of residents, tourists, and economic development.

Parks and Open Space – Maintain and enhance parks and open space, including trails and walkways, and provide opportunities for residents to enjoy the natural beauty of the municipality and to pursue active and healthy outdoor lifestyles.





About the Role of the Parks, Recreation and Culture Committee



Roles in the Decision-Making Process

Council

Council is the ultimate decision-making body with respect to adopting and amending the OCP and Bylaws, as well as approving new projects, plans, policies and initiatives related to the Parks, Recreation and Culture Department. Council also appoints one member to serve as the Council Liaison on the Parks, Recreation and Culture Committee.

Parks, Recreation and Culture Committee

The Parks, Recreation and Culture Committee has the responsibility of giving advice and acting as a community lens as requested by Council or staff on matters the fall within its mandate. While the Committee's role is advisory, it involves a unique set of responsibilities and is an important part of the District's overall decision-making process.

Most of the work of the Committee will be to provide advice, feedback or recommendations to Council or staff as requested on the items outlined in the Terms of Reference and detailed on the following pages. A Council referral will generally come to the Committee in the form of a Council resolution accompanied by a staff report. Staff may also seek the Committee's input on matters that will ultimately go to Council for approval.

Staff

One department Staff member is appointed to the Committee as a staff resource and liaison, and other District Staff may attend meetings to provide additional technical advice as needed on specific matters. The Staff Liaison also works with the Chair in developing meeting agendas. A Staff member will act as Recorder and take minutes at the meetings.

The Staff Liaison is the main contact for all Committee members who require information about the Committee itself, contents of an agenda, or other related matters. You are encouraged to reach out to the Staff Liaison with any questions you may have.



Role of the Committee

The Committee's responsibilities are outlined below. It is vital that you remember that the Committee is an **advisory body**. You will not be involved in matters that relate to the day-to-day operations of the department, such as staffing, programming or maintenance of parks and facilities, unless requested to provide a policy perspective by staff or Council.

There are many opportunities to volunteer for specific events or initiatives in addition to serving on the Parks, Recreation and Culture Committee. Talk to the Staff Liaison, or check out the [Community Arts Volunteer Team](#) page on the District website.

Provide a Community Perspective to Council

From time to time, Council will refer a matter to the Committee for review, feedback and/or recommendations as requested. Items could include but are not limited to new projects or initiatives being contemplated, overall service levels, or the development, rehabilitation or expansion of any of the District's parks or recreation facilities.

Feedback and Recommendations on Plans

The Committee is expected to review and provide its perspective on the development of strategic plans and Master Plans related to parks, recreation and arts/culture. Examples of current plans in place under the purview of the Parks, Recreation and Culture Department include the Carnarvon Park Master Plan, and the Urban Forest Strategy. The Committee's advice could also relate to ways to seek community input on proposed initiatives (for example, the Carnarvon Park building redevelopment).

Review and Provide Feedback on Policies & Strategies

When department policies and strategies are in development or under review, staff may seek feedback from the Committee before taking them to Council for approval/adoption. Examples of such policies where the Committee has been asked for feedback include the Public Art Policy and the Wall of Fame policy.



Provide Advice on Arts and Culture Initiatives

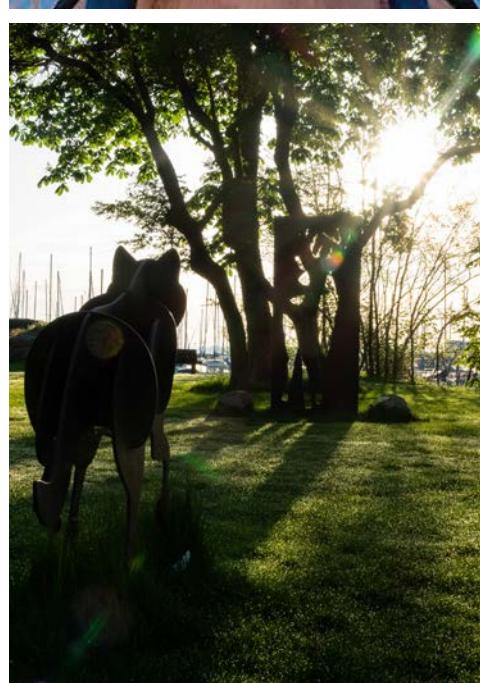
You may be asked to provide input on specific arts and culture-related matters that are under consideration by Council. These could include, but are not necessarily limited to, proposed loans, gifts or bequests, or the acquisition or deaccession of artwork. You could also be asked to advise Council and/or Staff on the process of selection and location for a proposed new piece of public art.

Wall of Fame

A key role of the Committee is to review the nominations for the Wall of Fame program and to recommend award recipients to Council for approval and announcement. Your recommendations for award recipients will be based on the Wall of Fame policy and program criteria, as amended from time to time. When considering nominations, the Committee may determine that they wish to recommend amendments to the award criteria. In this case, the Committee would make a resolution to recommend such changes to Council. Council will make the final decision on these recommendations.

Assisting with Events and Initiatives

Committee members may be asked to provide advice to staff or assist with implementation of community events and initiatives led by the Parks, Recreation and Culture Department.



Other Important Considerations

Council Strategic Priorities

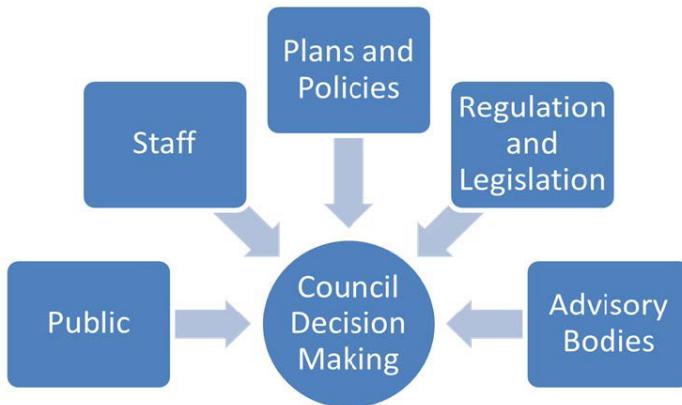
Council's strategic priorities guide policy and action for the District in the current term. It is important for Parks, Recreation and Culture Committee members to take these priorities into account when considering matters related to the Committee's mandate. Council will be embarking on a new strategic planning process in 2023, and these priorities are subject to change.

- Diverse Housing:** reviewing and planning for community needs while reflecting Oak Bay's unique character
- Achieve Sustainable Service Delivery:** integrating an Asset Management Program with a long-term Financial Plan
- Service Excellence:** optimizing operational effectiveness and fostering public engagement
- Quality of Life:** stewarding the community's history, landscape, culture, and amenities within the context of southern Vancouver Island
- Community Health and Resilience:** committing to economic, environmental, and social sustainability within the District's operations and decision making



Council Decision Making

Advisory bodies like the Parks, Recreation and Culture Committee play a key role in helping Council make decisions for the well-being of the community, along with other important input that contributes to a well-rounded decision-making process. Recommendations from Advisory Bodies and Staff are two of multiple inputs to this process, and Council's decision on a given matter may not always align with your recommendations when multiple other factors are taken into account. This is a foundational piece of understanding. All those associated with the District must accept with respect and tolerance for sometimes opposing opinions and the complexity of Council's governance and decision making.





Conducting Parks Recreation and Culture Committee Business



Meetings

Meeting agendas are prepared by Staff in consultation with the Committee Chair

Minutes are taken by Staff following the format outlined in Schedule H

The Parks, Recreation and Culture Committee typically meets quarterly for a maximum of two hours, and meetings are generally held at the Municipal Hall. A meeting may be cancelled in the event that there are no staff or Council referrals to consider. Depending on workload, the Committee may be asked to meet more frequently. Meetings are based on the meeting format outlined in the Council Procedure Bylaw and use 'Robert's Rules of Order' to facilitate discussion, as this allows everyone to be heard and to make decisions fairly without confusion.

Agenda

The format for Parks, Recreation and Culture Committee meeting agendas generally follows the format outlined in Schedule F. Our goal is to provide the agenda to each member five days before the scheduled meeting. Agendas are also published on the District's website. Agenda packages will include Staff reports and related materials. If you have questions about anything in the agenda, you are encouraged to contact the Staff Liaison before the meeting to give them adequate time to research the response and provide the information to all Committee members.

Public Attendance & Participation

Parks, Recreation and Culture Committee meetings are open to the public and meeting agendas are posted on the District website and at Municipal Hall. Members of the public may not make verbal or written submissions to the Committee.

The Committee may invite experts on matters related to the Committee's mandate to attend a meeting for discussion on predetermined topics. Such invitations must be decided in advance by a Committee vote, and form part of the formal meeting agenda.

Voting and Quorum

In order for the Parks, Recreation and Culture Committee to meet and make recommendations there must be a quorum, or simple majority, of the voting members. With a full complement of seven volunteer members plus one voting Council member, quorum is five. If there is no quorum 15 minutes after the meeting start time, the meeting will be adjourned. This could result in projects being delayed or Council proceeding without advice from the Committee, so it is important that you attend the meetings and arrive on time.

All members of the Committee must vote on all recommendations unless they have declared a conflict of interest and left the meeting. Any member who abstains from voting will be deemed to have voted in favour of the motion. In the case of a tie vote, the motion will be considered defeated.

Closed Meetings

When it is appropriate to close a meeting, the Committee may do so with the advance approval of the Corporate Officer and by adopting a resolution stating the reason for holding the closed meeting, in accordance with the *Community Charter*. Committee members may not discuss publicly, nor post on social media or in another forum and subjects or issues discussed in the closed meeting without a Council resolution authorizing disclosure.



Recommendations



Recommendations on Referrals from Council or Staff

When you are considering a referral from Council or a mandate-related request from staff, you are usually required to make a corresponding recommendation to Council by way of a resolution.

The recommendation that the Committee arrives at may well be different from the options provided by Staff, in a staff report, which is a perfectly acceptable outcome after you have carefully considered the matter and the options during your discussions. Remember, however, that your decision must be based on the information presented to you and on your mandate. Similarly, Council will give your recommendations careful consideration, but will ultimately make their own decision based on a variety of factors and input from a number of sources in addition to Parks, Recreation and Culture Advisory Committee and its other Advisory Bodies.



Recommendations on Other Matters

The Committee may, by way of resolution, refer other issues raised at meetings for Council consideration if appropriate. Should you wish to refer a matter in this way, it must fall within your mandate, fit into the current Council priorities and help achieve Council objectives. It is important to remember as well that Staff work is directed by Council priorities and the current workload and that there may not be capacity to take on new initiatives.

Agenda Recommendations

Members of the Committee may also wish to invite experts to address the Committee, or consider other matters that they believe fall within the Committee's mandate. The correct way to bring such items forward is to ask the Chair or Staff Liaison to add an item to the agenda of an upcoming Committee meeting. After discussion, Committee members will have the opportunity to vote on whether or not to move forward with the item.



Expectations

Parks, Recreation and Culture Committee members are expected to conduct themselves with professionalism, providing well-considered and timely responses to Council and Staff as appropriate. Members should endeavour to carry out their work effectively, efficiently and creatively, while maintaining actual and perceived separation from influences that could disrupt thoroughness, balance and objectivity in recommendations. This becomes increasingly important when you consider, individually and collectively, how matters related to the Committee's mandate fit into established policies and Master Plans, legislation such as the District's Official Community Plan, and Council's priorities.

In addition, there are several District of Oak Bay policies that directly apply to Advisory Body members in terms of expectations regarding conduct. Specifically, these include the Respectful Workplace Policy, Council Code of Ethics and the Commission and Committee Policy. These policies are provided in the Schedules to this Manual.

While Parks, Recreation and Culture Committee members are appointed for the personal skills and knowledge you bring to the Committee, you are expected to represent to the best of your ability the desires of the community in your recommendations or findings.

Council recognizes the value of your commitment in terms of your time, helpful ideas and expertise. In return, you can expect Council and Staff to provide:

- Commitment from Council to refer relevant matters to the Committee for consideration as they arise
- Full information on the issues being addressed and effective staff support
- Orientation and training
- Feedback on the outcomes of your advice and recommendations once Council has made a decision

It is important to be aware that the public also has expectations of you -- that you will represent the interests of the community as a whole, and that you are fair, objective and respectful in your considerations. Finally, it is vital that you avoid any real or perceived conflict of interest (see page 18 for more on Conflict of Interest).



Objectivity

Deciding on a recommendation can be a complex matter. Parks, Recreation and Culture Committee members may face pressures to influence a decision. Such pressures may include the following:

Members should endeavor to carry out their work effectively, efficiently and creatively, while maintaining a separation from influences that could disrupt thoroughness, balance and objectivity in recommendations

It is expected that all members will conduct themselves appropriately and adhere to procedural rules

Peer Pressure

You may have social, professional or business contacts with people who have interest in matters before the Committee. Such contacts may be the source of relevant information, but they should not be permitted to influence your decision-making before deliberations begin.

Political Pressure

The Parks, Recreation and Culture Committee should seek to have an effective and ongoing dialogue with Council through the Council liaison's participation in Committee meetings, as this helps create a more cooperative and productive relationship through which the interests of the community can be incorporated into decisions. However, members of Council should not seek to influence members of the Committee. Committee members should use their own judgment in casting votes, to help to promote good Parks, Recreation and Culture planning. Committee and Council members should never meet to discuss related matters outside of formally scheduled meetings.

Fairness & Legal Soundness

As representatives of the entire community, members should be continually aware of the obligation to be fair and impartial. All issues before the Parks, Recreation and Culture Committee must be treated equitably. You should identify objective reasons for decisions you make as a group, dealing with the merits of the issue in terms of the Committee mandate and the applicable legislation and/or guidelines, and not based on personal bias.



Conflict of Interest

Procedures for conduct where a conflict of interest exists are prescribed in the *Community Charter* Sections 100 to 101, as well as the Commission and Committee Policy, Schedule B in this manual. A conflict of interest exists where a Parks, Recreation and Culture Committee member is an interested party to a matter under consideration by the Committee and/or the member has a direct or indirect pecuniary interest in the outcome of the Committee's deliberations.

The following excerpt from the UBCM Advisory Service Fact Sheet Series, No. 15: Conflict of Interest, describes some typical scenarios relating to conflicts of interest:

“

Conflicts often occur between the member's public duty and his or her personal, business or property interests. The courts treat personal, business or property interests of a spouse, child, parent, partner, client (or in some cases, a corporation) of the member the same way they treat the interests of the member. If the member is in any way involved in a matter before Council that actually advances (or appears to advance) any of these interests, a conflict of interest may arise.

Business Interests

A member has a conflict of interest if he or she votes on a matter that helps his or her own business, or hinders the competition.

Property Interests

If a member votes on a matter that makes his or her own property more or less valuable in any way, a conflict arises.

Family Interests

If a member votes on a matter that is to be the benefit or disadvantage of spouse, child or parent, as in increasing salary or increasing or decreasing property values, a conflict arises. ”

If you think you have a conflict of interest in a matter before the Parks, Recreation and Culture Committee, you must:

- Declare to the Committee that a conflict exists
- Not take part in the discussion of the matter or vote on a question in respect of the matter
- Remove yourself from the meeting during consideration of the issue and not attempt to influence the vote (this is to be reflected in the meeting minutes). If you are participating electronically, you will be placed in the meeting's virtual waiting room
- Not attempt in any way, whether before, during or after a meeting, to influence other Committee members' voting on any question in respect of the matter





Schedules



Schedule A: Committee Terms of Reference



TERMS OF REFERENCE Parks, Recreation and Culture Committee

Adopted: April 11, 2022

Amended:

MANDATE

The Parks, Recreation and Culture Advisory Committee is a select committee of Council established under Section 142 of the *Community Charter*. The mandate of the Committee is to provide a community perspective and advice to Council on Parks, Recreation and Culture matters in Oak Bay as per the Committee's assigned duties, with an emphasis on inclusivity and creating healthy, active living opportunities for residents of all ages, abilities and backgrounds.

DUTIES

The duties of the Committee are to:

- provide a community perspective and input to Council on all matters referred to the Committee, which may include (but is not necessarily limited to) new Parks, Recreation and Culture initiatives or projects under consideration, potential service level adjustments, as well as facility development, expansion and/or rehabilitation;
- provide feedback and recommendations to Council during the development of department Master Plans or strategic plans;
- review and provide feedback to Council, as requested, on draft policies and strategies under consideration by the Parks, Recreation and Culture department;
- provide advice to Council, as requested, on specific arts and culture-related initiatives, which may include proposed gifts, donations, bequests, de-accessions and loans of artwork to the Municipal collection;
- review and evaluate (relative to the program criteria) nominations for the annual Wall of Fame Community Recognition program and recommend award recipients to Council.

Volunteers from the Committee membership may be requested, from time to time, to assist with implementation of community-based parks, recreation and culture events and initiatives, including assisting with Arts Laureate projects and/or possible jurying of artwork submitted to the ArtsAlive program.

MEMBERSHIP

The PRCAC shall be constituted and appointed by Council as follows:

- Up to seven (7) volunteer members appointed by Council, a minimum of two thirds of which must be residents of Oak Bay
- One Council Liaison appointed by the Mayor (voting member, as per the *Community Charter*)
- The District's Arts Laureate shall be an ex-officio, non-voting member of the Committee, providing regular activity updates to the Committee to promote Arts Laureate projects and/or seek volunteer assistance with implementation.

The District will seek volunteer members with a broad range of demonstrable skills, experience and/or interests related the Committee's mandate encompassing parks, recreation and arts/culture, and will



endeavour to achieve diverse representation with respect to various characteristics, such as age, gender, ethnicity, and ability.

APPOINTMENT AND TERM

Members will be appointed for terms of one to two years, as per the *Committee and Commission Policy*. All members wishing to seek re-appointment by Council must re-apply at the end of each term.

Members who have served the maximum tenure permitted under the *Committee and Commission Policy* (six consecutive years) are subject to a mandatory one-term absence from the Committee prior to seeking re-appointment for any subsequent term unless Council deems their reappointment to be necessary for expertise and continuity purposes.

The Committee will elect a Chair and Vice-Chair annually from amongst its volunteer members. As per the *Committee and Commission Policy*, the Chair is appointed for a maximum of one two-year term, unless otherwise extended by Council. The roles and responsibilities of Chair, Vice Chair and members are outlined in the *Committee and Commission Policy*.

Any member who fails to attend three successive meetings of the Committee, except because of illness or with leave of Council, will be deemed to have resigned their membership.

MEETING PROCEDURES

The provisions of the current *Council Procedure Bylaw* and *Committee and Commission Policy* will govern the meetings of the Committee. All decisions of the Committee will be reached by consensus or a majority vote of the members present, provided a quorum is present.

At the first meeting after its appointment, the Committee shall develop a proposed annual schedule of regular meetings for approval by the Chief Administrative Officer or Corporate Officer. Regular meetings will generally take place on a quarterly basis, if there is business to consider. As per the *Council Procedure Bylaw* and the *Committee and Commission Policy*, there will be no committee meetings in August and during a local government election year there will be no meeting held in the month of the municipal election. Special meetings, if necessary, shall be at the call of the Chair, in consultation with the Staff Liaison, and with the approval of the Chief Administrative Officer or the Corporate Officer.

As per the *Committee and Commission Policy*, Committee 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, in consultation with the Staff Liaison, may request a special meeting as outlined above. If the Chair and Staff Liaison identify that the scheduled business on an upcoming meeting agenda may require more than two (2) hours to complete, they may seek advance approval from the Chief Administrative Officer or Corporate Officer for an extension to the 2-hour time limit. Approval for the extension should be confirmed in advance of agenda publication, and quorum must be maintained throughout the meeting.

As per the provisions of the *Community Charter*, all Committee meetings shall be open to the public. Where it is appropriate to close a meeting to the public, the Committee may do so with the advance approval of the Corporate Officer and by adopting a resolution in accordance with the *Community Charter*.



Public participation in the Committee proceedings is not permitted, pursuant to the *Committee and Commission Policy*. This is to allow the Committee 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.

A member of the Committee who has a direct or indirect pecuniary interest, or another interest in the matter that constitutes a conflict of interest in a matter before the Committee, distinct from that possessed in common with the public generally (ex. a personal gain or personal relationship with artists selected for commissions or shortlisted for artist calls), shall:

- a) In open session declare such interest;
- b) Refrain from participating in any discussion or voting on the matter; and
- c) Leave the meeting room for the duration of discussion or voting on the matter.

AGENDAS AND MINUTES

Committee meeting agendas and minutes must be prepared, distributed, posted and filed in accordance with the current *Council Procedure Bylaw*, the *Committee and Commission Policy*, and all related corporate administrative guidelines.

STAFF SUPPORT

Staff support for the Committee will be provided by one Staff Liaison from the Parks, Recreation and Culture Department and one Recording Secretary. The roles and responsibilities of the Staff Liaison and Recording Secretary are outlined in the *Committee and Commission Policy*. The Parks, Recreation and Culture Department is the primary contact for the Committee and will provide the required professional and clerical support.

REPORTING TO COUNCIL

Committee recommendations, strategies and actions will generally be conveyed to Council in staff reports prepared by the Staff Liaison, or their designate. All recommendations related to the acquisition of public art will first be referred to staff as per the *Public Art Policy*, as may be amended or replaced from time to time. Council decisions will be reported back to the Committee by the Council Liaison.

REMUNERATION AND BUDGET

Members of the Committee shall serve without remuneration; however, they may be reimbursed for expenses incurred while engaged in Committee duties. Pursuant to the *Committee and Commission Policy*, these expenses must be pre-approved by the Chief Administrative Officer or Director of Financial Services, as appropriate. Operational funding for the Committee is provided through the Parks, Recreation and Culture annual budget.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Ensure Access to Diverse Housing Options within the Built Environment
- Achieve Sustainable Service
- Provide Service Excellence
- Enhance and Promote Quality of Life and Sense of Place
- Demonstrate Leadership in Fostering Community Health



Schedule B: Commission & Committee Policy



Policy	Committee and Commission Policy
Approved By:	Council
Approval Date:	July 27, 2020
Amendments:	December 7, 2020 November 29, 2021

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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.



“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.

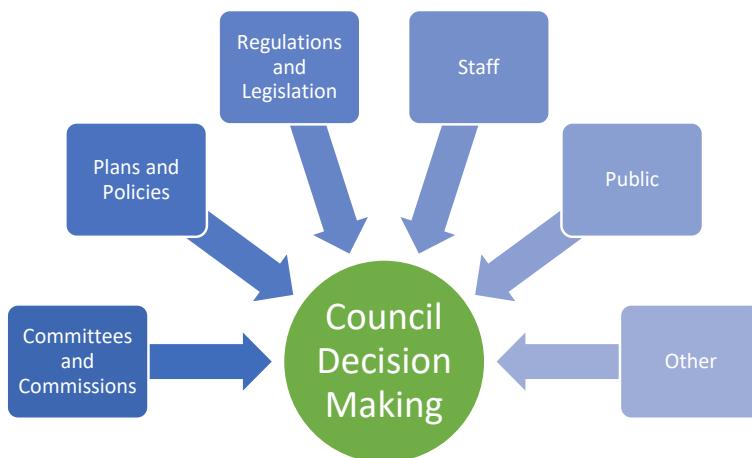


Figure 1 – Components of Council’s Decision-Making



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

- 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.
- 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

- 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 be appointed for staggered terms of one to two years.

(Amended December 7, 2020)
(Amended November 29, 2021)
- (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.



- (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 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) As per the *Council Procedure Bylaw*, the Chief Administrative Officer or Corporate Officer can cancel a Committee or Commission meeting by advising the Committee or Commission Chair and the Council Liaison that there is insufficient meeting business.

(Amended November 29, 2021)

- (a) 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*.
- (b) 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*.
- (c) 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.



Schedule C: Respectful Workplace Policy



Policy	Respectful Workplace
Approved By:	Chief Administrative Officer
Approval Date:	December 7, 2020
Amendment Date:	January 20, 2025

POLICY STATEMENT

The District of Oak Bay is committed to providing a work environment in which all individuals are treated with mutual dignity and respect. Accordingly, the District of Oak Bay is committed to ensuring that bullying and harassment of employees at or in connection with work is not tolerated. The District will take steps to prevent discrimination, bullying and harassment by providing education to employees to recognize the potential for bullying and harassment, to respond, and to follow the procedures for reporting. It is our mutual responsibility to ensure that we create and maintain a harassment-free workplace and address this from all possible sources including all employees, elected officials, appointed committee members, contractors and anyone doing business with the District. This Policy is intended to comply with all relevant legislation and regulations including the British Columbia *Human Rights Code* and *Workers Compensation Act*.

PURPOSE

To promote a consistent understanding of a respectful workplace which is free from discrimination, bullying and harassment and to outline procedures for addressing concerns that may arise.

SCOPE

This Policy applies to all District of Oak Bay employees. Harassment of employees by elected officials (Council), appointed committee members, contractors and anyone doing business with the District is also prohibited. This is addressed in Council's Code of Ethics, workplace signage and through contractual terms/conditions and legislation.

This Policy applies to the workplace itself, and to work-related events. (refer to definition of "workplace" in the next section) It includes harassment involving District employees that happens away from the workplace or after regular working hours, where the harassment has a negative impact on the workplace.

DEFINITIONS

Respectful Workplace

A work environment where individuals treat each other with respect at all times which includes:

- Inclusion of people with different backgrounds, strengths and opinions;
- Safety from disrespectful, bullying or intimidating behaviours;
- Individual accountability for effective workplace relationships involving the constructive resolution of differences.



Discrimination

Discrimination is any unfair differential treatment of an individual or group on any of the prohibited grounds outlined within the *BC Human Rights Code* which includes: race, colour, ancestry, indigenous identity, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age or unrelated criminal conviction. Discriminatory harassment is a form of discrimination where abusive, unfair, offensive, or demeaning treatment of a person or group has the effect of interfering with an employee's work.

Harassment / Personal Harassment

Harassment (or personal harassment) is one or a series of incidents of behaviour directed toward a group or individual that a reasonable person would know or ought to know would cause offence, humiliation or intimidation. Such behaviour includes but is not limited to making derogatory comments to or about another person, swearing, yelling, derogatory gestures, gossip, reckless disregard or denial of another's rights or improper use of power or authority.

Harassment is NOT: legitimate job-related action performed in good faith by managers and supervisors. Such action may include giving work direction or assignments, conducting performance appraisals, attendance monitoring and implementation of disciplinary or other corrective actions.

Sexual Harassment

Sexual Harassment is a specific form of harassment prohibited under this Policy. Sexual Harassment entails sexually oriented comments, conduct, gestures, visual displays or contact including sexual remarks, leering, touching or other sexually oriented behaviour that creates an uncomfortable or offensive work environment.

Bullying

Bullying is any repeated or systematic behaviour, including physical, verbal or psychological conduct which would be seen by a reasonable person as intending to belittle, intimidate, coerce or isolate another person.

Complainant

An employee who believes that he or she has a complaint of conduct contrary to this Policy and is bringing forward the complaint.

Respondent

The individual against whom an allegation(s) of conduct contrary to this Policy has been made and who is responding to the allegation(s) made in the complaint.

Workplace

The workplace includes:

- District offices, buildings, facilities, vehicles or worksites;
- locations visited by employees while traveling on District related business including conferences, meetings, vendor/supplier or customer sites;
- locations of work-related social gatherings;
- internet/electronic communications;
- any other locations where the prohibited conduct may have a subsequent impact on the work relationship.

ROLES AND RESPONSIBILITIES

All employees and elected officials of the District are expected to contribute constructively to a respectful workplace environment that is collaborative, inclusive and embraces diversity.

District of Oak Bay



- The District has the primary responsibility to establish and maintain a work environment free of discrimination, harassment and/or bullying as defined in this Policy.

Mayor and Council Members are expected to:

- fully comply with Council's related Code of Ethics;
- be familiar with the Respectful Workplace Policy and not participate in discriminatory, harassing or bullying behaviour; and
- exemplify respectful speech and behaviour.

Employees are expected to:

- not engage in harassment or bullying of other employees;
- report if harassment or bullying is observed or experienced in the workplace; and
- apply and comply with the Employer's policies and procedures on harassment and bullying.

Directors/Managers/Supervisors/Fire Chief are expected to:

- clearly communicate this Policy to all employees; including new employees on the commencement of their employment;
- promote, within their area of responsibility, a work environment which is free from harassment and bullying and is supportive of the dignity and respect of every employee;
- participate in the annual review of the policy, for relevance and applicability to the organization;
- model inclusive and professional behaviour and not participate in discriminatory or harassing behaviour;
- immediately address any harassment or bullying that they may observe or of which they become aware; and
- ensure that harassment and bullying is not allowed, condoned or ignored and may be considered a party to the harassment if they fail to take corrective actions.

Human Resources will:

- champion respectful workplace behaviours and practices;
- ensure this Policy and related information is available and accessible;
- facilitate the annual review of the policy with the senior leadership team and make updates as needed;
- provide advice and/or guidance on the Policy and related processes;
- facilitate corporate training and development related to respectful workplaces;
- ensure a fair, prompt and equitable process is followed, and oversee the resolution/investigation process as may be required; and
- where appropriate, to facilitate joint involvement of management, union representatives and other staff to resolve issues.

COMPLAINT RESOLUTION PROCEDURES

Informal Process

Employees who believe they have been the subject of discrimination, harassment or bullying are encouraged to resolve the situation informally by making their concern known to the other party. This is an important step to ensure that the other party knows that his or her conduct is unwelcome. If after discussing a complaint with the other party, the complaint is dealt with to an individual's satisfaction, the issue is considered to be resolved. If the employee is uncomfortable informing the other party that their actions are unwelcome, they may seek assistance from a supervisor, manager, union representative or Human Resources Manager. The supervisor, manager, union representative or Human Resources Manager will meet with the parties (either separately or together) and attempt to mediate a resolution that is acceptable to both parties. If a solution is reached, the complaint will be deemed resolved.

All persons who believe that they have experienced discrimination, harassment or bullying should keep detailed notes about the issue.



Formal Process

In the event that the matter is not resolved to the Complainant's satisfaction, or if the employee chooses not to proceed informally, the employee may proceed with a formal complaint.

1. To file a formal complaint, the Complainant must complete a Respectful Workplace Complaint Form (Appendix A) and forward it to the individual(s) designated for the management of formal complaints as follows:

- Human Resources Manager for all complaints except for those employees in the Human Resources Department
- The Chief Administrative Officer (CAO) for complaints involving employees in the Human Resources Department or a member of Council

Depending on the circumstances, the Human Resources Manager or CAO may also consider first attempting an informal resolution if such has not already been taken.

For any complaints involving Council (including the Mayor), the CAO will appoint an external investigator.

2. Once a formal written complaint is received, the designated individual will begin a formal investigation if appropriate and will appoint an internal or external investigator to conduct a confidential investigation of the complaint.

The investigator will:

- notify the Respondent of the allegations of the complaint
- interview the Complainant (for unionized employees, a Union representative may be present at the Complainant's option)
- interview the Respondent (for unionized employees, a Union representative may be present at the Respondent's option)
- interview witnesses as determined by the investigator

Both the Complainant and Respondent will have an opportunity to identify possible witnesses or others to be interviewed. Every effort will be made to complete the investigation and document the findings within a reasonable timeframe.

3. At the conclusion of the investigation:

- a confidential report including the complaint investigation findings will be presented to individual designated for the management of the complaints. (Human Resources Manager or CAO).
- The Complainant and the Respondent will be advised of the outcome of the investigation having regard to the privacy interests of all parties.
- The individual designated for the management of the complaint (Human Resources Manager or CAO) will determine any appropriate corrective or disciplinary action to be taken. (See Section below – Remedies)

APPEAL PROCEDURE

If a Complainant or Respondent is not satisfied with the final decision in respect to the complaint, the following avenues may be considered:



- Unionized employees may speak with their Union about filing a grievance under the Collective Agreement. The timelines for filing a grievance will be applied.
- Management and Exempt employees may appeal to the CAO or designate in writing within 20 working days outlining their reasons for disagreement with the outcome of the complaint. The CAO's review will be limited to reviewing the investigator's report and the outcome as determined by the individual designated to manage the formal complaint to determine whether this Policy was reasonably and appropriately applied. The CAO will then issue a decision in writing either confirming the decision of the individual designated to manage the formal complaint or outlining an alternative outcome which will then constitute the District's final decision.

REMEDIES

In keeping with the procedures as set out above, where a complaint is substantiated, an appropriate remedy will be implemented. The determination of an appropriate remedy will be assessed on a case by case basis. This may include corrective action such as education and training, mediation or other conciliatory approaches, temporary or permanent changes to reporting structures or work assignments, and/or discipline up to and including termination of employment where applicable.

TIME LIMITS

The District reserves the right to consider any matter that comes to its attention at any time; however, Complainants are encouraged to bring concerns forward in a timely manner. A formal complaint must be made to the individual designated to manage formal complaints within six (6) months of the date of the last alleged incident of harassment.

It should be noted that there is a limitation period of six (6) months for a complaint under the *British Columbia Human Rights Code* to the *British Columbia Human Rights Tribunal* in respect of discrimination on a prohibited ground (see the definition of Discrimination).

CONFIDENTIALITY

To protect the interests of the Complainant and Respondent, confidentiality will be maintained throughout the resolution processes to the extent appropriate under the circumstances. Parties to a complaint, including witnesses, are not to share information or discuss details of the complaint.

All employees are expected to respect and preserve the confidentiality of any complaint and process under this Policy and to assist management in the informal resolution process or the formal investigation of any complaint by providing information as requested. This includes refraining from discussions or releasing information in any form except for the purpose of resolving the complaint.

Management and any investigator appointed by the District, insofar as possible, will keep all information concerning the complaint confidential. Confidentiality will be maintained throughout the process and information will be disclosed only to the extent necessary to carry out these procedures, including the conduct of a fair investigation and the implementation of corrective/disciplinary measures, and where disclosure is required under lawful authority. In all circumstances, only the minimum amount of information necessary will be disclosed.

RETALIATION

Any retaliation against any party involved in a complaint or complaint resolution process will not be tolerated. Retaliation may form the basis of a separate complaint and could result in disciplinary action up to and including dismissal.

MALICIOUS ALLEGATIONS

An investigation may determine that a complaint is not supported and that there is no breach of this Policy. Such a finding does not necessarily mean that the complaint was malicious. Malicious complaints are those where the complainant or others know there is no foundation to the complaint and where the complaint is filed for the purpose of bringing an adverse consequence to the respondent or another employee of the District. Such complaints are a breach of this Policy and any employee engaged in presentation or filing of such a complaint may be subject to discipline, up to and including dismissal.

RECORD KEEPING

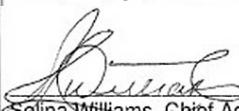
The District will maintain all documentation pertaining to complaints in a confidential manner. If the allegations are not proven and there is no disciplinary action, there shall be no records of the complaint placed in the personnel files of the Complainant, the witnesses or the Respondent. However, documentation of the investigation shall be kept in a confidential file separate from the personnel files and maintained by the Manager of Human Resources in order to evidence the District's proper investigation of the formal complaint. Where a complaint is substantiated, documentation which outlines disciplinary action arising from an investigation shall be placed in the Respondent's personnel file.

COLLECTIVE AGREEMENTS & LEGISLATION

In the event that any portion of this Policy is inconsistent with a binding District collective agreement or federal or provincial legislation, that portion and only that portion of the Policy shall have no application to the extent of that inconsistency. All other portions of the Policy shall continue in full force and effect.

RELATED POLICY, LEGISLATION & AGREEMENTS

District of Oak Bay Council Code of Ethics
British Columbia Human Rights Code
British Columbia Workers Compensation Act
Collective Agreement – District of Oak Bay and CUPE 374


Selina Williams, Chief Administrative Officer


Date

Schedule D: Council Code of Ethics



Policy	Council Code of Ethics
Approved By:	Council
Approval Date:	July 17, 2017
Amendment Date:	
Policy Holder:	Council

COUNCIL POLICY

Council Code of Ethics

INTRODUCTION

District of Oak Bay strives to maintain and enhance the quality of life for all Oak Bay residents and business through effective, responsible and responsive government. To achieve this goal, Municipal Council commiserate that:

- Public business is conducted with integrity, in a fair, honest, respectful and open manner;
- Council members respect one another, the public and District recognize the unique role contribution each person has in making the District of Oak Bay a great place to live, work and play; and,
- Council members conduct in the performance of their duties are responsibilities will be above reproach.

POSITION FOR POLICY

Set expectations for members of Council in carrying out their duties and responsibilities.

PROCEDURES

Code of Ethics:

1. Act in the Public Interest – Council members will conduct business with integrity, in a fair, honest and open manner.
2. Leadership – Council members will demonstrate and promote the key principles of the Code of Ethics through their decisions, actions and behaviour. Their behaviour should build and inspire the public's trust and confidence in local government. Council members will provide leadership to District staff through the Chief Administrative Officer.
3. Accountability – Council members are obligated to answer for the responsibility that has been entrusted to them. They are responsible for decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes should be transparent and subject to public scrutiny.



4. Respect – Council members will conduct public business efficiently and with decorum. They will treat each other and others with respect at all times. This means not using derogatory language toward others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision-making.
5. Confidentiality – Council members will refrain from discussing or disclosing any confidential or personal information with or to Staff or with persons outside the organization except as authorized.
6. Communicate Decisions - Council members will accurately communicate the decisions of the Council even if they disagree with the majority decision of Council, and by doing so affirm the respect for integrity in the decision-making processes of Council.
7. Respectful Work Place – Council members shall treat other members, the public and District Staff with respect and shall be supportive of the personal dignity, self-esteem and well-being of those with whom they come in contact with during the course of their professional duties.



Schedule E: *Community Charter* Conflict of Interest



BC Community Charter Conflict of Interest

Disclosure of conflict

100 (1) This section applies to council members in relation to

- (a) council meetings,
- (b) council committee meetings, and
- (c) meetings of any other body referred to in section 93 [*application of open meeting rules to other bodies*].

(2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has

- (a) a direct or indirect pecuniary interest in the matter, or
- (b) another interest in the matter that constitutes a conflict of interest,

the member must declare this and state in general terms the reason why the member considers this to be the case.

(3) After making a declaration under subsection (2), the council member must not do anything referred to in section 101 (2) [*restrictions on participation*].

(4) As an exception to subsection (3), if a council member has made a declaration under subsection (2) and, after receiving legal advice on the issue, determines that he or she was wrong respecting his or her entitlement to participate in respect of the matter, the member may

- (a) return to the meeting or attend another meeting of the same body,
- (b) withdraw the declaration by stating in general terms the basis on which the member has determined that he or she is entitled to participate, and
- (c) after this, participate and vote in relation to the matter.

(5) For certainty, a council member who makes a statement under subsection (4) remains subject to section 101 [*restrictions on participation if in conflict*].

(6) When a declaration under subsection (2) or a statement under subsection (4) is made,

- (a) the person recording the minutes of the meeting must record
 - (i) the member's declaration or statement,
 - (ii) the reasons given for it, and



(iii)the time of the member's departure from the meeting room and, if applicable, of the member's return, and

(b)unless a statement is made under subsection (4), the person presiding at that meeting or any following meeting in respect of the matter must ensure that the member is not present at any part of the meeting during which the matter is under consideration.

Restrictions on participation if in conflict

101 (1)This section applies if a council member has a direct or indirect pecuniary interest in a matter, whether or not the member has made a declaration under section 100.

(2)The council member must not

(a)remain or attend at any part of a meeting referred to in section 100 (1) during which the matter is under consideration,

(b)participate in any discussion of the matter at such a meeting,

(c)vote on a question in respect of the matter at such a meeting, or

(d)attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter.

(3)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Restrictions on inside influence

102 (1)A council member must not use his or her office to attempt to influence in any way a decision, recommendation or other action to be made or taken

(a)at a meeting referred to in section 100 (1) [*disclosure of conflict*],

(b)by an officer or an employee of the municipality, or

(c)by a delegate under section 154 [*delegation of council authority*],

if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.

(2)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.



Restrictions on outside influence

103 (1)In addition to the restriction under section 102, a council member must not use his or her office to attempt to influence in any way a decision, recommendation or action to be made or taken by any other person or body, if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.

(2)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Exceptions from conflict restrictions

104 (1)Sections 100 to 103 do not apply if one or more of the following circumstances applies:

- (a)the pecuniary interest of the council member is a pecuniary interest in common with electors of the municipality generally;
- (b)in the case of a matter that relates to a local service, the pecuniary interest of the council member is in common with other persons who are or would be liable for the local service tax;
- (c)the matter relates to remuneration, expenses or benefits payable to one or more council members in relation to their duties as council members;
- (d)the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter;
- (e)the pecuniary interest is of a nature prescribed by regulation.

(2)Despite sections 100 to 103, if a council member

- (a)has a legal right to be heard in respect of a matter or to make representations to council, and
- (b)is restricted by one or more of those sections from exercising that right in relation to the matter,

the council member may appoint another person as a representative to exercise the member's right on his or her behalf.



Restrictions on accepting gifts

105 (1)A council member must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of the duties of office.

(2)Subsection (1) does not apply to

(a)a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office,

(b)compensation authorized by law, or

(c)a lawful contribution made to a member who is a candidate for election to a local government.

(3)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Disclosure of gifts

106 (1)This section applies if

(a)a council member receives a gift or personal benefit referred to in section 105 (2) (a) that exceeds \$250 in value, or
(b)the total value of such gifts and benefits, received directly or indirectly from one source in any 12 month period, exceeds \$250.

(2)In the circumstances described in subsection (1), the council member must file with the corporate officer, as soon as reasonably practicable, a disclosure statement indicating

(a)the nature of the gift or benefit,
(b)its source, including, if it is from a corporation, the full names and addresses of at least 2 individuals who are directors of the corporation,
(c)when it was received, and
(d)the circumstances under which it was given and accepted.

(3)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.



Disclosure of contracts with council members and former council members

107 (1)If a municipality enters into a contract in which

(a)a council member, or

(b)a person who was a council member at any time during the previous 6 months,

has a direct or indirect pecuniary interest, this must be reported as soon as reasonably practicable at a council meeting that is open to the public.

(2)In addition to the obligation under section 100 [*disclosure of conflict*], a council member or former council member must advise the corporate officer, as soon as reasonably practicable, of any contracts that must be reported under subsection (1) in relation to that person.

(3)A person who contravenes subsection (2) is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Restrictions on use of insider information

108 (1)A council member or former council member must not use information or a record that

(a)was obtained in the performance of the member's office, and
(b)is not available to the general public,

for the purpose of gaining or furthering a direct or indirect pecuniary interest of the council member or former council member.

(2)A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Disqualification from office for contravening conflict rules

108.1 A person disqualified from holding office under this Division is disqualified from holding office

(a)on a local government,

(b)on the council of the City of Vancouver or on the Park Board established under section 485 of the *Vancouver Charter*, or

(c)as a trustee under the *Islands Trust Act*



until the next general local election.

Court order for person to give up financial gain

109 (1)If a council member or former council member has

- (a)contravened this Division, and
- (b)realized financial gain in relation to that contravention,

the municipality or an elector may apply to the Supreme Court for an order under this section.

(2)Within 7 days after the petition commencing an application under this section is filed, it must be served on

- (a)the council member or former council member, and
- (b)in the case of an application brought by an elector, the municipality.

(3)On an application under this section, the Supreme Court may order the council member or former council member to pay to the municipality an amount equal to all or part of the person's financial gain as specified by the court.

(4)In the case of an application made by an elector, if the court makes an order under subsection (3), the municipality must promptly pay the elector's costs within the meaning of the Supreme Court Civil Rules.

(5)The court may order that costs to be paid under subsection (4) may be recovered by the municipality from any other person as directed by the court in the same manner as a judgment of the Supreme Court.

(6)Except as provided in subsection (4), the costs of an application are in the discretion of the court.



Schedule F: UBCM Committees Fact Sheet



COMMITTEES

SECTION **5**

Types of Committees

There are several methods of handling matters that are brought before council for consideration.

1. The mayor may establish a **standing committee** for any matter the mayor considers would be better regulated and managed by means of such a committee [CC s. 141]. A standing committee considers matters that are referred to it, and reports to council with or without a recommendation.
2. Council may establish a **select committee** to consider or inquire into any matter, and report their findings and opinions to council [CC s. 142].
3. Council may sit as a **committee of the whole** and formally report to council its findings and recommendations.

The provisions of the *Community Charter* concerning open meetings apply to meetings of the committee of the whole, select committees and standing committees [CC s. 93].

Appointment

The mayor appoints standing committees [CC s. 141], with at least half the members of each standing committee required to be council members.

Council appoints select committees [CC s. 142], and at least one member of each select committee must be a member of council.

Delegation to Committees

Council may delegate certain of its powers, duties, and functions to council committees by bylaw [CC s. 154(1)].

Approval of Committee Decisions

The proceedings of all committees are subject to the approval of the council, except where council delegates authority to a committee to exercise any of the powers of council, subject to restrictions or conditions that may be specified by the bylaw.

Committee Procedures

Council must, by bylaw, establish the general procedures to be followed by council committees in conducting their business [CC s. 124(1)].

The procedure bylaw must set out the means of providing notice of committee meetings [CC s. 124(2)].

At times, in order to address urgent or emergent matters, council may decide to call a special meeting and waive the notice requirement by unanimous consent. In such cases, there is a danger that the public



might not be aware of the special meeting. To minimize criticism of council's activities, consider posting notice of a special meeting even when the notice requirement is waived.

Minutes of all committee meetings must be kept and must be signed by the chair and open for public inspection [CC s. 124(2)(c)].

Committee of the Whole

Council, by moving to committee of the whole, indicates intent to discuss a subject in a less formal manner than would be necessary during a council meeting. Any item of business may be discussed by the committee of the whole.

While many councils hold regular meetings of committee of the whole, a council may often move to committee of the whole during the course of a regular or special meeting of council.

Procedurally, on a motion of council to resolve itself into committee of the whole, the mayor or designate would step down and another member of council would be named chair of the committee. After the discussion on the item had concluded, the committee would "rise and report" back to council. The finding of the committee would be reported back to council formally, by way of recommendation.

Council could act on the recommendation or just record the report of the committee of the whole.

The formal minutes of a council meeting would record:

- (a) resolution to go into committee of the whole;
- (b) report or recommendation from the committee (making reference to the subject matter discussed); and
- (c) action taken by council, if any.

The committee of the whole itself cannot enact bylaws, only council members meeting as "council" in an open meeting can do so.

"Committee of the whole" should not be used when a meeting is intended to be closed to the public. Meetings closed to the public are proper meetings of council where members of the public and/or staff are excluded, held to deal with subjects that meet specific criteria set out in the *Community Charter* [s. 90]. (See Fact Sheet #4 – Meetings)

NOTE: Related provisions for regional districts regarding Committees can be found under Part 6, Division 4 & 5 of the *Local Government Act*.



Schedule G: UBCM Meetings Fact Sheet



4 Meetings

Council or Board Meeting

The elected municipal council or regional district board acts as the governing body of the local government, exercising and performing the powers, duties and functions of the local government [Community Charter (CC) s. 114(3) and Local Government Act (LGA) s. 194]. The council or board conducts all of its business at a properly constituted meeting, and must deal with all matters on the meeting agenda. This means that each matter must be concluded (carried or defeated), tabled, referred or deleted.

A council or board exercises its authority by authorizing a bylaw or adopting a resolution at a council or board meeting [CC s. 122]. Informal caucus or committee decisions have no force until dealt with by council or the board.

Chair or Presiding Member

The mayor presides at council meetings [CC s. 116(2)(c)]. Council must also designate a councillor to act in place of the mayor when the mayor is absent, unable to act, or when the office of mayor is vacant. If neither the mayor nor the designated councillor is present, then the members present must choose a member to preside [CC s. 130].

At the first meeting held after November 1 each year, regional district boards must elect a chair and a vice chair. The chair presides at board meetings, with the vice chair acting in place of the chair when the chair is not present or is unable to act. If neither the chair nor vice chair is present, then the directors present may elect an acting chair for that meeting [LGA s. 215].

The mayor, chair or presiding member preserves order and decides points of order at meetings [CC s. 132]. If a member appeals a decision on a point of order, the presiding member shall immediately ask the question: "Shall the chair be sustained?" and the question must be decided without debate. The chair is governed by the vote of the majority, exclusive of the chair. In the event the votes are equal, the question shall pass in the affirmative [CC s. 132(3)].

Decisions

Items on the agenda are discussed and decisions made on them. The decision must be made either by a resolution or bylaw.

A resolution is a formal expression of opinion or a decision by council on a specific matter.

A bylaw is a document that formalizes a regulation made by council.

Most local government powers can be exercised by resolution. However, if an Act states that a power must be exercised by bylaw, then that power cannot be exercised by resolution [CC s. 122(2) and LGA s. 226(2)].



Voting	Most business can be passed by a simple majority of those present if there is a quorum [CC s. 123(1) and LGA s. 207(1)].										
Abstention	A member who fails to vote will be counted as voting in the affirmative [CC s. 123(4) and LGA s. 207(3)]. A member may abstain only if his or her participation in the vote is restricted due to conflict of interest [CC s. 101].										
Tie Vote	On a question requiring a simple majority, a tie vote means that the motion fails [CC s. 123(5) and LGA s. 207(4)]. The only exception is a Challenge of the Chair, in which a tie vote means that the motion passes. [CC s. 132(3)(b)].										
Two-Thirds Majority Vote	Certain bylaws or resolutions may require a specific majority to pass. Usually the corporate officer will advise council if a specific majority is required. When a specific portion of affirmative votes is needed, the portion is based on council size, not on members present [CC s. 123(6)].										
	Examples of bylaws or resolutions requiring a two-thirds majority to pass include: <ul style="list-style-type: none"> • providing assistance to business (other than tax exemptions) for the conservation of heritage properties [CC s. 25(3)]; • dedication of park land or heritage properties [CC s. 30(2)]; • termination of officers for no cause [CC s. 152(2)]; • resolution to make application to disqualify a council member [CC s. 111(2)(a)]; and • providing tax exemptions to heritage, riparian, and partnering properties [CC s. 225(7)(c)]. 										
	Other voting rules specific to regional districts can be found at LGA s. 214.										
Quorum	A quorum is the number of members, including the mayor, required to be present in order for council to transact business. The <i>Community Charter</i> specifies the quorum as the majority of the number of members of the council [CC s. 129].										
	<table border="0"> <thead> <tr> <th>Full Council (including Mayor)</th> <th>Quorum</th> </tr> </thead> <tbody> <tr> <td>11</td> <td>6</td> </tr> <tr> <td>9</td> <td>5</td> </tr> <tr> <td>7</td> <td>4</td> </tr> <tr> <td>5</td> <td>3</td> </tr> </tbody> </table>	Full Council (including Mayor)	Quorum	11	6	9	5	7	4	5	3
Full Council (including Mayor)	Quorum										
11	6										
9	5										
7	4										
5	3										

Members ineligible to vote on a particular matter are not counted as part of the quorum for that vote.

If a quorum is present at the start of a meeting, but some members then leave and the quorum is lost, no further business may be conducted.



Minutes	A procedure bylaw must provide for the taking of minutes of all meetings of council/board and committees [CC s. 124]. All minutes shall be available to the public, except minutes of a meeting or part of a meeting that is closed to the public [CC s. 97 and LGA s. 268(1)]
Procedures for Bylaws & Resolutions	Council/board must, by bylaw, establish the procedures to be followed in the passing of resolutions and adoption of bylaws [CC s. 124, 135 and LGA s. 227].
	It is common practice to set out the meeting and bylaw procedures in a single procedure bylaw.
Statutory Procedures	Procedures set out in the <i>Community Charter</i> or <i>Local Government Act</i> must be followed and cannot be varied.
Public Notice	The <i>Community Charter</i> and <i>Local Government Act</i> require local governments to provide advance public notice on matters of public interest (e.g., public meetings, elections, public hearings, disposition of land). Local governments have two options for providing public notice, they can use the default publication requirements of publishing in a newspaper once each week for two consecutive weeks or adopt a bylaw to provide for alternative methods of publication [CC ss 94-94.2].
Procedure Bylaw	A council or board must, by bylaw, establish general procedures to be followed by council and council committees in conducting their business [CC s. 124 & LGA s. 225]. Among other things, the procedure bylaw should include the format for meeting agendas, minutes, public notices, and procedures to designate acting mayor or chair.
Types of Meeting	Regular meetings are held at specified regular intervals as set by the council/board in a procedure bylaw and as provided in the <i>Community Charter</i> or <i>Local Government Act</i> [CC s. 125(3) and LGA s. 219].
	Special meetings are held at times other than statutory regular or adjourned meetings, and must be called according to specific requirements [CC s. 126 and LGA s. 220]:
	<ul style="list-style-type: none"> • The mayor may call a special council meeting, or two or more council members may, in writing, request the mayor to call a special meeting. • Two or more council members may call a special meeting if: <ul style="list-style-type: none"> ◦ within 24 hours after receiving a request, the mayor has made no arrangements for a special meeting to be held within the next seven days, or ◦ both the mayor and the mayor's designate are absent or unable to act. • The board chair or any two directors may request the corporate officer to call a special board meeting.



Notice of Meeting

The schedule of regular council/board meetings, including date, time and place, must be available to the public. The public must receive annual notice of the availability of this schedule [CC s. 127(1) and LGA s. 225].

Notice of a special council meeting, including date, time, place and purpose, must be given at least 24 hours prior to the meeting by:

- (a) posting a copy of the notice at the regular council meeting place;
- (b) posting a copy of the notice at the public notice posting places; and
- (c) leaving one copy for each council member at the place to which the member has directed notices be sent [CC s. 127].

Each copy of a special council meeting notice must be signed by the mayor or corporate officer, or if two or more council members call a special meeting, by those council members [CC s. 127(3)].

Notice of a special board meeting, including date, time, place and purpose, must be provided at least 24 hours prior to the meeting to each director [LGA 220(2)].

In the case of emergency, notice of a special meeting may be waived by unanimous vote of all council/board members [CC s. 127(4) and LGA s. 220(4)].

Electronic Meetings

Municipal council, regional district board and committee members may participate in electronic council, board, committee or special meetings when they are unable to attend meetings in-person. [CC s. 128-128.3]. The procedure bylaw must authorize the use of electronic meetings and the local government must also follow the legislated rules.

Councils and boards are required to:

- Include the process for electronic meetings in the local government procedure bylaw;
- Provide notice of electronic meetings;
- Provide the appropriate technology to give the public the opportunity to hear, or watch and hear, the participation of council or board meetings held electronically;
- Provide a place for the public to attend to hear the proceedings of regular and special meetings held electronically.

Council and board members who are participating in a meeting conducted in accordance with these requirements are considered to be present at the meeting. Refer to the Regional District Electronic Meetings Regulation for more information on electronic meeting rules and requirements for regional district board meetings.



Open Meetings

All meetings of the council/board must be open to the public [CC s. 89(1)] except where meetings are permitted to be closed to the public.

The mayor/chair may expel and exclude from a meeting any person considered to be guilty of improper conduct [CC s. 133].

Closed Meetings

Part 4, Division 3 of the *Community Charter* contains the rules for holding closed meetings of council; select, standing and other council committee meetings; as well as other municipal bodies (board of variance, local court of revision, advisory committees, and bodies that exercise the powers of the municipality or council).

Before a meeting or part of a meeting is closed to the public, the council must state, by resolution, the fact that the meeting will be closed and the basis on which the meeting is to be closed [CC s. 92].

Matters that require a meeting or part of a meeting to be closed to the public are as follows [CC s. 90(2)]:

- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if council is designated as head of the local public body for the purposes of that Act in relation to the matter;
- (b) information about negotiations involving the local government and a provincial or federal government (or both); or between the provincial or federal government (or both) and a third party;
- (c) an investigation under the *Ombudsperson Act*, of which the municipality has been notified;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.

Matters for which a meeting may be closed to the public include [CC s. 90(1)]:

- (a) personal information about an officer, employee, agent, or appointee of the municipality, or an individual being considered for a position;
- (b) personal information about an individual being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations;
- (d) the security of the property of the municipality;
- (e) acquisition, disposition or expropriation of land or improvements, if disclosure might harm the interests of the municipality;
- (f) law enforcement, if disclosure might harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (h) an administrative tribunal hearing affecting the municipality, other than



- (i) receipt of advice subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited from disclosure under section 21 of the Freedom of Information and *Protection of Privacy Act*;
- (k) preliminary negotiations about proposed provision of a municipal service, that if held publicly might harm the municipality's interests;
- (l) discussions with municipal officers and employees for the purposes of preparing an annual report;
- (m) a matter that, under another enactment, is such that the public **may** be excluded from the meeting;
- (n) the consideration of whether a council meeting should be closed; and
- (o) the consideration of whether authority under section 91 [other persons attending closed meetings] should be exercised in relation to a council meeting.



Examples Of Motions

Source: Maritime Municipal Training and Development Board

Motion	Usual Purpose	Motion	Usual Purpose
Set Date & Time of Next Meeting - requires a mover and a seconder - requires, for adoption, a majority vote - only the date or time may be debated	- ensure that those who must leave know the time and place of the next meeting	Limit Debate or Extend The Limit of Debate - requires a mover and a seconder - requires a majority vote - not debated	- limit discussion time
Set the Time to Adjourn - requires a mover and a seconder - requires a majority vote - only the time of adjournment may be debated	-limit meeting length	Postpone to a Definite Date & Time - requires a mover and a seconder - requires a majority vote - only the date or time may be debated	- make way for more urgent business - provide a cooling-off period - postpone indefinitely - determine support
Adjourn - requires a mover and a seconder - requires a majority vote - only the time of adjournment may be debated	- terminate the meeting	Commit or Refer (e.g., to a standing/special committee) - requires a mover and a seconder - requires a majority vote - only the advisability or propriety of referral may be debated	- obtain additional information or enable further discussion
Recess - requires a mover and a seconder - requires a majority vote - not debated	- provide a cooling-off period	Amend - requires a mover and a seconder - requires a majority vote - may be debated	- add, delete or substitute words in the main motion



Raise a Question of Privilege - requires a mover only, who may interrupt another speaker - requires no vote, decided by chair - not debated	- ventilation - disorder in gallery - any rights of members	The Main Motion - requires a mover and a seconder - requires a majority vote - may be debated	- the proposal before the meeting
Raise a Point of Order -requires a mover only, who may interrupt another speaker -requires no vote, decided by chair -not debated	-to call attention -failure to observe rules	Reconsider -requires a mover and a seconder -requires a two-thirds vote -only the advisability or propriety of reconsideration may be debated	-provide for another vote on a motion
Lay on the Table or Remove from the Table -requires a mover and a seconder -requires a majority vote -not debated	- consider immediately • defer	Rescind -is a main motion -requires a mover and a seconder -requires a majority vote, if introduced with advance notice; otherwise, a two-thirds vote -may be debated	-annul a motion that has been passed
Put the Previous Question -requires a mover and a seconder -requires a two-thirds vote -not debated	-limit amendment and force a direct vote on the main motion		

Updated September 2022



Schedule H: Meeting Agenda Template



AGENDA

For the [insert name of Advisory Body] meeting to be held in the
[insert location]
[insert date] at [insert time]

We acknowledge that the land on which we gather is in the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

Note – order of business is set as per Council Procedure Bylaw, 2020.

CALL TO ORDER

ADOPTION OF MINUTES

1. Adoption of Minutes from [insert name of Advisory Body] meeting of [date].

APPROVAL OF AGENDA

2. Approval of Agenda as presented or amended.

UNFINISHED BUSINESS FROM PREVIOUS MEETING

3. Example: Unfinished Business Item #1
Update from A. Alpha, Staff Liaison

MEETING MATTERS

A. STAFF REPORTS, APPLICATIONS AND RESULTING RECOMMENDATIONS TO COUNCIL

4. Example: Policy for Review
Report from A. Alpha, Staff Liaison
5. Example: Council Referral
Memo from the Corporate Officer

B. STAFF LIAISON UPDATE



C. COUNCIL LIAISON UPDATE

6. Council Decision – [Insert name of] Policy or Master Plan (as example)
7. Update on revised Council priorities (as example)

D. RECOMMENDATIONS TO COUNCIL

RED TEXT included for convenience only. Delete when preparing minutes. This item is for recommendations the Committee wishes to make to Council that do NOT arise from a Council referral.

8. Example: Public Art Program (as example) – Special Project
Request to add new special project to Committee's work and approval of additional budget if required.

LATE ITEMS

RED TEXT included for convenience only. Delete when preparing minutes. Always include this statement on the agenda under Late Items:

Per Council Procedure Bylaw, 2020 late Items shall not be placed on the agenda 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.

NEXT MEETING DATE

The next meeting date of the [insert name of Advisory Body] is scheduled for [insert date] in [insert location] at [insert time].

ADJOURNMENT



Schedule I: Meeting Minutes Template



DISTRICT OF
OAK BAY

Minutes of a [regular/special] meeting of the [name of Advisory Body] of The Corporation of the District of Oak Bay held in [insert location] on [insert date] at [insert time].

We acknowledge that the land on which we gather is in the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT:	A. Alpha, Chair B. Beta G. Gamma Councillor E. Epsilon (Council Liaison)
REGRETS:	D. Delta
STAFF:	Manager of Planning Z. Zetha (Staff Liaison) Committee and Commission Clerk E. Eta (Recorder)

CALL TO ORDER

The Chair called the meeting to order at [insert time].

ADOPTION OF MINUTES

*RED TEXT included for convenience only. Delete when preparing minutes. Body of the minutes containing motions, procedures, and voting outcomes adhering to the anecdotal standard (adding concise summaries of discussions). The result of a vote should appear aligned to the right margin, in capital letters, and bolded. Refer to the **Minutes Protocol** (available through Corporate Services) for full details.*

EXAMPLE:

MOVED and seconded: THAT the minutes of [insert date] be adopted.

CARRIED.

APPROVAL OF AGENDA

Page 1 of 2



UNFINISHED BUSINESS FROM PREVIOUS MEETING

MEETING MATTERS

STAFF REPORTS, APPLICATIONS AND RESULTING RECOMMENDATIONS TO COUNCIL

STAFF LIAISON UPDATES

COUNCIL LIAISON UPDATES

RECOMMENDATIONS TO COUNCIL

LATE ITEMS

RED TEXT included for convenience only. Delete when preparing minutes. Late Items may only be included in accordance with the District's current Procedure Bylaw. Contact Corporate Services to confirm.

NEXT MEETING DATE

The next meeting of the [insert name of Advisory Body] is scheduled for [insert date] in [insert location].

ADJOURNMENT

The meeting was adjourned at [insert time].

Certified as fair and accurate:

Chair

Recorder

Page 2 of 2



Schedule J: Useful Links

Oak Bay Official Community Plan 2025

<https://www.oakbay.ca/wp-content/uploads/2025/12/OCP-2025.pdf>

Oak Bay Zoning Bylaw 3531 1986, consolidated

https://www.oakbay.ca/sites/default/files/Parks,_Recreation_and_Culture/Consolidated%20Zoning%20Bylaw%20as%20of%20November%202013%2C%202018%20Reduced.pdf

Oak Bay Council Procedure Bylaw

<https://www.oakbay.ca/sites/default/files/4740%20Council%20Procedure%20Bylaw.pdf>

Carnarvon Park Master Plan

<https://www.oakbay.ca/sites/default/files/parks/carnarvon-park-master-plan.pdf>

Uplands Park Management Plan

<https://www.oakbay.ca/sites/default/files/Uplands%20Park%20Management%20Plan.pdf>

Oak Bay Parks Bylaws

<https://www.oakbay.ca/parks-recreation/parks-playgrounds/parks-bylaws>

Parks and Trails Booklet

<https://www.oakbay.ca/sites/default/files/recreation/documents/parks-trails-booklet.pdf>

Management of Trees in Oak Bay

<https://www.oakbay.ca/parks-recreation/parks-playgrounds/trees>

BC Local Government Act

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/r15001_01

BC Community Charter

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03026_00

Bish, Robert L. & Clemens, Eric G; Local Government in British Columbia, 4th ed.; Union of BC Municipalities; 2008.

A comprehensive overview of local government in our province, used as a text for courses in local government.

<https://www.ubcm.ca/member-services/publication-resources/local-government-bc>



Schedule K: Contact Information

Members of the Parks, Recreation and Culture Committee

Membership will be updated on the District Website in January



The District of Oak Bay would like to acknowledge the City of Port Alberni, City of Colwood and the Town of Ladysmith for examples and inspiration in the production of this document.

January 2023

DISTRICT OF
OAK  **BAY**