

TAB 1

CITY OF VANCOUVER BRITISH COLUMBIA



CODE OF CONDUCT BY-LAW NO. 12886

**This By-law is printed under and
by authority of the Council of
the City of Vancouver**

**(Consolidated for convenience only
to February 9, 2021)**

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BY-LAW NO. 12886

The Code of Conduct for Council Members and Advisory Board Members

**[Consolidated for convenience only,
amended to include By-law No. 12886
effective February 9, 2021]**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts the following:

PART 1 GENERAL

Name

- 1.1 The name of this By-law, for citation is the “Code of Conduct By-Law”.

Definitions

- 1.2 In this By-law:

“Advisory Board Member” means a person sitting on an advisory committee, task force, commission, board, or other Council-established body;

“city” means the City of Vancouver;

“complaint” means a formal allegation that a member has breached this By-law submitted to the Integrity Commissioner in accordance with the complaints procedure set out in Part 6 of this By-Law;

“complainant” means a person who has submitted a complaint to the Integrity Commissioner;

“confidential information” means information that is not publicly available and is treated as confidential by the city and includes information that may or must be considered by Council in a closed meeting pursuant to section 165.2 of the *Vancouver Charter* including:

- a) decisions, resolutions or report contents forming part of the agenda for or from a closed meeting of Council until a Council decision has been made for the information to become public or otherwise released;
- b) information about the acquisition, disposition or expropriation of land or improvements if disclosure could reasonably be expected to harm the interests of the city;

- c) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages if disclosure could reasonably be expected to harm the interests of the city;
- d) advice that is subject to any privilege at law; and
- e) personal information that is prohibited from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*;

“Council” means the Council of the city;

“Council Member” means a member of Council, including the Mayor;

“Integrity Commissioner” means the person appointed by Council to fulfill the duties and responsibilities assigned to that position as set out in this By-law;

“gift or personal benefit” means an item or service of value that is received by a member for their personal use including money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discount/rebates on personal purchases, entertainment, participation in sport and recreation activities, and invitations to social functions;

“member” means a Council Member or an Advisory Board Member;

“personal information” means recorded information about an identifiable individual other than contact information as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*; and

“respondent” means a member whose conduct is the subject of a complaint.

Table of Contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Purpose

1.4 This By-law sets out the rules members must follow in fulfilling their duties and responsibilities as elected or appointed officials, and the powers and procedures of the Integrity Commissioner in exercising oversight over members.

Application

1.5 This By-law applies to Council Members and Advisory Board Members.

1.6 This By-law does not apply to city employees.

1.7 In the event of a conflict between this By-law and another city by-law or policy governing member conduct, this By-law prevails.

1.8 This By-law does not apply to conduct that may subject a member to disqualification under the *Vancouver Charter*, including sections 140(4), 143(4), and 145.3 to 145.911.

1.9 This By-law does not apply to a member's conduct in their personal life, except to the extent that such conduct reasonably undermines, or has the potential to reasonably undermine, public confidence in city governance.

Severability

1.10 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

PART 2 STANDARDS AND VALUES

2. A member must uphold the following standards and values:
- a) competence: a member must act competently and diligently;
 - b) fairness: a member must consider all issues consistently and fairly, and in light of all relevant facts, opinions and analysis of which a member should be reasonably aware;
 - c) integrity: a member must avoid improper use of influence and avoid all conflicts of interest, both apparent and real;
 - d) leadership in the public interest: a member must act in the best interests of the city as a whole, and without regard to the member's personal interests;
 - e) respect: a member must treat members of the public, one another, and staff respectfully, without abuse, bullying or intimidation and ensure that the work environment is free from discrimination and harassment;
 - f) responsibility: a member must respect and comply with the Acts of the Parliament of Canada, the Legislature of British Columbia, including the *Vancouver Charter*, city by-laws, and applicable city policies, and avoid conduct that, reasonably, undermines, or has the potential to undermine, public confidence in city governance, except members may participate in peaceful civil disobedience; and
 - g) transparency: a member must to conduct their duties in an open and transparent manner, except where this conflicts with their duties to protect confidential information.

PART 3

COMMUNICATIONS AND CONFIDENTIALITY

Public Communications by a Council Member

3.1 A Council Member must not communicate on behalf of the city unless authorized to do so by Council resolution or by virtue of a position or role the member has been authorized to undertake by Council.

3.2 A statement or communication made by a Council Member is presumed to be made on the Council Member's own behalf, not the city's behalf.

3.3 Where a Council Member is authorized to communicate on behalf of the city, the Council Member must take reasonable efforts to ensure that the communication is fair and accurate.

3.4 Without limiting the ability of a Council Member to hold a position on an issue and respectfully express their opinions, a Council Member must:

- a) ensure that their communications accurately reflect the facts of Council decisions;
- b) ensure that all communications relating to Council business are accurate and not issue any communication that the member knows, or ought to have known, to be false; and
- c) ensure that all communications by, and on behalf of a member, including communications made via social media, are respectful and do not discriminate, harass, or defame any person, recognizing that free and open debate is guaranteed under the *Charter of Rights and Freedoms*.

Confidential Information

3.5 A member must:

- a) not disclose or release any confidential information acquired by virtue of their office, except as authorized by Council, or required by law;
- b) not use confidential information with the intention to cause harm or detriment to Council, the city or any other person or body;
- c) protect confidential information from inadvertent disclosure;
- d) use confidential information only for the purpose for which it is intended to be used;
- e) take reasonable care to prevent the examination of confidential information by unauthorized individuals; and
- f) not take advantage of, or obtain private benefit from, confidential information acquired by virtue of their office.

3.6 A member must access and use city information only in the normal course of their duties.

3.7 A member must retain records and other information in accordance with the procedures, standards, and guidelines established by the city, including the Records Management By-law No. 9067, as amended, and must assist the city in good faith in responding to all requests for information made pursuant to the *Freedom of Information and Protection of Privacy Act*.

3.8 A member must comply with the *Freedom of Information and Protection of Privacy Act* when dealing with personal information and take all reasonable and necessary measures to ensure that personal information is protected.

PART 4 CONFLICTS OF INTEREST

Conflicts of Interest

4.1 A Council Member must comply with the conflict of interest requirements set out in sections 145.2 to 145.911 of the *Vancouver Charter*.

Use of Municipal Assets and Services

4.2 A member may not direct the work of city employees, other than city employees assigned to assist a member, and should follow the processes established by the City Manager when communicating with city employees.

4.3 A member must respect that it is the role of city employees to provide neutral and objective information without undue influence and interference.

4.4 A member must not request or require city employees to undertake personal or private work on behalf of a member, or accept an offer to perform such work from a city employee.

4.5 A member must not use, or permit the use of, city land, facilities, equipment, supplies, services, employees or other resources for activities other than the business of the city, except in accordance with city policies permitting reasonable personal use.

4.6 A member must not instruct, or direct any of the city's contractors, tenders, consultants or other service providers regarding city business.

Use of Influence

4.7 A member must only use the influence of their office for the exercise of their duties.

4.8 A member must be independent and impartial, and must not provide preferential treatment to any person or organization except as warranted by the ordinary and lawful discharge of their duties.

4.9 A member must not use the prospect of future employment by a person or entity, or other future economic opportunities, to detrimentally affect the performance of their duties.

4.10 A member must not use, or attempt to use, their office for the purpose of intimidating, improperly influencing, threatening, or coercing city employees.

Election Activities

4.11 A member must not use, or permit the use of, city land, facilities, equipment, supplies, services, employees or other resources for any election campaign or campaign-related activities, unless those resources are similarly available to all candidates and any associated fees have been paid for with election campaign funds.

4.12 A member must not compel city employees to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.

Gift or Personal Benefit

4.13 A member must not accept a gift or personal benefit that is connected directly or indirectly with the performance of their duties unless permitted by the exceptions listed in sections 4.14 and 4.15.

4.14 A Council Member may accept a gift or personal benefit if it is:

- a) received as an incident of the protocol of 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 conducted under the Vancouver Charter or Part 3 of the *Local Government Act*.

4.15 An Advisory Board Member may accept a gift or personal benefit if it:

- a) has a value under \$50; and
- b) is received as an incident of protocol or as a city representative for an activity reasonably related to their role with the city.

4.16 If a Council Member accepts a gift or personal benefit pursuant to section 4.14(a), and if the total value of the gift or personal benefit exceeds \$50, or the total value of the gift or personal benefit received from one source during the calendar year exceeds \$100, the Council Member must within 30 days of receipt of the gift or personal benefit, or reaching the annual limit, file a disclosure statement with the City Clerk. The disclosure statement must set out:

- a) the name of the Council Member;

- b) the nature of the gift or personal benefit, by description, photograph, or both;
- c) the date the gift or personal benefit was received;
- d) the estimated value of the gift or personal benefit;
- e) the source of the gift or personal benefit, including, if it is from a corporation, the full names and addresses of at least 2 individuals who are directors of the corporation;
- f) the circumstances under which the gift or personal benefit was given; and
- g) the final disposition of the gift or personal benefit.

4.17 If a member is unable, or elects not, to accept a gift or personal benefit, a member must as soon as practicable, either:

- a) return the gift or personal benefit to the donor along with an explanation as to why the gift or personal benefit cannot, or will not, be accepted; or
- b) turn the gift or personal benefit over to the City Clerk for disposition.

4.18 A gift or personal benefit turned over to the City Clerk is deemed property of the City. At the City Clerk's discretion, a gift or personal benefit may be disposed of as follows:

- a) returned to the donor;
- b) displayed in individual offices, general offices, or in the public areas of City Hall; or
- c) disposed of by donation, sale or auction, with any proceeds credited to the city's general revenues or to the direct or indirect support of a charitable organization.

4.19 A gift or personal benefit provided to a member's spouse, child or parent, or the member's staff, that to the member's knowledge, is connected directly or indirectly to the performance of the member's duties is deemed to be a gift or personal benefit to that member.

PART 5 APPOINTMENT OF INTEGRITY COMMISSIONER

Appointment of an Integrity Commissioner

5.1 Council must appoint an Integrity Commissioner to undertake the duties and responsibilities set out in this By-law.

5.2 The appointment of an Integrity Commissioner must be for a set period of two (2) years. An Integrity Commissioner may be appointed for more than one term.

5.3 At the request of the Integrity Commissioner, Council may suspend the appointment for a mutually agreed period of time.

5.4 Council will not terminate an Integrity Commissioner except for cause.

5.5 The appointment of an Integrity Commissioner may only be made, suspended, or terminated by a 2/3 vote of all Council Members.

Interim of Ad Hoc Appointment

5.6 The City Manager may appoint an ad hoc Integrity Commissioner in the following circumstances:

- a) if the City has not yet entered into a contract for the appointment of an Integrity Commissioner;
- b) in the interim period between the expiry of the appointment of one Integrity Commissioner and the appointment of a new Integrity Commissioner; or
- c) if the appointed Integrity Commissioner is unable or unwilling to act.

Duties and Responsibilities

5.7 The duties and responsibilities of the Integrity Commissioner are as follows:

- a) provide advice and recommendations to a member on questions of compliance with this By-law where requested to do so by that member;
- b) provide advice and recommendations to a Council Member, regarding their compliance or disclosure obligations under a provincial statute, such as the *Financial Disclosure Act*, or other such statute that imposes an express compliance or disclosure obligation on the Council Member due to their position as an elected official, where requested to do so by a Council Member;
- c) prepare written materials and content for the city's website for distribution to, and use by, the public, to aid in their understanding of the role of the Integrity Commissioner and the ethical obligations and responsibilities of members under this By-law;
- d) deliver educational programs regarding the role of the Integrity Commissioner and the ethical obligations and responsibilities of members under this By-law;
- e) assist with informal resolution of confidential requests and complaints;
- f) receive and assess all complaints to determine if the complaint must be rejected, closed, resolved or investigated;
- g) investigate and conduct inquiries as to violation of this By-law;

- h) report to Council as to whether a member has breached this By-law;
- i) make recommendations on an appropriate remedy if a member has breached this By-law;
- j) submit an annual budget for approval by Council; and
- k) publish an annual report that includes a summary of the work of the Integrity Commissioner and any advice or recommendations that the Integrity Commissioner has to improve the text or operation of this By-law.

5.8 The Integrity Commissioner must perform the duties and responsibilities of their office in an independent manner.

PART 6 COMPLAINT AND RESOLUTION PROCEDURES

Confidential Requests

6.1 If a person believes that they have been subject to conduct by a member in breach of this By-law, that person may approach the Integrity Commissioner on a confidential basis, without the need to file a complaint, to request that the Integrity Commissioner inform the member of the alleged breach. Upon receipt of the confidential request, the Integrity Commissioner may attempt to address the conduct with the member.

6.2 The Integrity Commissioner must protect the confidentiality of a person making a request under section 6.1, unless the person making the request consents to disclosure.

Complaint Procedure

6.3 Any person may submit a complaint to the Integrity Commissioner.

6.4 A complaint must be in writing and describe with sufficient detail:

- a) the name of the complainant;
- b) the name of the respondent;
- c) the conduct that the complainant alleges to have breached this By-law;
- d) the date of the alleged conduct;
- e) the part or parts of this By-law that the complainant alleges has or have been breached; and
- f) the basis for the complainant's knowledge about the conduct.

6.5 A complainant may specify in the complaint if they are willing to participate in an informal resolution of the complaint.

6.6 The Integrity Commissioner may prescribe a form for submitting a complaint.

6.7 Provided that a complaint has been submitted, the Integrity Commissioner may accept a complaint, notwithstanding that the form of the complaint does not comply with all of the requirements set out in section 6.4 if, in the Integrity Commissioner's opinion, the circumstances warrant.

6.8 The Integrity Commissioner must not accept multiple complaints concerning the same matter. In the event that the Integrity Commissioner receives multiple complaints concerning the same matter, the Commissioner must proceed with the first complaint accepted, but may expand the complaint and/or add complainants for the purpose of conducting the investigation and preparing the investigation report.

6.9 The Integrity Commissioner must reject a complaint received more than 180 days after the complainant knew or reasonably ought to have known of the alleged breach of this By-law.

6.10 The Integrity Commissioner must reject a complaint received regarding a Council member seeking re-election in the period from the last day of the nomination period to the general voting day.

6.11 In the period 90 days prior to general voting day, the Integrity Commissioner may suspend any investigation underway until the day after the general voting day.

Complaint Outside of Jurisdiction

6.12 The Integrity Commissioner has the authority to investigate a complaint alleging that a member is in breach of this By-law.

6.13 If a complaint is submitted that, on its face, is not made with respect to a breach of this By-law, or if a complaint would be more appropriately addressed through another process, including if the complaint is:

- a) an allegation of a criminal nature consistent with the Criminal Code;
- b) with respect to non-compliance with the *Freedom of Information and Protection of Privacy Act*;
- c) with respect to conduct that may subject a member to disqualification pursuant to sections 140(4), 143(4) and 145.3 to 145.911 of the *Vancouver Charter*;
- d) with respect to non-compliance with a more specific Council policy or by-law with a separate complaint procedure; or
- e) with respect to a matter that is subject to another outstanding process, such as a court proceeding or a Human Rights complaint,

the Integrity Commissioner must reject the complaint, or part of the complaint, and must notify the complainant in writing that the complaint is not within the jurisdiction of this By-law, or that the complaint would be more appropriately addressed

through another process, as the case may be, and set out any additional reasons and referrals the Integrity Commissioner considers appropriate.

6.14 Where a complaint is made against a Council Member and the complaint procedure overlaps with a municipal election and the Council Member is not re-elected in that election, the Integrity Commissioner must notify the complainant and the Council Member in writing that the Integrity Commissioner is closing the complaint on this basis and close the complaint.

Preliminary Assessment

6.15 On receipt of a complaint, the Integrity Commissioner must conduct a preliminary assessment and if at that time, or any time thereafter, the Integrity Commissioner of the opinion that:

- a) the statement is not with respect to a breach of this By-law;
- b) the complaint is frivolous, vexatious, or not made in good faith;
- c) an investigation of the complaint would not be in the public interest;
- d) the investigation is, or might be, hampered, or the member might be prejudiced by the complainant's failure to provide a complaint in compliance with section 6.4, or otherwise cooperate with the investigation;
- e) the complainant wishes to withdraw the complaint, and it would be appropriate in the circumstances to allow the withdrawal; or
- f) there are no grounds or insufficient grounds for concluding that a violation of this By-law has occurred,

the Integrity Commissioner must notify the complainant and the respondent in writing that the Integrity Commissioner is closing the complaint, set out the reasons therefore, and close the complaint.

6.16 Notwithstanding section 6.15, the Integrity Commissioner may request further information from the complainant before determining whether or not there are sufficient grounds for believing that a breach of this By-law may have occurred.

Informal Resolution

6.17 When the Integrity Commissioner has decided to proceed with a complaint, the Integrity Commissioner must determine whether the complaint requires a formal investigation, or whether the complaint may be resolved informally. In the latter case, the Integrity Commissioner may, at their discretion, either attempt to resolve the complaint directly, or refer the complaint to:

- a) the Mayor, if the complaint is made by a member, unless the complaint is against the Mayor, in which case the complaint will be referred to the Deputy Mayor; or

- b) the City Manager, if the complaint is made by a City employee or the public.

6.18 When determining whether the complaint may be resolved informally, the Integrity Commissioner may consider culturally appropriate, or transformative or restorative justice approaches, and may engage a third party to assist the Integrity Commissioner for this purpose.

6.19 Where the Integrity Commissioner refers the complaint in accordance with section 6.17, the Mayor, the Deputy Mayor, or the City Manager, as the case may be, may agree to assist in resolving the complaint directly, or may appoint a third party to assist in resolving the complaint at their discretion.

6.20 The person assisting in the informal resolution of a complaint will assess the suitability of the complaint for settlement or resolution on an ongoing basis and may decline to assist at any point.

6.21 The complainant, or the respondent, can decline to participate in an informal resolution at any time.

6.22 If a complaint is resolved informally, the person assisting in resolving the complaint must notify the Integrity Commissioner in writing of the terms of the resolution, upon receipt of which, the Integrity Commissioner must close the complaint.

6.23 If a complaint cannot be resolved informally, the person assisting in resolving the complaint must refer the complaint back to the Integrity Commissioner for a formal investigation.

Formal Resolution

6.24 If a complaint is not rejected, closed, or resolved informally, the Integrity Commissioner must proceed with a formal investigation.

6.25 The Integrity Commissioner must serve the complaint on the respondent with a request that the respondent provide a written response to the complaint together with any submissions the respondent chooses to make within 10 days, subject to the Integrity Commissioner's discretion to extend the timeline.

6.26 The Integrity Commissioner may serve the complainant with the respondent's written response together with any submissions, on a strictly confidential basis, and request a reply in writing within 10 days, subject to the Integrity Commissioner's discretion to extend the timeline.

6.27 The Integrity Commissioner may:

- a) speak to anyone relevant to the complaint;
- b) request disclosure of documents relevant to the complaint; or
- c) access any record in the possession or control of the city, except a record that is subject to privilege.

6.28 The Integrity Commissioner must ensure that the formal investigation complies with the rules of procedural fairness and natural justice required in the circumstances.

Adjudication and Reporting

6.29 The Integrity Commissioner must make a decision within 90 days of making a decision to proceed with a formal investigation, unless section 6.11 applies, or the Integrity Commissioner determines that doing so is not practicable, in which case the Integrity Commissioner must notify the complainant and respondent of the delay and provide a revised decision date. The revised decision date may be extended by periods of up to 30 days on provision of written notice to the complainant and the respondent.

6.30 A notification issued pursuant to sections 6.13, 6.14, 6.15 or 6.29 is confidential and must not be disclosed except in the following circumstances:

- a) the Integrity Commissioner may use information in the notice in an annual report in the form of context and statistics;
- b) the Integrity Commissioner may prepare an anonymized bulletin based on the notice if the Integrity Commissioner believes that doing so would be of public benefit;
- c) to Council for the purpose of considering a resolution for reimbursement of legal fees pursuant to section 6.44; and
- d) the respondent may disclose the fact that the complaint has been closed, or that a finding has been made that the respondent did not breach this By-law.

6.31 If after reviewing all material information, the Integrity Commissioner determines that the respondent did not violate this By-law, then:

- a) Integrity Commissioner must prepare a written investigation report providing reasons for their determination that the member did not breach the By-Law;
- b) the Integrity Commissioner must deliver a copy of the investigation report to the complainant, respondent and Council; and
- c) the Integrity Commissioner must make the investigation report available to public forty eight (48) hours after delivery of the investigation report to the complaint, respondent and Council.

6.32 If after reviewing all material information the Integrity Commissioner determines that a member did violate this By-law then:

- a) the Integrity Commissioner must prepare a written investigation report providing reasons for their determination that the member breached this By-law;

- b) the investigation report will make recommendations as to the appropriate sanction for the breach;
- c) if the Integrity Commissioner determines that a member did breach this By-law, but that the member took all reasonable steps to prevent it, or that it was trivial or done inadvertently or because of an error in judgment made in good faith, the Integrity Commissioner will so state in the investigation report and may recommend that no sanction be imposed;
- d) the Integrity Commissioner must deliver, on a strictly confidential basis, a copy of the investigation report to the respondent; and
- e) the Integrity Commissioner must deliver a copy of the investigation report to the complainant and Council forty eight (48) hours after delivery of the investigation report to the respondent; and
- f) the Integrity Commissioner must make the investigation report available to public after delivery of the investigation report to the complainant and Council.

6.33 The Integrity Commissioner must ensure that the investigation report as drafted complies with the city's obligations regarding disclosure of personal information set out in the *Freedom of Information and Protection of Privacy Act*, or ensure that appropriate redactions are applied prior to release to the public.

Final Determination by Council

6.34 Council must, within 30 days of delivery of the investigation report pursuant to section 6.32 (e), or a longer period if approved by a vote of Council, decide on the appropriate measures, if any, that are warranted by the breach of this By-law, and will take such actions as Council considers appropriate in the circumstances.

6.35 Prior to Council making any decision regarding the findings and recommendations set out in the investigative report, the respondent must be provided with an opportunity, either in person or in writing, to comment on the decision and any recommended censure, sanctions or corrective actions.

6.36 While an investigation report provided to Council may be considered in a closed meeting for the purpose of receiving legal advice, or other valid reason, when Council deliberates and votes on the investigation report, it will do so in a public meeting and the investigation report must be made available to the public in a form that complies with section 6.33.

Remedies

6.37 Sanctions that may be imposed for violating this By-law include the following:

- a) a letter of reprimand from Council addressed to the member;
- b) a request from Council that the member issue a letter of apology;

- c) the publication of a letter of reprimand and a request for apology by the Integrity Commissioner, and the member's written response;
- d) a recommendation that the member attend specific training or counselling;
- e) suspension or removal of the appointment of a Council Member as the Deputy Mayor;
- f) suspension or removal of the Council Member from some or all Council committees and bodies to which the Council Member was appointed by Council;
- g) termination of the Advisory Board Member's appointment from the advisory committee, task force, commission, board, or other Council-established body to which the Advisory Board Member was appointed by Council; and
- h) public censure of a member.

Confidentiality of the Investigation

6.38 The Integrity Commissioner must make all reasonable efforts to investigate complaints in confidence.

6.39 The Integrity Commissioner and every person acting under the Integrity Commissioner's instructions must preserve confidentiality with respect to all matters that come into the Integrity Commissioner's knowledge in the course of any investigation or complaint except as required by law.

6.40 An investigation report must only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purpose of the investigation report.

Reprisals and Obstruction

6.41 No member or City employee will obstruct the Integrity Commissioner in the carrying out of the Integrity Commissioner's duties or responsibilities.

6.42 No member or City employee will threaten or undertake any active reprisal against a complainant or against a person who provides information to the Integrity Commissioner in the context of an investigation.

6.43 No member or City employee will tamper with or destroy documents or electronic records related to any matter under investigation under this By-law or refuse to respond to the Integrity Commissioner when questioned regarding an investigation.

Reimbursement of Costs

6.44 If appropriate after considering all circumstances, Council may resolve to reimburse legal fees reasonably incurred by a Council Member in relation to a complaint in accordance with the provisions of the *Vancouver Charter*.

PART 7 ENACTMENT

Force and effect

7. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 9th day of February, 2021

Signed _____ "Kennedy Stewart"
Mayor

Signed _____ "Rosemary Hagiwara"
Acting City Clerk

TAB 2

[REDACTED]

From: [REDACTED]
Sent: Thursday, March 11, 2021 1:22 PM
To: [REDACTED]
Subject: FW: Conflict

From: [REDACTED]
Sent: Friday, January 29, 2021 12:27 PM
To: [REDACTED]
Subject: [EXT] Conflict

City of Vancouver security warning: Do not click on links or open attachments unless you were expecting the email and know the content is safe.

It appears the mayor of vancouver used the power of his office to chastise a number of his political rivals in a Twitter post yesterday.

While I understand that as he is rightly free to be critical as 'Kennedy Stewart' I do not believe he may freely use city stationery and the trappings of his office when doing so, as this is directly using his office to attempt to exert outside influence. The vancouver charter states " 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. "

As it is well known the mayor often does not write his own 'tweets' I would also ask that you investigate if city staff were involved or city dollars were used in the creation of this statement.

I would request you immediately begin an independent investigation into the propriety of his actions, as was done when Councillor Wiebe was similarly accused of acting in conflict.

Thanks

[REDACTED]

[REDACTED]



Tweet



Kennedy Stewart

@kennedystewart

My full statement regarding extremism within the Board of Non-Partisan Association:

[#vanpoli](#)



MAYOR KENNEDY STEWART

Statement from Mayor Stewart on extremism within Board of Non-Partisan Association

Vancouver, BC; January 28, 2021 – Mayor Kennedy Stewart today issued the following statement following troubling reports of extremism within the Board of the Non-Partisan Association:

“Continuing media reports about the extreme views of Non-Partisan Association board members, including open support for hate groups, are deeply troubling and must be fully denounced and publicly condemned by NPA leaders.

“Vancouver is one of the most diverse cities in the world and it is that diversity that makes us strong. When one group is singled out and attacked, it is an attack on our entire city.

“As alt-right extremism and openly racist politics have taken hold around the world, we in Vancouver cannot take this lightly. Just a few weeks ago, white nationalist posters were plastered along the sea wall. Incidents of violence and hate towards the members of the LGBTQ2+ community, women, people of Asian backgrounds, Jewish people, and Indigenous peoples are all on the rise.

“We must work every day to dismantle systems of oppression and lift up the lives and voices of those who have been marginalized. And we must call out hate and racism, whenever and wherever we see it - especially within our politics. Our duty moves beyond just not discriminating, we must all actively fight back against racism, homophobia, mysogony, and anti-semitism.

“NPA leaders have so far failed to stop hate spreading within their party. These extreme individuals will choose who stands as candidates for the NPA in the next election, their election platform, and from whom they accept donations. These extremely disturbing developments cannot be met with silence and must be fully condemned by all of us, including NPA members and leaders.”

Tweet your reply





MAYOR KENNEDY STEWART

Statement from Mayor Stewart on extremism within Board of Non-Partisan Association

Vancouver, BC; January 28, 2021 – Mayor Kennedy Stewart today issued the following statement following troubling reports of extremism within the Board of the Non-Partisan Association:

“Continuing media reports about the extreme views of Non-Partisan Association board members, including open support for hate groups, are deeply troubling and must be fully denounced and publicly condemned by NPA leaders.

“Vancouver is one of the most diverse cities in the world and it is that diversity that makes us strong. When one group is singled out and attacked, it is an attack on our entire city.

“As alt-right extremism and openly racist politics have taken hold around the world, we in Vancouver cannot take this lightly. Just a few weeks ago, white nationalist posters were plastered along the sea wall. Incidents of violence and hate towards the members of the LGBTQ2+ community, women, people of Asian backgrounds, Jewish people, and Indigenous peoples are all on the rise.

“We must work every day to dismantle systems of oppression and lift up the lives and voices of those who have been marginalized. And we must call out hate and racism, whenever and wherever we see it - especially within our politics. Our duty moves beyond just not discriminating, we must all actively fight back against racism, homophobia, mysogony, and anti-semitism.

“NPA leaders have so far failed to stop hate spreading within their party. These extreme individuals will choose who stands as candidates for the NPA in the next election, their election platform, and from whom they accept donations. These extremely disturbing developments cannot be met with silence and must be fully condemned by all of us, including NPA members and leaders.”

TAB 3



CITY OF VANCOUVER CORPORATE POLICY

SUBJECT: Code of Conduct	
CATEGORY: Employment	POLICY NUMBER: AE-028-01

PURPOSE

To set minimum expectations for the behaviour of Council officials, staff and advisory body members in carrying out their functions.

SCOPE

All City Staff, including political staff, Council officials and Advisory Body Members.

DEFINITIONS

Advisory Body Member: a person sitting on an advisory committee, task force, commission, board, or other Council-established body.

Confidential Information: Confidential Information is information that could reasonably harm the interests of individuals or organizations, including the City of Vancouver, if disclosed to persons who are not authorized to access the information.

Council official: the Mayor and Council members

Staff: an employee or contract employee of the City of Vancouver, and includes staff that supports Advisory Bodies.

POLICY STATEMENTS

1 Key Principles

- 1.1 **Integrity:** Council officials, staff and advisory body members are keepers of the public trust and must uphold the highest standards of ethical behaviour. Council officials, staff, and advisory body members are expected to:
 - make decisions that benefit the community;
 - act lawfully and within the authorities of the Vancouver Charter; and
 - be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests
- 1.2 **Accountability:** Council officials, staff, and advisory body members are obligated to answer for a responsibility that has been entrusted to them. They are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny; and proper records are kept and audit trails are in place

- 1.3 **Responsibility:** Council officials, staff and advisory body members must act responsibly, within the law and within the authorities of the Vancouver Charter. They are to observe the Code of Conduct. This means disclosing actual or potential conflict of interest relating to their public duties and taking steps to resolve the conflict for the protection of the public interest; following the letter and spirit of policies and procedures; and exercising all conferred power strictly for the purpose for which the powers have been conferred.
- 1.4 **Leadership:** Council officials, staff and advisory body members must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in local government.
- 1.5 **Respect:** Council officials, staff and advisory body members must conduct public business efficiently, with decorum and with proper attention to the City's diversity. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision making.
- 1.6 **Openness:** Council officials, staff and advisory body members have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered; encouraging appropriate public participation; communicating clearly; and providing appropriate means for recourse and feedback.

2 General Conduct

- 2.1 Council officials, staff and advisory body members must adhere to the key principles and provisions of the Code of Conduct.
- 2.2 Council officials, staff and advisory body members must act lawfully and within the authorities of the *Vancouver Charter*, and exercise a reasonable degree of care and diligence in carrying out their functions
- 2.3 Council officials, staff and advisory body members have an obligation to consider issues consistently and fairly.
- 2.4 Council officials, staff and advisory body members must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials, staff and advisory body members must avoid conduct that:
 - Contravenes the law, including the BC Human Rights Code, the *Vancouver Charter*, City By-laws, associated regulations, and City policy;
 - Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others;
 - Prejudices the provision of a service or services to the community.

- 2.5 When making decisions, Council officials, staff and advisory body members must consider all relevant facts, opinions and analyses of which they should be reasonably aware.
- 2.6 Council officials, staff and advisory body members are obliged to question any request to act or make a decision that they think may be unethical or unlawful.
- 2.7 Staff and advisory body members must carry out duties in a manner that allows City Council members and the public to remain informed about local government activity and practices.
- 2.8 Should there be uncertainty about the ethical issues around a conduct or decision, Council officials, staff, and advisory body members should consider the following:
 - Is the conduct or decision lawful?
 - Is the conduct or decision consistent with City policy, Council's objectives and the Code of Conduct?
 - Will the outcome of the decision or conduct provide a private benefit for the individual, family, friends or business interests?
 - Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

3 Handling of Information

- 3.1 Council Officials, staff and advisory body members must:
 - Protect information that is specifically marked confidential and other material understood to be confidential in nature;
 - Refrain from discussing/disclosing any Confidential Information with/to other staff, or with persons outside the organization except as authorized;
 - Take reasonable care to prevent the examination of confidential material by unauthorized individuals;
 - Not use Confidential Information with the intention to cause harm or detriment to Council or any other person or body;
 - Only access information needed for City business;
 - Only use Confidential Information for the purpose it is intended to be used;
 - Only release information in accordance with established City policies and procedures and in compliance with the *Freedom of Information and Protection of Privacy Act*;
 - Not disclose decisions, resolutions or report contents from an in-camera meeting of Council until a corporate decision has been made for the information to become public; and
 - Not disclose detail on Council's in-camera deliberations or specific detail on whether individual Councillors voted for or against an issue.
- 3.2 Except in the normal course of duties, Council officials, staff and advisory body members must not in any way change or alter City records or documents.

- 3.3 When dealing with personal information, Council officials, staff and advisory body members must comply fully with the provisions of *the Freedom of Information and Protection of Privacy Act*. All reasonable and necessary measures must be taken to ensure that the personal or private business information of individuals is protected. Personal information is information or an opinion about a person whose identity is apparent, or can be determined from the information or opinion.

4 Conflict of Interest

- 4.1 Council officials, staff and advisory body members are expected to make decisions that benefit the community. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or business interests.
- 4.2 A conflict exists when an individual is, or could be, influenced, or appear to be influenced, by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgment, close mindedness or undue influence.
- 4.3 Council officials, staff and advisory body members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements. When considering whether or not a conflict of interest exists, it is important to consider whether there are any grounds for a reasonable person to think that a conflict exists.
- 4.4 Section 145.2 ff of the *Vancouver Charter* set out requirements with respect to conflict of interest, including procedures mandated for disclosure of such interests and matters relating to the acceptance of gifts, the use of insider information and disclosure of contracts. These requirements apply to Council Officials and Park Board Commissioners. The common law interprets and applies the law in respect of conflict of interest.

Council Officials (and Park Board Commissioners) must fully inform themselves of the statutory requirements in respect of conflicts, and of the related common law, and must comply with all requirements. In the event of a conflict or perceived conflict, Council Officials (and Park Board Commissioners) must seek legal advice.

- 4.5 Staff must fully disclose to their supervisor or the City Manager any direct or indirect pecuniary interest or any bias or undue influence with respect to any matter they are dealing with as soon as practicable.
- 4.6 Advisory body members must fully disclose to the City Clerk any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.
- 4.7 When staff or advisory board members are uncertain whether a conflict exists, the situation must be immediately presented to the General Manager or City Manager for guidance.

- 4.8 Staff and advisory body members must not use Confidential Information gained through their official position for the purpose of securing a private benefit for themselves or for any other person.
- 4.9 Examples of conflicts that may be encountered by staff or advisory body members include but are not limited to:
- 4.9.1 ***Obligation to others:*** Staff and advisory body members must not place themselves in a situation where they may be under obligation to someone who has business dealings with the City, and who would benefit from special consideration or treatment.
 - 4.9.2 ***Special advantage/disadvantage:*** When staff or advisory body members can gain special advantage because of their position or when the City is disadvantaged as a result of the other interests of Council officials, staff or advisory body members.
 - 4.9.3 ***Provision of special consideration/ treatment:*** In the performance of their duties, staff and advisory body members may only grant special consideration/treatment as specifically authorized by City Council or the General Manager.
 - 4.9.4 ***Representation to City Council, its Committees, Boards or Tribunals:*** Staff and advisory body members must not represent any private interest(s) except on their own behalf;
 - 4.9.5 ***Litigation involving the City:*** Staff and advisory body members must not be party to any litigation against or involving the City.
 - 4.9.6 ***Use of City-owned equipment:*** Staff must use City owned equipment, material, staff time or property in accordance with City policy, or as specifically authorized by City Council or the General Manager.
 - 4.9.7 ***Discounts/Rebates:*** Staff may not take advantage of discounts/rebates on personal purchases from suppliers having an existing business relationship with the City, unless those suppliers offer the same discounts/rebates to the general public or those discounts/rebates are offered to staff of other large employers (public and private) on a no-strings-attached basis to the employer.
- 4.10 Council officials, staff and advisory body members must not expect or request preferential treatment for themselves or their family because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.
- 4.11 Staff who are considering outside employment, contract work or any business or undertaking that relates in any way to the business of the City or that might conflict or appear to conflict with their duties to the City must notify

and seek the approval of their General Manager or the City Manager in writing.

- 4.11.1 In dealing with such requests General Managers and the City Manager must not unreasonably withhold approval except where such employment is deemed to be inappropriate or present a high probability of the existence of a conflict.
- 4.11.2 Before staff engage in outside employment or business they must ensure that it will not:
- Conflict or appear to conflict with official duties;
 - Interfere with City work;
 - Involve the use of Confidential Information or Council resources obtained through their work for the City;
 - Require work during City work hours;
 - Discredit or disadvantage the City or City Council; or
 - Result in their holding any property or interest which may be in conflict with the employee's duties to the City.

5 Political Activity

- 5.1 Staff members enjoy broad political freedoms and should be able to engage in democratic politics with few restrictions. However, such broad freedoms must be exercised so as not to call into question their ability to perform their employment duties in a professional and impartial manner.
- 5.2 "Political Activity" is applicable to the civic, regional, provincial, and national elections and includes:
- carrying on any activity in support of, within, or in opposition to a political party;
 - carrying on any activity in support of or in opposition to a candidate before or during an election period; or
 - seeking nomination as or being a candidate in an election before or during the election period.
- 5.3 The *Vancouver Charter, section 39* allows staff of the City of Vancouver to seek nomination as candidates for City Council and for the Park Board, provided they meet certain requirements.

It requires the employee to:

- Notify the employer in writing, of the employee's intention to consent to nomination, before being nominated.
- After advising the employer in writing, the employee is entitled to and must take a leave of absence, as follows:
 - i) Commencing on the first day of the nomination period or the date of notification, whichever is later, and;
 - ii) Ending:
 - *if not nominated*: on the day after the end of the nomination period;
 - *if employee withdraws as a candidate*: on the day after the withdrawal;

- *if elected*: on the day the employee resigns from the position;
 - *if not elected and no application for judicial recount has been made*: on the last day on which an application for a judicial recount may be made; and
 - *if not elected and an application for a judicial recount has been made*: on the date when the results of the judicial recount are determined.
- If elected, resign from the position before swearing the oath of office.
- 5.4 Staff may seek nomination and hold office on the Vancouver School Board provided they do not violate the standards outlined in this Code of Conduct.
- 5.5 The purpose of this section of the Code of Conduct is to recognize the right of employees to engage in Political Activity while maintaining the principle of political impartiality in the public service.
- 5.6 An employee may engage in any Political Activity so long as it does not impair, or is not perceived as impairing, the employee's ability to perform his or her duties in a politically impartial manner. This precludes employees from displaying slogans or symbols supporting a particular party or candidate while at work where their duties may reasonably require them to interact in person with the public or where their duties require them to supervise, schedule or assign work to others.
- 5.7 An employee may only seek candidacy as set out in Sections 5.2 and 5.3 above.
- 5.8 The City Manager, General Managers and their equivalents shall not engage in any public Political Activity other than voting in an election.

6 Gifts and Personal Benefits

- 6.1 What are gifts and personal benefits?
- 6.1.1 Gifts and personal benefits are items or services of value that are received by Council members, staff, or advisory body members for their personal use. Gifts and personal benefits include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, and invitations to social functions organized by groups or community organizations.
- 6.1.2 The following are not considered to be gifts or personal benefits for the purposes of this policy:
- compensation authorized by law,
 - reimbursement for out-of-pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event, and

- a lawful contribution made to a Council member who is a candidate for election conducted under Part I or II of the Vancouver Charter.

6.2 What gifts and personal benefits may and may not be accepted?

- 6.2.1 Council members, staff, or advisory body members must not, directly or indirectly, accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the City of Vancouver.
- 6.2.2 Council members may accept gifts and personal benefits received as an incident of the protocol or social obligations that normally accompany the responsibilities of elected office.
- 6.2.3 Staff, or advisory body members may accept a gift or personal benefit that meets both of the following criteria:
- it has a value of \$50 or less, AND
 - is received as an incident of protocol or as a City representative on activities such as speaking engagements, technical presentations, business meetings and social obligations reasonably related to their role with the City of Vancouver.
- 6.2.4 Notwithstanding section 6.22 and 6.23, Council members, staff, or advisory body members must never accept a gift of cash (for the purpose of this policy, gift cards constitute cash).
- 6.2.5 Notwithstanding section 6.22 and 6.23, Council members, staff, or advisory body members must never accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest as set out in sections 4.1 and 6.21 of this Code.
- 6.2.6 Staff may not take advantage of discounts/rebates on personal purchases from suppliers having an existing business relationship with the City, unless those suppliers offer the same discounts/rebates to the general public or those discounts/rebates are offered to staff of other large employers (public and private) on a no-strings-attached basis to the employer.
- 6.2.7 Council members, staff, or advisory body members must take all reasonable steps to ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to subvert this policy or to influence or secure a favour from the Council member, staff, or advisory body member. Immediate family members include parents, spouses, children and siblings.

6.3 How must gifts and personal benefits be reported?

- 6.3.1 Council members must disclose any gift or personal benefit they have accepted that is valued at more than \$50.
- 6.3.2 If a Council member, staff, or advisory body member receives multiple gifts or personal benefits valued under \$50 from a single individual or source in one calendar year, the gifts must be disclosed if the combined value of these gifts for the year is more than \$50.
- 6.3.3 Council members, staff, or advisory body members in receipt of gifts or personal benefits that they do not wish to accept have the option of immediately relinquishing the gift or personal benefit to the City Clerk without filing a disclosure form. If not relinquished immediately, a disclosure form will be required.
- 6.3.4 Where a disclosure is required, it must be filed with the City Clerk as soon as practicable, using the forms designated for this purpose. The disclosure must include:
 - the name of the individual in receipt of the gift or personal benefit
 - a description of the gift or personal benefit, estimated value, and date that it was received
 - the source of the gift or personal benefit (if from a corporation, the full names and addresses of the CEO/Executive Director and at least 2 individuals who are directors)
 - the circumstances under which the gift or personal benefit was given and accepted
 - the final disposition of the gift or personal benefit
- 6.3.5 Responsibility for relinquishing of gifts and personal benefits in accordance with 6.33, and filing of the disclosure form in accordance with 6.34 lies solely with the recipient of the gift.
- 6.4 How are gifts and personal benefits valued?
 - 6.4.1 For the purposes of this Code, the value of each gift or personal benefit shall be determined by its replacement cost, i.e. how much it would cost to replace the item.
 - 6.4.2 Where the value for a gift or personal benefit is unclear, the City Clerk shall determine this value.
- 6.5 How are relinquished gifts managed and disposed of?
 - 6.5.1 The City Clerk will maintain records of all gifts and personal benefits received, including disposition.
 - 6.5.2 Any gifts or personal benefits that have been received in contravention of section 6.2 of this policy must be turned over to the City Clerk immediately for safekeeping or disposition, and are the property of the City.

6.5.3 At the City Clerk's discretion, such gifts may be disposed of as follows:

- returned to the donor,
- displayed in individual offices, general offices, or in the public areas of City Hall,
- disposed of by donation, sale or auction, with any proceeds credited to the City's general revenues or to the direct or indirect support of a charitable organization.

6.5.4 The City Clerk may contact the donor, where appropriate, to report on the disposition of the gift.

Quick reference guide on gift acceptance and disclosure policy:

	What can be accepted	What must be disclosed
Elected officials	May accept any gift or personal benefit related to protocol or social obligations related to elected official duties. (No defined dollar limit, in accordance with Vancouver Charter)	<ul style="list-style-type: none"> ▪ Must disclose individual items worth more than \$50 ▪ Must disclose multiple items from one source where the total value exceeds \$50 in a calendar year
Staff and advisory body members	May accept gift or personal benefit if related to a protocol event or such activities as speaking engagements and business meetings <i>and</i> valued at less than \$50.	<ul style="list-style-type: none"> ▪ Must disclose multiple items from one source where the total value exceeds \$50 in a calendar year
<p>Gifts and personal benefits may never be accepted by elected officials, staff or advisory body members when:</p> <ul style="list-style-type: none"> ▪ in the form of cash or gift card ▪ acceptance of the item could reasonably be expected to result in a real or perceived conflict of interest ▪ the gift or benefit is intended to influence the member's performance of their official duties <p>Elected officials, staff and advisory bodies have the option to not accept the gift or personal benefit and relinquish immediately to the City Clerk without disclosure.</p>		

7 Interactions of Council, Staff and Advisory Body Members

7.1 Council is the governing body of the City of Vancouver. It has the responsibility to govern the City in accordance with the Vancouver Charter and other legislation.

- 7.2 Council officials must act in accordance with Council's Procedure By-Law and the conduct guidelines outlined in this Code.
- 7.3 Council officials are to contact staff according to the procedures authorized by the City Manager regarding the interaction of Council members and staff. As a general guide, inquiries are to be directed to General Managers. Direct access to staff within a department is at the General Manager's discretion.
- 7.4 Where a Council official inquiry may, in the opinion of the City Manager, result in more than a few hours work or may involve sensitive matters, the Council official must obtain the approval of the City Manager or City Council.
- 7.5 Council officials must not direct or influence, or attempt to direct or influence, any staff or advisory body member in the exercise of their duties or functions.
- 7.6 Council officials are not to contact or issue instructions to any of the City's contractors, tenderers, consultants or other service providers.
- 7.7 Council members must not make public statements attacking or reflecting negatively on City of Vancouver staff or invoke staff matters for political purposes.
- 7.8 Council officials must not approach staff organizations about personal matters of individual staff members.
- 7.9 Council officials are to direct requests for working papers or preliminary drafts of reports to the General Manager. The General Manager may point out controversial or confidential aspects of the document, and may stress that the document may not represent the final position of staff.
- 7.10 The City Manager is responsible for the efficient and effective operation of the City organization and for ensuring the implementation of the decisions of the Council.
- 7.11 Staff are expected to:
- Give their attention to the business of the City while on duty;
 - Ensure that their work is carried out efficiently, economically and effectively;
 - Provide Council officials with information sufficient to enable them to carry out their civic functions;
 - Carry out lawful directions given by any person having authority to give such directions; and
 - Give effect to the lawful policies, decisions and practices of Council, whether or not the staff member agrees with or approves of them.
- 7.12 Staff should seek the advice and approval of their General Manager prior to responding to a direct request from Council officials, except where the request is minor or of a day-to-day operational nature.
- 7.13 Staff are to provide information and professional advice through regular City processes and are not to lobby Council members on any matter.

- 7.14 Staff must not make public statements unfairly attacking or reflecting negatively on the City of Vancouver, City Council, individual Council members or staff.
- 7.15 General Managers are to be equally helpful to all members of Council, and should avoid close alliance, or the appearance of close alliance, with any particular member. Information and advice is to be provided as requested, within the limitations of this document.
- 7.16 Significant information provided to any member of Council, which is likely to be used in Council or in political debate, should also be provided to all other Council Members, and to the City Manager.
- 7.17 Advisory body members must act in accordance with the relevant sections of the Procedure By-Law and the conduct guidelines outlined in this document.
- 7.18 Advisory body members must not inappropriately direct or influence, or attempt to direct or influence, any staff in the exercise of their duties or functions except where such direction or influence is necessary to fulfill the specific mandate of the advisory body.
- 7.19 Advisory body members must not make public statements unfairly attacking or reflecting negatively on the City of Vancouver City Council, individual Council members or staff.

8 Breaches, Complaint Handling and Disciplinary Action

General

- 8.1 Council officials, Advisory Body Members and Staff are to abide by the requirements of the Vancouver Charter and this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.

Council Officials

- 8.2 Alleged breaches of this Code of Conduct by Council Officials shall be submitted in a written complaint addressed to the Mayor and/or the City Manager within six (6) months of the last alleged breach. In the event that the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.
- 8.3 Upon receipt of a complaint under Section 8.2, the Mayor or Deputy Mayor shall, within thirty (30) days, appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) as having the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator"). The Third Party Investigator:
 - 8.3.1 May conduct a preliminary assessment of the complaint, at the conclusion of which the Investigator may determine to continue the investigation or make a written recommend that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed;

If the Third Party Investigator determines to continue the complaint, the Third Party Investigator shall:

- 8.3.2 Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
- 8.3.3 Provide an investigation update within ninety (90) days of his or her appointment to the Mayor or Deputy Mayor, as applicable, and to the Complainant and the Respondent;
- 8.3.4 Provide a written, confidential report (the "Report") of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Deputy Mayor, as applicable, and to the Complainant and the Respondent; and
- 8.3.5 Provide recommendations in the Report as to the appropriate resolution of the complaint, which recommendations may include:
 - a) dismissal of the complaint; or
 - b) public censure of a Council Official or Officials for misbehaviour or a breach of this Code of Conduct;
 - c) a requirement that a Council Official or Officials apologize to any person adversely affected by a breach of this Code of Conduct;
 - d) counselling of a Council Official or Officials, and/or
 - e) such other recommendations as are deemed appropriate in the professional judgment of the Third Party Investigator.
- 8.4 The City Clerk will receive and retain all Reports prepared under Section 8.3.3 and 8.3.4.
- 8.5 Where a Council Official alleges a breach of this Code of Conduct by a fellow Council Official, all Council Officials shall refrain from commenting on such allegations at meetings of Council.

Advisory Body Members

- 8.6 Alleged breaches of this Code of Conduct by Advisory Body Officials shall be submitted in a written complaint addressed to the Mayor within six (6) months of the last alleged breach.
- 8.7 The Mayor shall consider alleged breaches of this Code of Conduct by Advisory Body Members, direct that any enquiries he or she considers appropriate or desirable be undertaken, and recommend appropriate disciplinary action to Council.

- 8.8 The Mayor may recommend that Council take any actions provided for in the Code of Conduct that the Mayor considers reasonable in the circumstances.
- 8.9 Where Council finds that an Advisory Body Member has breached this Code of Conduct, Council may decide by resolution to:
- 8.9.1 censure the Advisory Body Member for misbehaviour;
 - 8.9.2 require the Advisory Body Member to apologize to any person adversely affected by the breach;
 - 8.9.3 counsel the Advisory Body Member;
 - 8.9.4 terminate the Advisory Body Member's appointment; or
 - 8.9.5 implement such other measures as Council deems appropriate.

City Staff and Contract Employees

- 8.10 Alleged breaches of this Code of Conduct by Staff or Contract Employees shall be reported in writing to a General Manager or the equivalent.
- 8.11 Breaches of this Code of Conduct by staff party to collective agreements will be handled through existing collective agreements including identified grievance and arbitration processes. These mechanisms include the ability for the City to take appropriate disciplinary action up to and including dismissal.
- 8.12 Breaches of this Code of Conduct by exempt staff will be handled through existing processes and in accordance with current employment law. The General Manager of Human Resource Services, departmental General Managers or equivalents and/or the City Manager review alleged breaches, make any necessary inquiries and determine appropriate disciplinary action.
- 8.13 Consequences associated with breaches of this Code of Conduct by contract employees are incorporated in the contracts under which they are retained, and will be dealt with in accordance with the conditions outlined therein.

RELATED POLICIES

AE - 028 - 02	Whistleblowing - Reporting, Investigation and Protection
AE - 002 - 05	Human Rights and Harassment Policy
	Respectful Workplace Policy

APPROVAL HISTORY

ISSUED BY:	APPROVED BY:	DATE :
City Clerk	Council	2008/05/15
City Clerk	Council	2011/03/01

TAB 4

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Dan Fumano: NPA leadership opts not to publicly face serious questions

Opinion: The NPA's board of directors continues to find itself at the centre of controversies, a pattern not playing out at Vancouver's other main political parties

Dan Fumano

Jan 26, 2021 • January 26, 2021 • 5 minute read • [Join the conversation](#)



Angelo Isidorou, right, and a small group of University of B.C. students pose for a photo wearing 'Make America Great Again' hats at an Anti-Trump protest at Jack Poole Plaza on Feb. 28, 2017. PHOTO BY JENNIFER GAUTHIER / PNG

After the Non-Partisan Association's board of directors saw a series of controversies throughout last year, the first month of 2021 sees Vancouver's oldest political party facing serious new allegations, and choosing not to respond publicly.

A story published last Thursday morning in the Vancouver-based online news outlet [The Tyee](#) reported that a current NPA director posed for the camera at a 2017 public protest while flashing a hand signal "widely considered to mean 'white power'." The story ran under the headline: "Worries Rise that NPA Board Could Run Extremist Candidates in 2022."

■

The NPA director in question, Angelo Isidorou, declined to be interviewed by Postmedia News on Monday or Tuesday to discuss the circumstances surrounding the 2017 photo. But late Tuesday afternoon he sent an emailed statement disputing the "inferences" in The Tyee's reporting, and while not explicitly mentioning racism or white supremacy, said he is proud to live in a diverse city.

[The Tyee's story](#) reported that Isidorou declined to discuss the 2017 photo, and the party's leadership and elected officials didn't reply to requests for comment.

By Tuesday evening, NPA president David Mawhinney hadn't responded to Postmedia's request for comment sent the day before, and the party hadn't issued any public statement responding to the Tyee's reporting or refuting it.

Isidorou's statement disputes that his 2017 hand gesture had any racist connotation. But even for Vancouver voters inclined to take him at his word, the whole episode is just the latest example of NPA board members making headlines for the wrong reasons, and then the party's elected officials being asked to answer for controversies created by board members.

It's a pattern that doesn't appear to be playing out in the city's other main political parties lately, where board members are working behind-the-scenes and rarely the subject of news stories themselves. When reached for comment this week, board members of the other Vancouver parties noted that after such serious allegations — raising the suggestion of racism and extremism within the party — it seemed noteworthy that NPA leadership had decided to remain silent for five days and counting.

Last week's [Tyee story](#) featured a photo, by freelance photographer Jennifer Gauthier, from the February 2017 opening of Downtown Vancouver's Trump Tower. The occasion, coming weeks after then-U.S. President Donald Trump's inauguration, drew a [large group of demonstrators](#) outside the West Georgia Street building, protesting, among other things, the former president's racism and immigration policies.

Isidorou appears to have been part of a much smaller counter-protest downtown that day, and was photographed posing with a group of other young men, all apparently wearing Trump's signature red "Make America Great Again" baseball caps and each flashing the "OK" hand signal for the camera, with the index finger and thumb making a circle.

The story of how the "OK" hand signal came to be connected with white supremacy is a complicated, murky one, but it grew on the internet starting in February 2017, and, by later that year, the Anti-Defamation League reported tracking the signal's "usage by a variety of figures on the far right, including some well-known white supremacists," as well as beyond the far right, including "within the broad community of mainstream Donald Trump supporters."

Isidorou, who is now 24 and would have been 19 or 20 at the time of the photo, wouldn't answer questions this week about his apparent involvement in the 2017 counter-protest. His emailed statement Tuesday said the photo showed him making a "lighthearted gesture," related to "a mannerism of former president Trump," but not intended to convey a racist connotation.

Isidorou's statement also criticized the news media in general.

Isidorou was quietly added to the NPA board in November 2020, but the party has seen a series of public departures, dramas and denunciations dating to its most recent general meeting in November 2019.

After an almost entirely new board of directors was appointed at that 2019 meeting, Coun. Rebecca Bligh, one of the NPA's five sitting councillors, publicly resigned to sit as an independent, citing concerns about the party's shift to the far right. Over the coming months, former board members, past candidates, and other prominent party members publicly shared similar concerns and distanced themselves from the NPA.

In some cases, such as when NPA directors recently took public positions such as supporting anti-mask protests or encouraging the "harassing" of drug-users, the NPA's elected caucus took steps to publicly distance themselves from the board.

Other times, including this week, the caucus remained quiet.

The four elected councillors didn't reply to Postmedia's request for comment.

Representatives of the boards of the other three parties represented on Vancouver city council — the Greens, COPE and OneCity — said this week that if such serious allegations involved a board member of their party, they couldn't imagine sitting silently for several days. The role of a party's board should be supporting its elected representatives, not to distract from their work at city hall, said OneCity co-chairwoman Cara Ng.

"What's happening with the NPA is a real shame," said Ng, a OneCity member since its founding in 2013. "The most polite word you could use in that situation is a complete undermining of the people who are in elected office ... There doesn't seem to be any communication, there doesn't seem to be any value alignment, and the fact it's coming out like that, really shows quite a deep dysfunction. To be mild."

Green chairman Anthony Hughes declined to comment on the NPA's inner workings, but said that, hypothetically, if reports surfaced that a Green board member made public racist comments or gestures, the board would need to consider "the future of that person as a member."

Alternately, if the Green board believed one of their members had been inaccurately portrayed as a racist, Hughes said the board would want to address that issue "urgently."

COPE co-chairman Tristan Markle described some of the recent positions espoused by NPA directors as "really scary," but stressed it's a reflection of "a larger problem across North America, and further."

"These ideas of scapegoating minorities, scapegoating the poor, scapegoating the homeless — these are big problems. It's not just the NPA board," Markle said.

Bligh told Postmedia last month that after the developments at the NPA over the course of 2020, she felt more certain than ever that she'd made the correct decision, in December 2019, to quit the party.

Meanwhile, the four remaining NPA councillors — Melissa De Genova, Lisa Dominato, Colleen Hardwick and Sarah Kirby-Yung — seem to be trying to take small steps to distance themselves from the NPA's board, while simultaneously representing the party at council. Depending on what happens with the board between now and next year's election, it could be a tricky balancing act.



NEWS

Worries Rise that NPA Board Could Run Extremist Candidates in 2022

Recent appointees add to the number of party directors who've espoused far-right views.

**Melanie Green**21 Jan 2021 | TheTyee.ca



Current Non-Partisan Association board member Angelo Isidorou in 2017, flashing a symbol favoured by hate groups and wearing a Trump supporter's hat at a protest against Trump at Jack Poole Plaza that happened the same day as the Trump International Hotel and Tower Vancouver opened. Photo by Jennifer Gauthier.

Photos taken in 2017 show Angelo Isidorou, now a director of the Non-Partisan Association municipal party in Vancouver, wearing a MAGA hat and using a symbol widely considered to mean “white power.”

The images obtained by The Tyee compound worries by political observers that next year’s municipal election could see an NPA slate with far-right extremist views.

The party has seen an exodus of high-profile members in the past year, with many saying they fear the board has moved too far right. Some are ringing alarms that the NPA is embroiled in a potential political power play by savvy extremists achieving a strong foothold on the board.

Extremist views espoused online by current members of the NPA board include statements that are sexist, anti-immigration, anti-LGBTQ2S(IA)+, against wearing masks despite public health officials’ urgings and questioning the legitimacy of the U.S. election, as reported by the Vancouver Sun’s Dan Fumano.

The Tyee has learned that it’s up to the NPA board who gets to run as a candidate for the party, and that decision may not be made until a few months before the next municipal election in fall of 2022, depending on how the board moves forward within its bylaws.

The NPA’s bylaws are not published or publicly available, but The Tyee has seen portions of them. They require any candidate to be approved in writing by the directors; the directors may appoint candidates, revoke approval of candidates and “in their discretion may fix the number of candidates running for office.”

Any director who wishes to be a candidate must resign three months before any meeting for the endorsement of candidates.

According to the bylaws, it is possible that any member of the current caucus could be effectively shut out and new candidates be approved. In addition, a section states that membership is approved by the directors, who determine the membership fees.

Coun. Rebecca Bligh was elected to council in October 2018 on the NPA slate but quit the party in December 2019 over concerns that one or more board members held anti-LGBTQ+ views. Now an independent, she said the photos of Isidorou flashing a white power symbol and supporting Trump further underscore her growing worry that there’s been a far-right “takeover” of the NPA that quietly continues.

She worries that voters have come to assume NPA candidates are moderate in their views, and could be fooled into voting for hard-right, socially conservative candidates if the party's board drops them into the slate at the last minute.

"NPA voters need to know that it's happening. And it's a growing problem for that party and for the city," Bligh said. "What's happening with the board in the NPA poses a great risk to the party. And to Vancouver if NPA supporters do not engage sooner rather than later."

The NPA has an "extremely reliable and loyal voter base" that is generally disengaged outside of the election year, Bligh said. The party was founded in 1937 to claim the centre-right and appeal to Vancouver's business class under an ethos of fiscally-conservative, socially-progressive values.

"And what they know is that NPA voters will vote slate," Bligh explained. "We could see a really difficult and toxic council form."



Vancouver Coun. Rebecca Bligh left the NPA over concerns about hard-right members of the party's board and now sits as an independent. 'We could see a really difficult and toxic council form,' she says. Photo: Rebecca Bligh via Facebook.

The divide between the NPA board and its caucus — elected councillors and members of the park and school board — is deep and continues to widen.

Caucus members have distanced themselves from the board through public statements and created their own channels to communicate, as evidenced by their NPA caucus Twitter account and website. The first NPA caucus tweet denounced comments made by one board member and another one pushed back on anti-mask rhetoric, reported the Sun's Fumano.

Bligh said the current caucus is in a "very difficult position." Still, they need to be realistic about the intent of the board, she said. "It cannot be ignored. Silence is complicity for many issues."

Isidorou was photographed wearing a Make America Great Again hat and showing the inflammatory gesture at a public protest against the opening of the Trump International Hotel and Tower Vancouver in February 2017. Trump's sons, Donald Jr. and Eric, were at the nearby opening ceremony, which was boycotted by then-mayor Gregor Robertson and other politicians.

Trump had by then issued executive orders for a Muslim travel ban and for the construction of the wall at the Mexico-U.S. border.

The sign Isidorou flashes along with two other people whose faces are out of the frame is identical to a widely recognized white power signal. He forms a "w" with three fingers extended while the thumb and index finger form part of a "p." The uninitiated might mistake the gesture for the "OK" symbol, which white supremacists appropriated and display in the manner adopted by Isidorou.

The sign has become so identified with racist beliefs that it has been listed as a hate symbol by the Jewish Anti-Defamation League and was flashed by the suspected white supremacist who murdered 49 people at mosques in New Zealand when he appeared in court to face charges on March 15 of last year.

The Tyee asked Isidorou why he made the gesture and his reasons for wearing a MAGA hat at the 2017 event. He responded that he could not comment due to a non-disclosure agreement he signed when he was appointed to the NPA board late in 2020.

As the director of the University of British Columbia Free Speech Club, Isidorou came under fire for booking events featuring speakers espousing far-right, anti-immigration, anti-LGBTQ+ and, at times, openly racist views. He has described himself as a "socially liberal free speech activist."

He worked as an organizer with the People's Party of Canada led by anti-immigration hardliner Maxime Bernier, but in 2019 publicly denounced the populist party for moving, he said, too far right on social issues. The PPC was

attracting people with “a racist bent” in B.C., he said upon quitting. Isidorou then rejoined the federal Conservatives.

Isidorou is a writer for the Post Millennial, an online publication geared to conservatives with a large amount of opinion content, much of it written by political operatives. He has been active almost daily on the site over the last three months.

Isidorou also hosts Post Millennial’s weekly podcast “Cancel This.”

Isidorou publicly denounced Trump in a tweet on Jan. 6, 2021, the day pro-Trump supporters, whipped up by baseless claims of a rigged election and many of them white supremacists, stormed the U.S. Capitol, hunting and threatening to capture and harm members of Congress.

Other current NPA board members are president David Mawhinney, treasurer Phyllis Tang, and directors Maxwell Manley, Robert Boyd, Federico Fuoco, Wesley Mussio, David Pasin, Ryan Warawa, Christopher Wilson and Wei Jie (Grant) Zhang, according to the NPA website.



NPA director Christopher Wilson, when with Rebel Media, shared his hard-right views in videos, including one complaining of ‘white shaming’ on campus and one defending Trump’s response to the Charlottesville, Va. white nationalist rally, entitled ‘Why he’s right and the media is wrong.’

NPA board member Christopher Wilson is the former B.C. bureau chief for the right-wing outlet Rebel Media. He first made national headlines in late 2017, after calling then-federal environment minister Catherine McKenna the misogynistic nickname “Climate Barbie.”

During his time at Rebel, Wilson made YouTube videos stoking fears of possible “race wars” in South Africa, complaining about “white shaming” on university campuses and disparaging the left’s “hypocritical defence of Islam.” Wilson defended U.S. president Donald Trump’s response to the Charlottesville, Va. white nationalist rally in a video entitled “Why he’s right and the media is wrong.”

Most recently, Wilson was mired in scandal after using his personal Facebook account to denigrate the city’s homeless and drug-using population, commenting “start harassing these low-lives.” Wilson is listed as the head of the NPA’s fundraising committee, according to a release on its website.

Following the exchange with McKenna, Wilson deactivated his Twitter account. Following his comments on Vancouver’s homeless, Wilson scrubbed and deleted his Facebook account. The screenshots were shared by Scout Magazine contributor Sean Orr.

NPA councillors subsequently released a statement on Twitter which read, “We categorically denounce statements made by Mr. Wilson. They do not reflect the values of the NPA caucus.”



Dave Pasin
@dave_pasin

Replying to [@stephenbraverm1](#) and [@JoeBiden](#)

The US is officially a banana republic.
Voting integrity in the US is a joke.
Never seen a real democracy where
you can change your vote, votes
mysteriously appear out of suitcases,
in cars and are conveniently or just
enough to get a favourite candidate to
victory.

8:35 AM · 2020-11-07 · [Twitter for iPhone](#)

NPA director David Pasin tweeted his support for the idea the US election may have been rigged as Trump and his followers made the claim.

On Nov. 7, four days after Americans went to the polls, NPA board member David Pasin echoed Trump by tweeting the election was rigged, suggesting votes “mysteriously appear.” It has since been deleted.

NPA treasurer Phyllis Tang, when she ran in 2018 for city councillor under the banner of the conservative municipal party Yes Vancouver, was endorsed by Let’s Vote Association, which states it is a pro-life, pro-family socially conservative organization, according to the Sun’s Fumano. Let’s Vote also endorsed Chilliwack trustee Barry Neufeld, whose comments slamming the province’s sexual orientation and gender identity school policies resulted in a human-rights complaint being filed against him by the BC Teachers’ Federation.

NPA board member Wes Mussio is an outspoken supporter of Trump, who has reportedly cheered on Vancouver’s anti-mask protesters and criticized B.C. health officials and politicians for their handling of the pandemic online. He

was on the NPA board before joining the new, right-leaning party Coalition Vancouver in 2018. Now he's back on the NPA board.

Mussio is also the lawyer representing a group of Vancouver voters seeking a court order to remove Green Coun. Michael Wiebe from office.

After Trump supporters invaded the Capitol and Twitter dumped Trump along with many extremists spreading baseless claims about election rigging, Mussio urged people to join Parler, an alternative to Twitter. Parler had become an online refuge for right-wing extremists because of its lax regulating of what could be said on the platform.

The Tyee asked Mussio whether he persisted in his support for Trump after the president's lies about being robbed of an election win and his incitement of the Capitol insurrection, and why he was against wearing masks during the pandemic, which has been shown to slow spread of infection and save lives.

Mussio responded by email, saying that he does not speak for the party.

He said his endorsement of Parler after Jan. 6 was because he advocated for freedom of speech and small businesses who get suppressed by "Big Tech."

"Up until it became known to me that Twitter was trying to wipe out its main competition in guise of some national emergency in the United States, I didn't even know Parler existed," he said, adding his tweet had nothing to do with Trump.



NPA director Wes Mussio tweeting his urging that people switch to Parler, a platform favoured by the far right.

Mussio said that he supports peaceful protests and not the Capitol Building violence. “If it is true that Donald Trump caused or supported the actions of the illegal rioters, a matter for debate if one looks at all the evidence, I do not support that action.”

Mussio said his position on the board has nothing to do with his federal or provincial political views, adding that the NPA bylaws state the party attracts a range of members.

Mussio denied being an anti-masker and said he is in favour of the freedoms set out in the Charter. “While the media may like to paint this NPA board swing-to-the-right story, it is actually false and misleading. It is definitely untrue about me,” he said.

Some of the current makeup of NPA directors traces to the 2019 NPA annual general meeting, which saw a mostly new board elected. Six of the 10 directors then are no longer on the board. There was no 2020 meeting, and

some current directors were appointed after other directors departed. Isidorou was among recent appointees. Mussio is also a recent addition.

Other high-profile NPA members who have left the party include longtime member and donor Peter Armstrong and former mayoral candidate Ken Sim, who narrowly lost to Mayor Kennedy Stewart in 2018. During that election, the NPA board blocked Hector Bremner, who won his seat on council during a byelection in 2017, from running for mayor for the party.

Sim plans to run for mayor in 2022 and is building a coalition of support, he said in a statement to The Tyee. “We need a new way forward, where sensible policies focused on making life better for everyone in this city can be discussed.”

Though there was a potential for new directors to be elected in the 2020 AGM, the meeting was said to be cancelled due to the pandemic, Bligh said. The board did not respond to requests for comment.

The province is allowing societies to seek an extension of their 2020 AGM to November 2021. It is unclear whether the next AGM is scheduled and if the board has communicated with NPA members.

Multiple requests to the NPA councillors, park board commissioners, school board trustees and president of the board David Mawhinney were met with no response.

Gordon Price is a former six-term councillor with the NPA and the first openly gay member of council, who served under then-mayor Gordon Campbell. He said there was a time when the NPA expected its board members to be bland and avoid controversy. Directors were there to raise money, pull in volunteers and keep things on simmer until the next election.

Price said he joined the NPA because of its core value of creating a tent in which the centre-left and the party’s right-leaning base could coalesce. Now, observing from the outside, Price said it seems the board might be “playing chess.”

He’ll be keeping a close eye out for next year’s election, to see how the right may split, who the mayoral candidate is, and what the incumbent councillors decide to do.

Former NPA mayor Sam Sullivan expressed little concern about extremist views espoused by the party’s board members.

The NPA comprises centre-left to right voters, he said. Historically, any extremes on either side have “cancelled each other out.” And right-wing board members have always nominated “very moderate to left-wing candidates.”

He claimed that Isidorou, now 24, was 19 when he made the white power symbol and wore the MAGA hat. “I don’t necessarily hold anything against people and the things they did when they were teenagers,” Sullivan said. In fact, according to the NPA, Isidorou was 20 at the time.*

He further noted that Isidorou had brought in a left-wing speaker in his role at Free Speech Club. “He’s an equal opportunist.”

Sullivan, who failed to be re-elected as a BC Liberal MLA in Vancouver-False Creek during the 2020 provincial election, fell under public scrutiny for promoting a group called Safer Vancouver, which lambasts harm reduction and has been criticized for demonizing homeless people.

Isidorou was seen in a photo with Sullivan on the campaign trail days before the provincial election. Sullivan said he only recalled Isidorou being at that specific event. It is unclear if Isidorou had any relationship with the campaign.

As for the future of the NPA, “Who cares who is on the board? That actually doesn’t matter,” Sullivan said of the party that was his home for 15 years as councillor and then mayor. “I’ve never seen any far-right candidates actually be put forward and they would immediately kill the NPA if that ever happened.”

But Mario Canseco, president of the polling firm Research Co., says Bligh and others are not wrong to raise concerns that a hard-right element within the power structure of Vancouver’s longest running municipal party could harness more moderate voters to their aims.

Voters in the municipal elections tend to be older and vote for slates, Canseco said, suggesting a lack of media coverage contributes to that behaviour given there is little name recognition.

He noted that through the city evolving, demographics may shift more influence to younger, centre-left voters. B.C.’s largest urban areas aren’t electing Conservatives at the federal level, and there is only one BC Liberal MLA in Victoria. This leaves a vacuum that could be occupied by a new brand of conservative, Canseco said.

“It’s a situation that is very similar to what we saw when Trump ran for president,” he explained about the NPA’s identity crisis. “As it started to snowball, it became more of a situation where the Republican Party became effectively Trump’s party.”

Canseco said it's apparent that Republicans who were perhaps uncomfortable with Trump's appeal to white supremacists nevertheless were not willing to vote Democrat.

In Vancouver's next election, he said, there is a real possibility for people to say, "I'm just going to vote for the NPA without even realizing the past or present of the people who you're voting for."

** Story updated on Jan. 27 to reflect that, according to the NPA, Isidorou was 20 years old when the picture in question was taken. 🇬🇧*



Contact: David Mawhinney
Email: president@npavancouver.ca

For Immediate Release:

NPA Board Responds to False and Defamatory Accusations

Vancouver, BC - January 27, 2021

The Executive and Board of Vancouver's Non-Partisan Association (NPA) decry the deliberate attacks by *The Tyee* and *Vancouver Sun* in an attempt to paint Angelo Isidorou as something he is not. The article is nothing more than a part of a clearly co-ordinated smear campaign to besmirch a newly appointed board member, as well as a continued campaign against the conservative persuasion of the board. It is becoming increasingly clear the smear campaign against the NPA and its Board members are designed to distract from the poor governance of the City of Vancouver under Mayor Kennedy Stewart and his progressive allies from COPE, One City and the Green Party.

The NPA Board is proud to be associated with someone like Angelo Isidorou, who has a [documented history](#) of fighting [against racism](#) within [political organizations](#), rather than paying lip service as so many of our critics. His whistleblowing efforts during the 2019 election campaign to reveal the nasty racist underbelly of the PPC show his good character. The photo taken of Angelo when he was only 20-years-old was not given the correct context. In particular it appears that the writers of these attack articles deliberately ignored attempts by Isidorou to set the record straight.

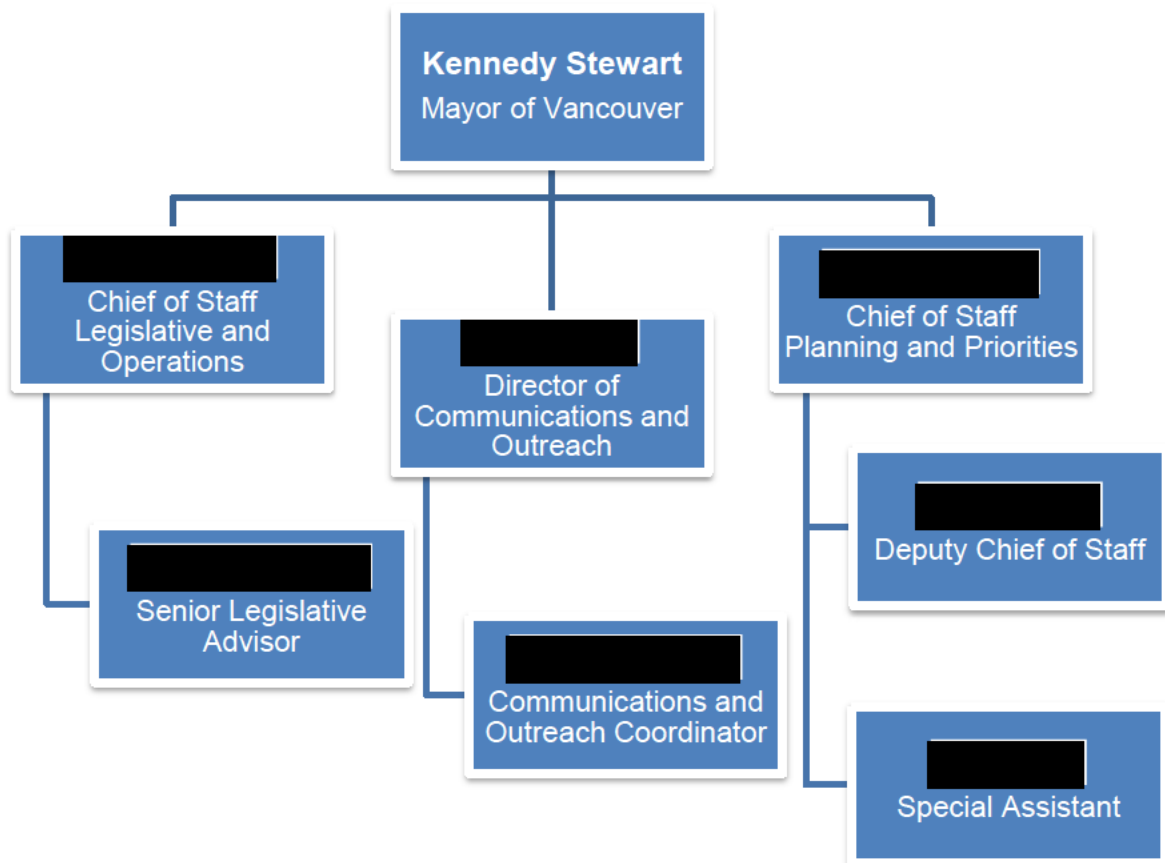
The NPA is a party of all political stripes, encompassing a wide variety of volunteers from all walks of life. The current characterizations of many in the media and NPA opponents paint an unfair picture of civic minded volunteer board members that is unwarranted. The attacks are clearly designed to intimidate and destroy reputations of people who want nothing more than to serve their community and oppose mayor Kennedy Stewart and his supposedly "progressive" allies.

The NPA is committed to not allowing any individuals and/or lobby groups no matter how wealthy or influential, to dominate the party or its nominations process as it seeks to reclaim a majority at City Hall in 2022.

Vancouver Non-Partisan Association (NPA)

TAB 5

Mayor's Office Political Staff - 2021
Organizational Chart



TAB 6



VANCOUVER

MAYOR'S OFFICE

TAB 7



MAYOR KENNEDY STEWART

Mayor Kennedy Stewart's statement on Asian Heritage Month

May 1, 2020

May is Asian Heritage Month, and this year, I ask all of us — no matter our ancestry — take a moment to reflect on how richer our lives are for living in a city with such vibrant historical and present-day connections to Asia.

Today, this reflection is more important than ever. Over the last several weeks, we've seen a concerning rise of racism — especially anti-Asian racism — in our City and across Canada. Our diversity is our greatest strength, and so it angers me to see some people commit such hateful acts.

Hate of any kind has no place in our City.

I want everyone to know these actions will not be tolerated. The Vancouver Police Department takes these actions, and others like it, extremely seriously, and the City does too.

Because we're better than this.

I want us all to commit — this month, and all year long — to actively denounce hateful actions and support those fighting hard to make our City even more inclusive and welcoming.



MAYOR KENNEDY STEWART

Mayor's Statement on Anti-2SLGBTQ+ Preacher

September 2, 2020

"I cannot say this strongly enough.

Hate directed towards Vancouver's 2SLGBTQ+ community will not be tolerated.

The anti-2SLGBTQ+ preacher and his associates are not welcome in our city. The harm and violence they cause to the 2SLGBTQ+ community do not reflect the Vancouver we know or want.

But words are not enough.

Action is needed.

I'm fully committed to ensuring that our neighbours in the 2SLGBTQ+ community live in a safe and loving city.

I'm hearing from the 2SLGBTQ+ community and I'll do whatever it takes to make the vitriol, violence, and harm stop.

I'm consulting with the 2SLGBTQ+ community and with the Attorney General of BC to put in place policies to address the harm and violence caused by the reprehensible anti-2SLGBTQ+ preacher and his associates.

Nothing short of this will do.

Davie Village is such an important local, provincial, and national neighbourhood, and it must be protected and nurtured. We cannot allow Davie Village to be anything but a vibrant and safe community for 2SLGBTQ+ people."

TAB 8



Archived - Empty Homes Tax rate to increase to 3% for 2021 tax year



I'm so glad that Council backed my plan to stand up for renters and raise the Empty Homes Tax to 3%.

Mayor Kennedy Stewart



November 25 2020 –

Today City Council directed City staff to increase the Empty Homes Tax (EHT) rate to 3% for the 2021 tax year. The rate remains at 1.25% for the 2020 tax reference year — declarations for 2020 opened on Tuesday and are due by February 2, 2021.

The motion to increase the rate to 3% for the 2021 tax year was put forward by Mayor Kennedy Stewart to further encourage owners of vacant properties to place them on the rental market.

"I'm so glad that Council backed my plan to stand up for renters and raise the Empty Homes Tax to 3%," said Mayor Kennedy Stewart. "This groundbreaking tool has helped move thousands of homes back onto the rental market to help house our neighbours, but there are still too many homes that remain empty. By tripling the tax from 1% to 3% since the tax launched, we're sending an even stronger message that homes are for people, not speculation."

Rate increase to be enacted by Council at a future meeting

This is the second increase to the tax rate since the EHT launched in 2017. In 2019, staff were directed by City Council to increase the rate for the first time, from 1% to 1.25%.

Amendments to the Vacancy Tax By-law, to reflect this rate increase, will need to be enacted by Council at a future meeting.

Supporting social housing

\$61.3 million of net revenues from the EHT have been allocated to support affordable housing initiatives in Vancouver since the tax launched in 2017. In that same time period, the number of vacant properties has fallen by 25%.

Find out more about statistics and compliance in our newly-released annual report [\[PDF\]](#) (840 KB) for 2019, or visit vancouver.ca/ehf.

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Archived - Vancouver proclaims May 29 to be a Day of Action Against Racism



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In wake of increased anti-Asian hate crimes, City reinforces that racism will not be tolerated

May 28 2020 –

Mayor Kennedy Stewart has issued a multi-lingual proclamation (6 MB) declaring that this Friday will be a Day of Action Against Racism and that, as a City of Reconciliation, Vancouver is committed to addressing racism and hate.

The proclamation, which also recognizes that racism has long been a part of Vancouver's history and that we need to learn the mistakes of the past, is part of a province-wide campaign to raise public awareness and encourage individuals, businesses, community organizations, and associations to take a public stand against racism.

As a city, we need to unite to address racism and recognize that people of all ethnicities, cultures, and faiths contribute to Vancouver's strength and well-being.

Since the COVID-19 pandemic was declared, there has been a significant increase in the number of anti-Asian racist and xenophobic incidents. Last week, Vancouver Police Department (VPD) announced that 77 hate crimes and incidents have been reported to them in 2020, compared to 51 in the same period last year.

Equity and Inclusion team established

In response to COVID-19, the City of Vancouver has established an Equity and Inclusion team with the Emergency Operations Centre (EOC) to support community resilience, help lower barriers to accessing timely, critical information, and work to ensure historically underrepresented groups disproportionately impacted by the pandemic are part of emergency response.

This team has organized an ongoing series of virtual town halls for groups that have been historically discriminated against and marginalized to provide feedback and ask questions to the City Manager and COVID-19 Task Force Chief.

The City has also provided funding to the Chinatown Business Improvement Association to cover additional security costs for the area, and is in frequent contact with community groups in the neighbourhood to offer additional support.

There is no place for racism in Vancouver

in Vancouver.

Download the ZIP folder of multi-lingual resources (12 MB)

Report hate crimes

Anyone who experiences or witnesses racism or a hate crime can report it to the police, or to an organization such as the BC Human Rights Commission. VPD is working to reduce barriers that may prevent reporting, including developing a system that will allow victims to report non-emergency incidents in Cantonese and Mandarin.

Quotes

Mayor Kennedy Stewart

"Earlier this week, for example, I held a meeting with leaders from the Asian community and allied organizations to discuss the surge in hate-related crimes, especially those that are race-motivated. Around that virtual roundtable, and in spite of the troubling impact on too many members of this community, the group came back again and again to positive solutions that draw on Vancouver's core strength – its diversity" the Mayor added.

City Manager, Sadhu Johnston

"Racism, hate and xenophobia have no place in our city, and the recent spike in anti-Asian sentiment is extremely disturbing", City Manager, Sadhu Johnston said. "I have heard, during the town halls and in general from community, that targeted xenophobia and anti-Asian racism is making it even more of a struggle for people to cope with the impacts of the pandemic. We are committed to ensuring that every resident feels welcome in Vancouver and will continue to take action, both during the pandemic and beyond, to address racist behaviour."

Resources

- Province of BC anti-racism FAQs [↗](#)
- Federal government anti-racism resources [↗](#)
- Office of the BC Human Rights Commissioner [↗](#)

Translations of this news release

All translated documents are in PDF format and are 410 KB or less.

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TAB 9



Tweet

**Kennedy Stewart**
@kennedystewart

So disappointed. The NPA led a vote to delay my proposed middle-income housing pilot & put the hopes of hard-working families on the back burner.

Residents need action on housing, not delays. I'll keep fighting to make housing more affordable, even if the NPA won't.

#vanpoli

10:52 PM · Sep 29, 2020 · Twitter Web App

20 Retweets 6 Quote Tweets 127 Likes

**Kelsey_M** @Kels_M · Sep 29, 2020

Replying to @kennedystewart

We do need more action on housing. Can you start with prioritizing the precariously housed?



1



13

**Noelle Kristian** @kristian_noelle · Sep 30, 2020

Yes. @kennedystewart start with those whose days are marked by the precarity of tents, covid, inadequate toilet supply, lack of showers, poisoned drug supply, upcoming cold weather, poor air quality, violence and chainsaw wielding neighbours. Get some humane priorities, fast.



3

**Len Layton** @lenlayton · Sep 29, 2020

Replying to @kennedystewart

So they are partisan after all.



3

**vanthusiast** @vanthusiast123 · Sep 29, 2020

Replying to @kennedystewart

I guess now you know how disappointment looks like as that's how we feel about you when we're chased with chainsaws, spat on, harassed and threatened by drug addicts, our properties invaded and I can go on forever! But this is beyond disappointment, I'd say anger and devastation



1



2



19

[Show replies](#)**marianne amodio** @marianneamodio · Sep 29, 2020

Replying to @kennedystewart

So disappointing.



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@kennedyste...[Follow](#)

40th Mayor of Vancouver.
Please send messages to Kennedy.Stewart@vancouver.ca rather than DM. Profanity will be blocked.

What's happening

US national news · LIVE

The murder trial of ex-cop Derek Chauvin continues



Trending with
[#DerekChauvinTrial](#)

Trending in Canada

DreamXD

44.7K Tweets

Video games · Trending

Mario

People are joking that March 31 is the day of Mario's death as several Mario games will no longer be sold
234K Tweets

· March 30, 2021

This Brazilian town is home to a huge coronavirus vaccine experiment



· Yesterday

Donald Faison Is Going To Be Professor Utonium In The "Powerpuff Girls" Reboot

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**Tweet****Kennedy Stewart** ✓

@kennedystewart



Great news!!! Council just backed my move to raise the Empty Homes Tax to 3% starting next year.

Tripling the EHT was a key campaign promise of mine, and I want to thank everyone who supported this move to stand up for renters and make sure homes are for people.

#vanpoli

**Voting Results****3. Report Back on Empty Homes Tax 2021 Tax Rate Increa**

Name	In Favour	In Opposition	Abstain	Declared Conflict	Absent	Not Vo
Councillor De Genova						
Councillor Carr						
Mayor Stewart						
Councillor Fry						
Councillor Swanson						
Councillor Hardwick						
Councillor Wiebe						
Councillor Boyle						
Councillor Dominato						
Councillor Bligh						
Councillor Kirby-Yung						
VOTE No. 6714 TOTAL	8	3	0	0	0	0

10:12 AM · Nov 25, 2020 · Twitter Web App

39 Retweets 37 Quote Tweets 298 Likes

**Geoff Costeloe** @gcosteloe · Nov 25, 2020

Replying to @kennedystewart

Missed this. What were the reasons for opposition @sarahkirby_yung @LisaDominato?

Not trying to pick a fight, just curious.



2



7

**Rahim Manji** @RahimaliManji · Nov 25, 2020

I'm surprised to see Hardwick's vote.



1



4

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40th Mayor of Vancouver.
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What's happening

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The murder trial of ex-cop Derek Chauvin continues



Trending in Canada

DreamXD

43.5K Tweets

Politics · Trending

#ontariolockdownTrending with [#CheckTheFreezerDoug](#)**PS POPSUGAR** · Yesterday

Surprise! Ariana Grande Is Going To Be A Judge On The Voice

**BuzzFeed** · Yesterday

Donald Faison Is Going To Be Professor Utonium In The "Powerpuff Girls" Reboot

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TAB 10



MAYOR KENNEDY STEWART

Mayor Stewart Urges Province to resume talks with Wet'suwet'en hereditary chiefs

For immediate release: Feb 10, 2020

Mayor Kennedy Stewart today issued the following statement on the injunction enforcement on those protesting in solidarity with Wet'suwet'en chiefs:

"I am deeply troubled by what has been unfolding on unceded traditional Wet'suwet'en territory and I urge the Provincial government to resume discussions with hereditary chiefs to find a peaceful resolution.

"Vancouver is a City of Reconciliation, and as Mayor of Vancouver, I am very worried that what is happening on unceded Wet'suwet'en territory will not help us reconcile with past wrongs or deal with the ongoing legacy of colonialism in our country. As an MP, I fought to entrench the United Nations Declaration on the Rights of Indigenous Peoples in our laws, and I fully support the BC Government's move to enshrine these principles in Provincial law.

"These actions however do not help us with reconciliation, and in fact set us back. Protests across the country and here in Vancouver in solidarity with Wet'suwet'en hereditary chiefs demonstrate how crucial it is for all leaders to take reconciliation seriously.

We are in the position we are today because of actions taken on unceded Wet'suwet'en traditional territory and the only way forward is to resume respectful and constructive dialogue."

-30-

For further information, contact:

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MAYOR KENNEDY STEWART

Mayor's statement on New Zealand terrorist attack

For immediate release: March 15, 2019

Mayor Kennedy Stewart today issued the following statement on the terrorist attack on two mosques in Christchurch, New Zealand:

"The terror attacks on Muslim people in Christchurch, New Zealand is utterly heartbreaking and must be called out for what it is: islamophobia stoked by unchecked white supremacy. I've offered my deepest condolences to Mayor Lianne Dalziel and the people of Christchurch and I know our entire city is thinking of the victims and their loved ones.

"The flag at City Hall has been lowered to half-mast in an expression of sympathy and solidarity with our Muslim friends and neighbours here in Vancouver. I have been in contact with the Vancouver Police Department and they are working with the local Muslim community to ensure everyone feels safe and supported.

"This tragedy is a reminder that no place is safe from hatred and that we in Vancouver must resolve today and every day to naming it and fighting it. I hope everyone takes a moment to think about how we can be the best neighbours and friends possible as we continue to build a city that is welcoming and safe for all.

#TheyAreUs"

-30-

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MAYOR KENNEDY STEWART

Mayor Stewart denounces recent acts of hatred in Vancouver

Vancouver, BC; March 3, 2021 – The following is a statement from Mayor Kennedy Stewart following several reports of racism and hateful acts in Vancouver:

“In recent days, Vancouverites have yet again been reminded that hate and racism lurk in our city and that we all have a role to play in calling these actions out and standing up for diversity and inclusion.

“Racist vandalism at Musqueam village, anti-Semitic and white supremacist graffiti in Riverview Park, and verbal and physical assault against people of Asian ancestry are just the latest examples of a hateful minority doing real damage to residents targeted by these hurtful acts and our entire community’s fabric.

“I know the vast majority of Vancouver residents share my disgust at these acts, and I applaud those that are fighting back, like those who installed anti-racist messages on heart shaped cards at c̓əsnaʔəm village. These acts of love and compassion are exactly the kind of response we need whenever we see acts of hate.

“I encourage everyone in our city to take any opportunity they can to also take a stand. In real life, and online. Push back against people who say hurtful things, and report offensive and hateful graffiti to the City through 3-1-1.

“For my part, I will be bringing up this issue in all of my upcoming outreach meetings with various sectors including large employers and leaders in the tourism and hospitality sectors and ask them for their support as well. I will also raise this issue with my fellow big-city Mayors through the B.C Urban Mayors’ Caucus.

“As I’ve said many times, we cannot rest when it comes to dismantling systems of oppression and lifting up the lives and voices of those who have been marginalized. And we must always call out hate and racism, whenever and wherever we see it.”

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TAB 11



MAYOR KENNEDY STEWART

Kennedy Stewart on Federal Election: Andrew Scheer would be worse than Stephen Harper

For immediate release: Oct 16, 2019

The following is a statement from Mayor Kennedy Stewart on Monday's Federal Election:

Ahead of this year's Federal Election, I invited all major federal leaders to Vancouver City Hall and to discuss the key issues facing Vancouver: housing, transit, and opioids. I started by meeting with Elizabeth May, then Prime Minister Trudeau, and finally Jagmeet Singh a few weeks ago.

On each of these main issues, all of these leaders expressed a willingness to work with Vancouver and a genuine desire to make things better. But despite repeated invitations and even conversations with key Conservatives, Andrew Scheer refused to meet.

And then I read his platform and it was shocking. I came away knowing one thing very clearly: Andrew Scheer would be worse than Stephen Harper.

On housing, expert analysis released just days ago shows that Andrew Scheer would move us backwards and make housing less affordable for Vancouver.

On transit, Andrew Scheer's \$18 billion cut to infrastructure would kill SkyTrain to UBC.

On opioids, Andrew Scheer would not only halt our progress on the overdose crisis – we would return to the days of fighting in court while more people die.

I want to be clear, not telling people who to vote for. But I do want to tell people in Vancouver that if you care about these top issues: and I know most people do – Andrew Scheer would be worse than Stephen Harper.

-30-

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