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To: ["Direct to Mayor and Council - DL"](#)
Date: 8/1/2024 12:57:38 PM
Subject: Staff Response to Questions Concerning Potential Bylaw Code of Conduct Changes

Dear Mayor and Council,

Please find below staff responses to Councillor Boyle's five questions concerning Item no. 1 coming to your Special Council meeting on August 6, 2024, "By-law Enactment - A By-law to amend the Code of Conduct By-law No. 12886 regarding independent reviews."

1. Why is the recommendation that the suspension period continue for 90 days after a report is received from a third party? That seems like an extraordinarily long time.

The 90 day period was chosen by staff contemplating the potential process that may occur after receipt of the recommendations from the third party independent review. Staff's view was that this time period would provide adequate time for Council to consider the recommendations of the third party independent review, provide direction to staff as to any amendments to be made to the Code of Conduct By-law, allow for the drafting of those amendments and scheduling the matter to go before Council for approval. The time required will be dependent on the number/complexity of recommendations that are proposed by the third party independent review and approved by Council. Of course, it is open to Council to determine a different time period.

2. When is the soonest Council would be voting on who to hire as a third party reviewer? I assume not until our in camera meeting at the end of September?

Council's prior direction was for staff to report back on September 24th with a list of recommended firms to conduct the independent review. Accordingly, September 24th would be the earliest date.

3. Why was this Special Council meeting called for August, when a review wouldn't actually begin until end of September at the earliest? Why not let the work of the office continue until then?

The Mayor has called the special meeting. Staff are following the direction of Council at its July 24th meeting to bring forward amendments to the Code of Conduct By-law.

4. Because this is functionally a suspension of the work of the office of the integrity commissioner, does it require a 2/3 vote to pass?

Amendments to By-laws only require a simple majority of Council. Section 5.5 of the Code of Conduct addresses a suspension or termination of the appointment of the Integrity Commissioner. In the circumstances, Council is not suspending or terminating the Integrity Commissioner's appointment, rather, amendments are being made to the By-law to suspend certain powers of the Integrity Commissioner.

5. If the proposed bylaw amendments aren't passed, am I correct in assuming we would go ahead with a third party review of the scope, and the work of the commissioners office would continue in the meantime?

Staff were directed to bring forward amendments to the Code of Conduct By-law for Council's consideration. If Council does not pass the proposed amendments to the By-law, or does not propose and pass alternate amendments to the By-law, the third party independent review could proceed and the work of the Integrity Commissioner would continue.

Thanks,

10/22/2024

Karen

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The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm/Musqueam, Skwxwú7mesh/Squamish and səliwətaʔ/Tsleil-Waututh nations