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To: "Direct to Mayor and Council - DL"

CC: "City Manager's Correspondence Group - DL"

Date: 1/3/2019 9:02:42 AM

Subject: Memo - Council member appointments to advisory bodies - RTS 12841.pdf

Attachments: Memo - Council member appointments to advisory bodies - RTS 12841.pdf
ATT00001.htm

Good morning Mayor and Council,

The attached memo from Katrina Leckovic, City Clerk, provides response to a Council request for information on the number of Council members that may be appointed to each advisory body. The attached memo provides response to the enquiry.

Please contact Katrina Leckovic at Katrina.leckovic@vancouver.ca or [604.873.7998](tel:604.873.7998) with questions in regards to this matter.

Thank you,

Sadhu

MEMORANDUM

December 21, 2018

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager
Lynda Graves, Administration Services Manager, City Manager's Office
Rena Kendall-Craden, Communications Director
Neil Monckton, Chief of Staff, Mayor's Office
Anita Zaenker, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office

FROM: Katrina Leckovic, City Clerk

SUBJECT: Council member appointments to Advisory Bodies (RTS 12841)

Summary

At the Inaugural Council meeting on November 5, 2018, Council requested information on the number of Council members that may be appointed to each advisory body. This memo provides response to the enquiry.

Background/Context

Under Section 159 of the *Vancouver Charter*, Council may establish advisory committees. Under section 160 of the *Vancouver Charter*, such advisory committees were discharged on November 5 following the general local election. Other advisory bodies, boards, commissions and corporations, which is the subject of this memo, are incorporated by separate statute or are established by by-law as provided for in the *Vancouver Charter*. As such (unlike Section 159 advisory committees) these bodies are not affected by a general local election and the legal position of Council member appointments is a function of the applicable incorporating statute (and applicable constitution and by-laws of the entity) or the applicable Vancouver Charter by-law.

Procedure for Council Member Appointments

The process for selection of Council member appointments is at the discretion of Council. In past Council terms, following a general local election, the Mayor-elect would bring forward recommendations to Council respecting Council member appointments on advisory bodies, boards, commissions and corporations at the inaugural meeting of Council. This process ensured appointments were made in a timely manner following a general local election.

As noted above, each body has specific procedures and rules governing its activities including the appointment of Council members. Mandate, composition, meeting frequency and other requirements for these bodies are outlined within the applicable incorporating statute, constitution, corporate by-laws (or in the case of a committee or board created by Vancouver Charter by-law, the applicable by-law).

Number of Council Member Appointments per Advisory Body

Appendix A provides further information with respect to the procedural requirements for Council member appointment to advisory bodies, including information on the number of Council members that may be appointed by Council.

Further Information

Please contact me directly at 604.879.7998 or katrina.leckovic@vancouver.ca with further questions on this matter.

Regards,



Katrina Leckovic
City Clerk

katrina.leckovic@vancouver.ca
604.879.7998

Attachment

Appendix A - Council Member Appointments to Advisory Body Requirements Summary

Advisory Body & Mandate	Meeting Frequency	Membership	Council Member Appointments	Source
<p>Joint Council on Childcare <i>Seeks to maintain and expand the number and quality of child care spaces through planning, coordination, problem-solving, seeking resources, and monitoring of childcare and early care and learning.</i></p>	<p>Twice per year</p>	<p>One elected official from Vancouver City Council, Park Board, and Board of Education. Staff from the two Boards and the City with knowledge of issues related to children and their caregivers. A Vancouver Coastal Health Medical Health Officer; A representative from VCH Community Care Facilities Licensing; and Other representatives as the Joint Council on Childcare deems appropriate.</p>	<p>One Council member</p>	<p>Terms of Reference adopted by Council October 4, 2018 (available upon request)</p>
<p>PNE Board <i>Operates Hastings Park on behalf of the City of Vancouver and is governed by a City Council appointed Board of Directors. The PNE Board of Directors' purpose is to ensure the continued success of the PNE, while working in harmony with the local and city-wide community, businesses, management and staff.</i></p>	<p>Monthly for three hours</p>	<p>Past practice is the following: 1 City Councillor; 4 City employees on staggered terms; and 4 non-City members on staggered terms.</p>	<p>The PNE Incorporation Act allows Council to appoint none or all of Council to the Board. In the past, one Council member was appointed to serve as Chair (PNE By-laws - S. 4.19).</p>	<p>PNE Incorporation Act and PNE By-Laws approved by Council June 10, 2015 (Appendix A in the linked report)</p>

Advisory Body & Mandate	Meeting Frequency	Membership	Council Member Appointments	Source
<p>Public Art Committee <i>Provides advice and guidance to Council, civic agencies, civic staff, developers and citizens on public art matters.</i></p>	<p>Monthly for two hours</p>	<p>2 artists 3 art professionals 2 urban designers 1 developer 1 member of the community (9 members total)</p>	<p>Not required in By-law; in practice, Council has appointed one or two Council members as a non-voting Council Liaisons. Council may appoint any number of Council since such non-voting liaisons would essentially be non-participating observers of the meetings. If Council wishes to formalize the use of non-voting Council Liaisons, the By-law should be amended.</p>	<p><u>Public Art Committee By-law</u> S.3 sets out membership</p>
<p>Vancouver Art Gallery Association (VAGA) <i>A society incorporated under the Societies Act with a constitution and by-laws requiring it to hold all of its art and property in trust for the City of Vancouver and its residents.</i></p>	<p>Every two months</p>	<p>The VAGA nomination committee considers recommendations on City trustees, made by City Council.</p>	<p>Mayor appointed automatically as non-voting trustee. Council may recommend up to two other trustees as City Trustees to the VAGA nomination committee. Practice has been to recommend a City Councillor and the other a member of the public considered by Council to be a strategic representative of the City's interests on the Board. No employee of the City can be appointed a trustee.</p>	<p>VAGA By-laws (available upon request)</p>

Advisory Body & Mandate	Meeting Frequency	Membership	Council Member Appointments	Source
<p>Vancouver City Planning Commission <i>Assists Council in an advisory capacity by considering and submitting reports on matters relating to planning and development of the City.</i></p>	<p>Required to meet 12 times per year. Meetings are usually 2 hours in length.</p>	<p>13 members appointed by Council on staggered 1 and 2 year terms. 2 members appointed by the Commission on two year alternating terms.</p>	<p>Not required in By-law; in practice, Council has appointed at least one or two Council members as non-voting liaisons, but since Section 10 of the By-law requires the meetings to be open to anyone wishing to attend, may appoint any number of Council since such non-voting liaisons would essentially be non-participating observers of the meetings. If Council wishes to formalize the use of non-voting Council Liaisons, the By-law should be amended.</p>	<p><u>Vancouver City Planning Commission By-law No. 5064</u></p>
<p>Vancouver Civic Theatres Board <i>Advises City Council on the operation of the civic theatres of Vancouver (Queen Elizabeth Theatre, Orpheum and Vancouver Playhouse) and on matters related to their use and improvement.</i></p>	<p>Monthly for two hours</p>	<p>7 members on alternating 1 and 2 year terms</p>	<p>A Council member may not be a voting member (By-law S. 2 E (b)). In the past, Council has appointed one or two Council members as non-voting Council liaisons but since the By-law does not even provide for observers, this practice is questionable. If Council wishes to have non-voting Council Liaisons, the By-law should be amended.</p>	<p><u>Vancouver Civic Theatres By-law</u></p>

Advisory Body & Mandate	Meeting Frequency	Membership	Council Member Appointments	Source
<p>Vancouver Economic Commission <i>A society incorporated pursuant to the Society Act and continued pursuant to the Societies Act. An arm's length, non-profit organization created by Council in 1997 as a focus for economic development in the City. The Commission seeks to unite the private and public sectors in the active and progressive management of Vancouver's economic growth.</i></p>	<p>Quarterly</p>	<p>All members of Council are Honorary Members of the VEC with the right to appoint the directors, remove the directors and change the constitution and by-laws of the society.</p> <p>Council has full authority to amend the VEC by-laws to have as many or as few Council Liaisons as it likes.</p>	<p>The VEC by-laws provide for the appointment of two Councillors as non-voting Members of the Board of Directors. Past practice has been for Council to appoint the Mayor as a Director to serve as Chair.</p>	<p>Societies Act and VEC constitution and by-laws approved pursuant to the Societies Act. (available upon request)</p>
<p>Vancouver Heritage Commission <i>Advises City Council on preservation, heritage designations, and demolition, alteration, or renovations of buildings, structures and lands.</i></p>	<p>Usually every three weeks for three hours</p>	<p>11 members appointed on one- and two-year staggered terms.</p>	<p>A Council member may not be a voting member (By-law s. 3 A (ii)).</p> <p>In the past, Council has appointed one or two Council members as non-voting Council Liaisons but since the By-law does not even provide for observers, this practice is questionable. If Council wishes to have non-voting Council Liaisons, the By-law should be amended.</p>	<p><u>Vancouver Heritage Commission By-law No. 4800</u></p>

Advisory Body & Mandate	Meeting Frequency	Membership	Council Member Appointments	Source
<p>Vancouver Heritage Foundation Board (VHFB) <i>Promotes the preservation, maintenance and restoration of buildings, structures, and lands in Vancouver which have historical or architectural significance.</i></p>	<p>11 times per year, plus an AGM</p>	<p>Maximum of 15 ordinary members appointed by Council, for two-year terms. If a vacancy occurs mid-term the VHFB may make an appointment for the remainder of the term.</p>	<p>Council may appoint one non-voting Council Liaison (VHFB Constitution s. 2.5(a)). All Council members are Honourary Members (VHFB Constitution s.2.4).</p>	<p>Vancouver Heritage Foundation Board Constitution (available upon request)</p>
<p>Vancouver Public Library Board <i>Responsible for development of library policy and for expenditure of funds provided by Council for library purposes.</i></p>	<p>Monthly</p>	<p>1 Member of Council; 10 members of the public; 2 spots under “public” reserved for Vancouver School Board and Vancouver Park Board</p>	<p>One member of Council as a voting member to serve a one-year term.</p>	<p><u>Library Act S. 5(2)(a) and S. 6(1)</u></p>

Sadhu Johnston
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City of Vancouver
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