Council Orientation



Local Government Legislative Framework

- Authority
- *Community Charter*
- *Local Government Act*
- Council Procedure Bylaw

Governance

- Council adopts bylaws and passes resolutions by majority vote
- Council is the policy maker
- Establishes long-range visions, strategic priorities, service levels, policies
- Individual council members do not have the authority to direct staff or make unilateral decisions outside of a formal meeting
- Chief Administrative Officer is the sole employee of Council and executes the implementation of policies and operations

Role of the Mayor

- Provide leadership to Council
- Reflect the will of council and carry out other duties on behalf of council, such as attending ceremonies and meetings of other bodies
- Chair council meetings, including overseeing their conduct, maintaining order
- Establish standing committees and appoint people to those committees
- Provide general direction to administration about implementation of policies, programs and other council directions
- Suspend municipal officers and employees if the mayor believes this is necessary, subject to confirmation by council under section 151 of the *Community Charter*

Role of Council

- Consider the well-being and interests of the community
- Contribute to the development and evaluation of policies and programs
- Participate in council meetings
- Follow the rules in legislation, bylaws and council policies
- Fulfil requirements of Acting Mayor as required



Conflict of Interest

- What is a conflict of interest? Financial (pecuniary) and non-pecuniary
- *Community Charter*
- Common law
- Business Interests
- Family Interests
- Membership on Board of Society Directors or Corporate Boards
- What to do if you have a conflict of interest

Loukidelis Report

- In 2020, the DNV retained former BC Information and Privacy Commissioner and Deputy Attorney General David Loukidelis, KC, to conduct an independent review of issues arising from Council's consideration of a bylaw prohibiting the keeping of pigeons
- Report examined processes, conduct, and governance practices and provided 12 recommendations aimed at strengthening governance and public confidence
- Key themes: Conflict of Interest education, Code of Ethics review, procedures for legal advice, clarifying roles of council, staff, legal counsel

Gifts

- The *Community Charter* prohibits a council member from directly or indirectly accepting a gift, fee or personal benefit that is connected to their performance as an elected official unless it is one of the following:
  - *A gift or benefit that is received as an incident of protocol or social obligation that normally accompany the responsibilities of office*
  - *Compensation authorized by law*
  - *A lawful campaign contribution*
- Council members are required to disclose any permitted gift or benefit that is worth more than $250 to the Corporate Officer

Confidentiality and Privacy Breaches

- Council members have a duty to maintain confidentiality under s.117 of the *Community Charter*, extending to all confidential records and information
- Responsibility to protect privacy per *Freedom of Information and Protection of Privacy Act* (FOIPPA)
- BC Office of the Information and Privacy Commissioner (OIPC)
- If a privacy breach occurs, notify the Corporate Officer or Privacy Advisor

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