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# Committee Operating Guidelines

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Legislative Services

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# COMMITTEE OPERATING GUIDELINES

## Part 1 – Specific Terms and Conditions Applicable to Individual Committees

### **1 Terms of Reference**

- 1.1 The following subjects are addressed in each Committee's Terms of Reference:
- a) purpose;
  - b) membership composition and eligibility;
  - c) meeting frequency;
  - d) grants approval process; and,
  - e) Staff support.

## Part 2 – Terms and Conditions Applicable to All Committees

### A. General

#### 1 Definitions

##### 1.1 In this part:

- a) **agenda package** means the agenda cover sheet setting out the order of business and all supporting materials including Staff reports and correspondence;
- b) **Annual Strategic Directions** means the Annual Strategic Directions prepared each year for Council's approval in accordance with section 6.
- c) **Corporate Officer** means the statutory position of Corporate Officer appointed by Council; and,
- d) **Staff Liaison** means the staff member assigned by the CAO (Department Head) who is responsible for a Committee and provides subject matter expertise and support to a Committee.

### B. Committee Function and Administration

#### 2 Accountability

- 2.1. Council will annually provide Strategic Directions to each committee on matters to be addressed in the upcoming year and each committee will regularly report its progress to Council in accordance with section 6.
- 2.2. In addition to section 2.1, Council may require a committee to inquire into any matter and report its findings and opinions, with or without recommendations, to Council either:
  - a) by the time specified in the assignment; or,
  - b) within three (3) months of being assigned the matter, if no time has been specified.
- 2.3. Where a committee assigns a specific task to a member, that member will report back with an update at the next Regular Committee Meeting either:
  - a) orally, if the member is in attendance; or,
  - b) in writing, if the member is absent.

#### 3 Financial and Administrative Resources

- 3.1. The Chief Administrative Officer may assign staff members to provide administrative support to a committee.
- 3.2. The Committee will not instruct any City Staff assigned to the Committee on what tasks are to be completed or how any task is to be completed.

- 3.3. In accordance with the financial plan, the City may:
- a) allocate specific funding to a committee to assist the Committee in carrying out its mandate; and,
  - b) delegate its authority to the Committee to authorize the expenditures of that specific funding.
- 3.4. In order to spend any specific funding allocated to a committee, the following must occur:
- a) the Committee must pass a resolution to authorize that particular expenditure; and,
  - b) the staff member must have the authority to approve the expenditure pursuant to the City's Purchasing Policy.

## **4 Code of Conduct**

- 4.1. A member will do the following:
- a) use his or her knowledge, skills and abilities to the best of his or her ability;
  - b) act in the best interests of the organization;
  - c) consider the needs of the community;
  - d) engage in professional behavior at all times;
  - e) not use or disclose for personal gain information on decisions, findings, plans, bids, or other matters concerning the Committee in a closed meeting;
  - f) maintain confidentiality of any issue or matter before the Committee;
  - g) attend committee meetings on a regular basis;
  - h) be informed and prepare appropriately before the meeting in order to participate meetings; and,
  - i) complete any tasks assigned by the Committee to the member.
- 4.2. A member who is in a situation that has the potential to undermine his or her impartiality because of a possible clash between the public interest and his or her self, professional or business interest is in a conflict of interest.
- 4.3. A member who is in a conflict of interest including a potential conflict of interest must do the following:
- a) declare the conflict of interest;
  - b) not remain or attend at any part of a meeting during which the matter involving the conflict of interest is under consideration;
  - c) not participate in any discussion of the matter involving the conflict of interest at such a meeting;
  - d) refrain from voting on a question in respect of the matter involving the conflict of interest;
  - e) not attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter involving the conflict of interest; and,
  - f) not attempt in any way to influence a decision, recommendation or other action to be made or taken involving the conflict of interest:
    - i. At a meeting during which the matter involving the conflict of interest or potential conflict of interest;

- ii. By an officer or employee of the City;
- iii. By a delegate who has received delegated council authority.

4.4. If a member fails to disclose a conflict of interest or a potential conflict of interest, Council may remove that member from the Committee at any time.

## **5 Remuneration**

5.1. The City will not pay a committee member any remuneration for serving on a committee.

5.2. The City will reimburse a member for any expenses incurred while doing business on behalf of the City as a member, provided that:

- a) the expenses have been approved by the Staff Liaison responsible for that committee;
- b) the Staff Liaison has approved the expenses before the expenses are incurred; and,
- c) the member has completed the appropriate form and submitted the form with the original receipts within 30 days after incurring the expenses.

## **6 Reporting to Council**

6.1. The Staff Liaison will submit the Annual Strategic Directions to Council which contains the following information:

- a) the name of the Committee;
- b) the goals and objectives for the Committee to achieve during the year;
- c) the measurements which will be used to determine if the goals and objectives are achieved;
- d) any constraints which may impact the strategic directions; and,
- e) the subject matters which the Committee intends to address during the year.

6.2. The Staff Liaison, on behalf of the Committee will submit the Annual Strategic Directions to Council at a Council meeting held in January of every year.

6.3. Council may do the following the Committee's Strategic Directions:

- a) approve as presented;
- b) amend and then approve as amended; or,
- c) not approve and provide direction or instructions to the Committee in place of the Strategic Directions.

6.4. The Staff Liaison, on behalf of the Committee, will submit a mid-year report to Council at a Council meeting held in either July or August, which contains the following:

- a) the name of the Committee;
- b) the matters which the Committee has considered to date; and,
- c) the status of the Committee's progress on its Strategic Directions for that year.

6.5. The Staff Liaison, on behalf of the Committee, will submit an annual report to Council which contains the following information:

- a) the name of the Committee;

- b) the name of the Committee members;
  - c) the number of times that the Committee has met during the year;
  - d) a list of the various subjects examined by the Committee;
  - e) highlights of the Committee's accomplishments;
  - f) any trends or issues of concern of which the Committee thinks that Council should be aware; and,
  - g) any other additional information that Council has requested be included.
- 6.6. The Staff Liaison will submit the annual report on behalf of the Committee to Council at a Council meeting held in November or December of every year.

## **7 Scope**

- 7.1. A committee must adhere to the following guiding principles:
- a) serve Council to the best of its ability;
  - b) keep the welfare of the community foremost;
  - c) treat all individuals with dignity and respect;
  - d) operate in a transparent and collaborative manner;
  - e) provide meaningful input into matters to be considered by Council;
  - f) operate in a manner which makes the most efficient and effective use of the Committee's and staff's time;
  - g) work with other committees in a positive manner on matters which impact the Committees;
  - h) engage in clear communications in order to assist in efficient, informed decision making and effective distribution of information;
  - i) respect diversity of opinion;
  - j) appreciate inquiry and curiosity; and,
  - k) accept uncertainty, ambiguity and lack of absolutes where necessary;
- 7.2. The Committee may do the following:
- a) review and provide input on matters within the Terms of Reference of the Committee and the Committee's Annual Strategic Directions;
  - b) make recommendations for Council's consideration on matters within the Committee's Terms of Reference;
  - c) bring forward new initiatives to Council on matters not set out in the Committee's work plan for Council's approval to amend the Committee's work plan to include the new initiative;
  - d) exercise authority delegated by Council to the Committee; and,
  - e) work in collaboration with other committees on matters within the mandates of the Committees.
- 7.3. Council will determine if a matter falls within the mandate of a committee, if there is any uncertainty.
- 7.4. Committees will work in a collaborative manner to make joint recommendations to Council for matters which overlap in Terms of Reference of those committees.

## C. Committee Structure and Operations

### 8 Appointment Process

- 8.1. The Corporate Officer will recruit persons to serve on a committee.
- 8.2. The Corporate Officer may use whatever means the Corporate Officer determines necessary to obtain quality applications for each committee based on its Terms of Reference.
- 8.3. Any person wanting to serve as a committee member must submit an application (1 application per committee) with the following information to the Corporate Officer using the applicable form by November 15 of the year before the requested year of appointment, or as required by unexpected vacancies on a Committee:
  - a) the person's name, address, phone number and email address;
  - b) the name of the preferred committee on which the person is interested in serving;
  - c) a brief resume;
  - d) a description of the person's knowledge, skills and abilities applicable to the Committee;
  - e) any details about the person's involvement on previous committees of the City; and,
  - f) any other information the person thinks is relevant to the application (to a maximum of five (5) extra pages).
- 8.4. The Corporate Officer will:
  - a) review all applications received by the deadline; and,
  - b) make recommendations as to which persons should be appointed to which committees.
- 8.5. In making appointment recommendations to Council, the Corporate Officer may consider the following criteria:
  - a) the person's knowledge, skills and abilities vis-à-vis the Terms of Reference of the Committee;
  - b) the person's past behavior while previously serving on a committee;
  - c) the potential for conflict of interest between the person and the subject matters considered by the Committee in accordance with the Committee's Terms of Reference;
  - d) the current composition of the Committee in terms of knowledge, skills and abilities;
  - e) any information provided by the department responsible for the Committee; and,
  - f) any other information that the Corporate Officer deems relevant to the application.
- 8.6. Unless specified in the Terms of Reference, all applicants will be residents of the City of Nanaimo.
- 8.7. Council may, at its pleasure, appoint persons to fill committee vacancies or appoint additional members to a committee by motion in a Council meeting.

- 8.8. Council member appointments to select committees are reviewed annually each December by Council or as required.

## **9 Chair and Vice Chair**

- 9.1. Council will:
- a) Appoint the Chair of a committee annually.
  - b) Suspend a Chair or Vice Chair of a committee for any length of time and for any reason.
  - c) Remove a person as the Chair or the Vice Chair of a committee at any time and for any reason.
- 9.2. The Chair will be a member of Council and the Vice Chair may be a committee member other than a Council member.
- 9.3. The following persons will not serve as a Chair or Vice Chair:
- a) the Chief Administrative Officer;
  - b) any Staff Liaison; and,
  - c) any employee or agent of the City.
- 9.4. If Council has not appointed a person to serve as a Chair or a person to serve as Vice Chair, then the Committee may choose its Chair and Vice Chair at the next committee meeting after there is a vacancy.
- 9.5. In choosing a Committee Chair or Vice Chair, the following criteria may be considered:
- a) the number of years that the person has served on any committee of the City;
  - b) the experience and familiarity that a person has with the mandate of the Committee; and,
  - c) whether the person has experience serving as a Chair or a Vice Chair on any committee.
- 9.6. The Recording Secretary and any staff member assigned to a committee will assist in the training of a Chair or a Vice Chair to fulfill his or her duties and responsibilities.
- 9.7. The term of office for a Chair and for a Vice Chair will be one year.
- 9.8. Only the Chair may speak for the Committee outside of a committee meeting.
- 9.9. Unless otherwise stipulated, each member of a Committee has equal voting rights.

## **10 Communications**

- 1.1. Email will be the preferred method to communicate with all members.
- 10.1. A committee member will provide the Recording Secretary with an email address to be used for all communications relating to committee or City business.

- 10.2. The Recording Secretary and Staff will use the email address provided when communicating with committee members.
- 10.3. A member will:
  - a) assist the Freedom of Information Head with any requests for information; and,
  - b) provide all records in the member's possession pertaining to an information request.
- 10.4. Any communications between one committee and another committee will include the chairs of both committees.

## **11 Membership**

- 1.1. A member may only serve on one committee at a time.
- 11.1. Unless specified elsewhere, the term for all committee appointments is two calendar years.
- 11.2. A person who is not a Council member may not serve more than two (2) consecutive terms on the same Committee.
- 11.3. 2017 will be deemed the first year for all Council select committees except those specifically exempted by motion.
- 11.4. All of the select committees have staggered commencement of terms of office for the members and Council may, for whatever reasons, decide:
  - a) which members will serve for a one-year term; and,
  - b) which members will serve for a two-year term.
- 11.5. The one-year term of office set out in section 11.4(a) does not count towards the maximum number of consecutive terms set out in this section.
- 11.6. If member no longer wishes to serve as a member, the member will:
  - a) give written notice to the Corporate Officer indicating the resignation date; and,
  - b) return any City property provided to the member during his or her term of office.
- 11.7. A member may not use any City property or resources for his or her personal benefit or for the benefit of a person associated with the member.

## **12 Roles of the Committee Members**

- 12.1. Each committee member has the following duties and responsibilities:
  - a) prepare for and attend committee meetings;
  - b) complete any tasks assigned by the Committee;
  - c) be accountable for all actions taken in the name of the Committee;
  - d) contribute to the direction and work of the Committee to the best of his or her ability; and,
  - e) adhere to the Code of Conduct set-out in Section B (4).

- 12.2. In addition to those of an individual committee member, a Council Member who is assigned to a committee has the following duties and responsibilities:
- a) act as a liaison between the Committee and Council;
  - b) provide the Committee with Council's perspective on matters coming before the Committee, where a perspective has been expressed by Council; and,
  - c) assist the Committee in developing feasible options which align with the City's strategic direction, master plans, financial plans, goals, and objectives.
- 12.3. The Chair has the following duties and responsibilities, in addition to those of being a member:
- a) be the liaison between the Committee, Staff, and other committees;
  - b) provide leadership to the Committee;
  - c) preside at all meetings of the Committee, if present;
  - d) supervise the other members in the execution of their duties;
  - e) build consensus and foster teamwork;
  - f) work with the Recording Secretary to develop agendas for meetings; and,
  - g) act as the official representative of the Committee, as needed.
- 12.4. The Vice Chair has the following duties and responsibilities, in addition to those of being a member;
- a) perform of the duties of the Chair, if the Chair is unavailable; and,
  - b) assist the Chair and the Recording Secretary as needed.
- 12.5. The Corporate Officer has the following duties and responsibilities:
- a) conduct the correspondence of the Committee;
  - b) issue notices of meetings for the Committee;
  - c) prepare meeting agendas;
  - d) ensure that the minutes for all meetings are kept;
  - e) supervise the custody and maintenance of all committee records; and,
  - f) maintain the register of members.
- 12.6. Any staff member assigned to a committee has the following duties and responsibilities:
- a) assist the Committee in any appropriate manner to carry out the Committee's mandate;
  - b) communicate to the Committee any information or restrictions coming from Council or senior management which may have an impact on the Committee;
  - c) ensure that any financial resources allocated to the Committee are spent in accordance with the City's policies; and,
  - d) where a committee member becomes a staff member, they are to resign from the Committee immediately upon employment.

## D. Meeting Administration

### 13 General

- 13.1. The committees are subject to the same rules and conditions as Council, set out in the Council Procedure Bylaw.
- 13.2. A committee must meet at least once per year, if the frequency of the meetings is not set out in the Committee's terms of reference.

- 13.3. The Corporate Officer will determine:
- a) the regular schedule of days and times for the Committee meetings; and,
  - b) the location of the meetings of a committee.

## **14 Minutes and Agendas**

- 14.1. Minutes and Agendas will be administered in accordance with the Council Procedure Bylaw.

## **15 Quorum**

- 15.1. Unless specified otherwise, quorum for a committee will be the majority of voting members of the Committee currently holding office.