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**TO:** ACTING CITY MANAGER **DATE:** 2021 August 17

**FROM:** CITY CLERK

**SUBJECT: COMMITTEES' AND COMMISSION'S TERMS OF REFERENCE AND BYLAW UPDATES**

**PURPOSE:** To seek Council approval to update the Committees' and Commission's Terms of Reference, and authorize amendment of the Community Heritage Commission Bylaw.

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**RECOMMENDATIONS:**

1. **THAT** Council approve changes to the Committees' and Commission's Terms of Reference, as outlined in Section 3.0 of the report.
2. **THAT** Council authorize the City Solicitor to bring forward the amendments to the Community Heritage Commission Bylaw to reflect the membership changes, as noted in Section 3.1 of the report.

**REPORT**

**1.0 INTRODUCTION**

In 2012, upon Council's direction, a review of Committees and Commissions Terms of Reference (TOR) was undertaken by the Office of the City Clerk. A framework was established for this process, including a regular review of Committee appointments, policies and procedures in order to ensure compliance with the *Community Charter*, the *Local Government Act*, and the City's Procedure Bylaw.

In preparation for the 2022 general local election, the Office of the City Clerk reviewed Boards', Committees' and Commission's TOR identifying several updates.

This report outlines proposed changes to the TOR, and amendments to the Community Heritage Commission bylaw.

## 2.0 POLICY SECTION

This report aligns with the following goals and sub goals of the Corporate Strategic Plan:

- An Inclusive Community
  - Serve a diverse community –  
Ensure City services fully meet the needs of our dynamic community
- A Healthy Community
  - Community involvement –  
Encourage residents and businesses to give back to and invest in the community
- A Thriving Organization
  - Organizational culture –  
Ensure that our core values are reflected in our policies, programs and service delivery
  - Communication –  
Practice open and transparent communication among staff, Council and the community

## 3.0 TERMS OF REFERENCE AND BYLAW UPDATES

The following changes to the Committees' and Commission's TOR and the Community Heritage Commission Bylaw are being proposed for Council's consideration and approval:

### 3.1. Community Heritage Commission

Currently, the TOR include general functions for the Commission in accordance with Part 15 of the *Local Government Act*. To clarify the Commission's functions, the following changes are proposed:

#### **Recommendations:**

- Update Section 2. Function by adding the following subsections:
  - 2.2. To oversee the City's heritage program, including the identification, management, and preservation and/or restoration of buildings and sites with historical significance in Burnaby.
  - 2.3. To review regulations and legislation to protect the heritage register and inventory, conserving, monitoring, promoting and enhancing City-owned heritage resources and managing Council-approved funds for heritage purposes.
  - 2.4. To consider and make recommendations to Council on special projects (i.e. Heritage Plaques, WWII Honour Roll, etc.).

- 2.5. To consider and make recommendations to Council on awareness and public education.

In December 2018, the Burnaby Historical Society disbanded, and therefore the following changes are proposed to the TOR, as well as the Community Heritage Commission Bylaw:

**Recommendations:**

- Amend Section 5(1) of the Bylaw to remove reference to the Burnaby Historical Society:
  - S. 5.1. The Commission shall be appointed by Council at any regular meeting and shall consist of up to nine (9) members as follows:
    - (a) up to three members of Council;
    - (b) one member of the Burnaby Parks, Recreation and Culture Commission;
    - (c) one member from the community at large;
    - (d) up to three members from the community with a background in history, architecture, landscape architecture, archival studies, building conservation and restoration, or a related field; and
    - (f) one member from the local business community.
- Replace Section 3.1. Membership in TOR by using the wording from the amended Bylaw.

**3.2. Executive Committee of Council**

Several updates are required to clarify the Committee's functions and ensure consistency. Furthermore, the Executive Committee of Council, at its meeting held on 2021 July 15, requested that the TOR be amended to include recommendations to Council on governance matters, including TOR for Standing Boards, Committees and Commissions.

**Recommendations:**

- Amend Section 2. Functions to state the following:
  - 2.1. To review Burnaby Community Festivals Grant Program applications for funding and make recommendations to Council.
  - 2.2. To review Community Grant applications to assist cultural, athletic and volunteer assistance groups who provide a service or conduct promotional activities beneficial to Burnaby.
  - 2.3. To review and recommend to Council lease rates and lease grants for non-profit tenants at City of Burnaby resource centres.

- 2.4. To advise on Council procedures, and to review the Burnaby Procedure Bylaw and make amendment recommendations.
- 2.5. To make every effort to operate within the annual budgeted amount allotted to the Committee by Council.
- 2.6. To deal with human resource issues, general labour relations and personnel matters.
- 2.7. To consider requests by the Burnaby Association of Senior Exempt Staff (BASES) regarding Senior Exempt compensation/benefits.
- 2.8. To review the nominations for the City's Outstanding Citizen of the Year (recipient of the Kushiro Cup) and the Local Hero Awards; and make recommendations to Council.
- 2.9. To make recommendations to Council on the naming of parks, civic buildings and facilities.
- 2.10. To recommend to Council any department amalgamation, organizational restructuring and policy changes for implementation by the Chief Administrative Officer.
- 2.11. To provide recommendation to Council on strengthening local First Nations and Urban Indigenous relations reconciliation.
- 2.12. To review and advise on the City's Corporate Strategic Plan including the City's Vision, Mission, Goals, and Values.
- 2.13. To identify opportunities to enhance public awareness of City Initiatives.
- 2.14. To provide recommendations to Council on governance matters, including Terms of Reference for Standing Boards, Committees and Commissions.
- 2.15. To deal with any other matters referred by Council.

### **3.3. Public Safety Committee**

Currently, there is a gap between the Committee's role and staff representation, and the Burnaby Crime Prevention Society does no longer exists. In addition, to provide consistency in membership, the following changes to the Terms of Reference are proposed:

#### ***Recommendations:***

- Amend Section 3. Membership as follows:
  - 3.2. Voting membership consists of up to three (3) representatives from Council, including the Chair and Vice-Chair, one (1) representative from Burnaby School Board, one (1) from Burnaby Board of Trade, one (1) from each

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From: City Clerk  
Re: Committees Terms of Reference Updates  
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Community Policing Advisory Committee, and up to six (6) Burnaby citizen representatives.

- 3.6. Staff support is provided by the Public Safety and Community Services Department, Fire Department, Engineering Department, Planning and Building Department, RCMP and the Office of the City Clerk.

### 3.4. Standing Committees

Currently, the following Standing Committees - Executive Committee of Council, Financial Management Committee, and Planning and Development Committee - consist of five (5) Council members, which constitute a majority of Council. To comply with the *Community Charter*, it is recommended to update the membership to Standing Committees Terms of Reference as follows:

#### **Recommendation:**

- Update Section 3.0. Membership, Subsections 3.2.
  - Membership consists of up to four (4) members of Council.

### 4.0 RECOMMENDATION

It is recommended that Council approve the changes to the Committees' and Commission's Terms of Reference, as well as authorize the City Solicitor to bring forward amendments to the Community Heritage Commission Bylaw.

  
Blanka Zeinabova  
CITY CLERK

#### Attachments:

- Community Heritage Commission Terms of Reference
- Executive Committee of Council Terms of Reference
- Public Safety Committee Terms of Reference

Copy: Director Corporate Services  
Director Planning and Building  
City Solicitor

## 1. Purpose:

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The Community Heritage Commission advises Council on matters concerning the identification, management and preservation and/or restoration of buildings and sites with historical significance in Burnaby.

### *Authority:*

- [Local Government Act, Part 15 \(Heritage Conservation\) Division 3, S.597 \(Community Heritage Commissions\)](#)
- [Community Charter, Part 5, Division 4, S.143 \(Municipal Commissions\)](#)
- [Burnaby Community Heritage Commission Bylaw \(No. 9029\)](#)

### *Background:*

- On 1988 June 20, Council adopted Bylaw No. 9029, the bylaw to establish the *Burnaby Heritage Advisory Committee*.
- On 1993 May 03, Council adopted Amendment Bylaw No. 9881, to make changes to Committee membership.
- On 2004 March 08, Council adopted Amendment Bylaw No. 11700 to change the name of the *Burnaby Heritage Advisory Committee* to Community Heritage Commission. Further changes to Commission membership were also made.
- The *Burnaby Historical Society* disbanded 2018 December.

## 2. Function:

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- 2.1. To advise Council on matters within the scope of Part 15 of the Local Government Act.
- 2.2. To oversee the City's heritage program, including the identification, management, and preservation and/or restoration of buildings and sites with historical significance in Burnaby.
- 2.3. To review regulations and legislation to protect the heritage register and inventory, conserving, monitoring, promoting and enhancing City-owned heritage resources and managing Council-approved funds for heritage purposes.
- 2.4. To consider and make recommendations to Council on special projects (i.e. Heritage Plaques, WWII Honour Roll, etc.).

- 2.5. To consider and make recommendations Council on awareness and public education.

### **3. Membership:**

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- 3.1. As per the Burnaby Community Heritage Commission Bylaw (No. 9029)  
*“S.5. (1) The Commission shall be appointed by Council at any regular meeting and shall consist of up to nine (9) members as follows:*
  - (a) up to three members of Council;*
  - (b) one member of Burnaby Parks and Recreation Commission;*
  - (c) one person from the community at large;*
  - (d) up to three members from the community with a background in history, architecture, landscape architecture, archival studies, building conservation and restoration, or a related field; and*
  - (e) one person from the local business community.*
  - (2) Council may appoint additional members to the Commission for a maximum term of two years and those appointees shall be eligible for re-appointment as set out in subsection (3).*
  - (3) Each member shall be appointed for a term of two years and on the expiration of the term is eligible for re-appointment for two additional two-year terms.*
  - (4) The Director Planning and Building, the City Archivist, and a representative of the Burnaby Village Museum or their delegates may attend all meetings of the Commission but shall not vote.*
  - (5) A vacancy in the Commission does not impair the right of the remaining members to act.”*
- 3.2. A member who is absent from three (3) consecutive meetings of the Commission without leave of the Commission or without reason satisfactory to the Commission shall forthwith cease to be a member.
- 3.3. Staff Support is provided by the Parks, Recreation and Cultural Services Department; Planning and Building Department; and the Office of the City Clerk.

### **4. Meetings:**

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- 4.1. Commission meetings will be held in accordance with criteria outlined in Sections 35 and 36 of the Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

- 4.2. Meeting procedures are regulated according to Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

#### **5. Reference Information:**

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- [Burnaby Procedure Bylaw 2004 \(Bylaw No. 11714\)](#)
- [Burnaby Community Heritage Commission Bylaw \(No. 9029\)](#)
- [Corporate Strategic Plan \(2017\)](#)

## 1. Purpose:

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The Executive Committee of Council advises on the provision of community grants, allocates funds under the Festivals Burnaby Program, recommends the Citizen of the Year and Local Heroes, advises on First Nations reconciliation, deals with human resources and labour relations matters, exempt staff compensation and benefits, recommends organizational policy changes to Council for implementation by the City Manager and supports the City's Corporate Strategic Plan and special initiatives.

### *Authority:*

- [Burnaby Procedure Bylaw 2004 \(Bylaw No. 11714\)](#)
- [Community Charter, Part 5, Division 4, S.141 \(Standing Committees of Council\)](#)
- [Community Charter, Part 5, Division 6, S.154 \(Delegation of Council Authority\)](#)

### *Background:*

- On 1989 November 20, Council adopted a report to reorganize the committee structure by grouping related subjects and establishing five standing committees. As a result, the Executive Committee of Council was created.
- On 1995 March 13, Bylaw No. 10183 was struck, designating the Executive Committee of Council the head of the City for the purposes of the *Freedom of Information and Protection of Privacy Act (FIPPA)*.
- The Executive Committee of Council assumed responsibilities of the following dissolved committees:
  - *Finance Advisory Committee (1983)*
  - *Exempt Staff Committee of Council (1969)*
  - *Council Procedures Committee (1988)*
  - *Kushiro Cup Committee (2015)*
- On 2017 February 20, Council dissolved the Executive Committee of Council and the roles and responsibilities of the Committee were incorporated into the Financial Management Committee.
- On 2019 January 28, Council reinstated the Executive Committee of Council and responsibility for grants, human resource matters and naming of civic buildings and parks were reallocated to the Executive Committee from the Financial Management Committee.

- On 2019 April 24, Council further incorporated Executive Committee responsibilities for First Nations reconciliation, exempt staff compensation and benefits, organizational policy changes to Council for implementation by the City Manager, Local Heroes, and support of the City's Corporate Strategic Plan and special initiatives.

## 2. Functions:

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- 2.1. To review Burnaby Community Festivals Grant Program applications for funding and make recommendations to Council.
- 2.2. To review Community Grant applications to assist cultural, athletic and volunteer assistance groups who provide a service or conduct promotional activities beneficial to Burnaby.
- 2.3. To review and recommend to Council lease rates and lease grants for non-profit tenants at City of Burnaby resource centres.
- 2.4. To advise on Council procedures, and to review the Burnaby Procedure Bylaw and make amendment recommendations.
- 2.5. To make every effort to operate within the annual budgeted amount allotted to the Committee by Council.
- 2.6. To deal with human resource issues, general labour relations and personnel matters.
- 2.7. To consider requests by the Burnaby Association of Senior Exempt Staff (BASES) regarding Senior Exempt compensation/benefits.
- 2.8. To review the nominations for the City's Outstanding Citizen of the Year (recipient of the Kushiro Cup) and the Local Hero Awards; and make recommendations to Council.
- 2.9. To make recommendations to Council on the naming of parks, civic buildings and facilities.
- 2.10. To recommend to Council any department amalgamation, organizational restructuring and policy changes for implementation by the Chief Administrative Officer.
- 2.11. To provide recommendation to Council on strengthening local First Nations and Urban Indigenous relations reconciliation.
- 2.12. To review and advise on the City's Corporate Strategic Plan including the City's Vision, Mission, Goals, and Values.
- 2.13. To identify opportunities to enhance public awareness of City Initiatives.
- 2.14. To provide recommendations to Council on governance matters, including Terms of Reference for Standing Boards, Committees and Commissions.
- 2.15. To deal with any other matters referred by Council.

### 3. Membership:

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- 3.1. As per s. 141 of the *Community Charter*,
- “(1) The mayor must establish standing committees for matters the mayor considers would be better dealt with by committee and must appoint persons to those committees.*
- (2) At least half of the members of a standing committee must be council members.*
- (3) Subject to subsection (2), persons who are not council members may be appointed to a standing committee.”*
- 3.2. Membership consists of up to **four (4)** members of Council.
- 3.3. Membership term is one (1) year.
- 3.4. A member who is absent from three (3) consecutive meetings of the Committee without leave of the Committee or without reason satisfactory to the Committee shall forthwith cease to be a member.
- 3.5. Staff support is provided by the Parks, Recreation and Cultural Services Department; Planning and Building Department; Finance Department; and the Office of the City Clerk.

### 4. Meetings:

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- 4.1. Committee meetings will be held in accordance with criteria outlined in Sections 35 and 36 of the Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).
- 4.2. Meeting procedures are regulated according to Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

### 5. Reference Information:

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- [Community Granting Policy & Application Form](#)
- [Festivals Burnaby Program Criteria and Grant Guidelines](#)
- [Logo Usage for Community Grant Program](#)
- [Freedom of Information and Privacy Bylaw \(Bylaw No. 10183\)](#)
- [Burnaby Procedure Bylaw 2004 \(Bylaw No. 11714\)](#)
- [Corporate Strategic Plan \(2017\)](#)

## 1. Purpose:

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The Public Safety Committee collaborates with the Burnaby Detachment RCMP, Burnaby Fire Department, City Departments and external stakeholders to implement and promote public safety programs and initiatives while providing an opportunity for the public to have input into community safety priorities.

### *Authority:*

- [Community Charter, Part 5, Division 4, S.142 \(Select Committees of Council\)](#)

### *Background:*

- On 1994 March 21, Council established the *Community Policing Committee*, and the first Committee meeting occurred in April 1994. At that time, Burnaby had been chosen by RCMP Headquarters in Ottawa to be a pilot project for the RCMP's move to more community-based policing. Council saw the establishment of the Committee as a way for the City to work closely with the RCMP in the process of implementing Community Policing in Burnaby.
- In 2015 January, the Committee's name changed from the *Community Policing Committee* to the Public Safety Committee and absorbed the functions of the *Mayor's Task Force on Graffiti* which was established by Council in 2006 March 20.
- In 2015 December, at the direction of the Mayor, the Committee was expanded to include representation from the Burnaby Fire Department as a way for the City to work closely with the Fire Department in the process of implementing public safety initiatives including fire prevention, awareness and education.
- On 2017 February 20, the Traffic Safety Committee was dissolved and its roles and responsibilities were assumed by the Public Safety Committee.
- On 2019 January 23, the Traffic Safety Committee was re-established and assumed roles and responsibilities related to traffic safety.
- On 2019 January 23, non-voting membership was established to include the following organizations: District Parent Advisory Council, ICBC and HUB.
- Effective 2021 March 10, staff support was also provided by the Burnaby Fire Department.

## **2. Functions:**

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- 2.1. To serve as a liaison among Council, the Burnaby RCMP, Community Policing Advisory Committees (CPAC) and the Burnaby Fire Department.
- 2.2. To serve as a link between the above four (4) groups and the broader community, including service providing agencies, the business community, community organizations, and individual citizens.
- 2.3. To serve, on behalf of Council, as an advocate for public safety.
- 2.4. To receive nominations for the Public Safety Award and to recommend award recipients to Council for consideration and approval.

### **Police**

- 2.5. To advise Council on directions and strategies for community and problem-oriented policing and crime prevention initiatives.
- 2.6. To provide, in co-operation with the Community Policing Advisory Committees, opportunities for public input into the development of police service priorities the Committee will:
  - assist in identifying and analyzing community safety issues and concerns, and public expectations regarding service;
  - assist in determining City and community-based resources available to addressing safety issues (e.g. City staff, existing City programs, community resources etc.);
  - provide feedback on policy directions and service priorities set by the RCMP; and
  - assist the City and the RCMP to evaluate the success of community and problem-oriented policing.
- 2.7. To initiate and participate in strategies to address crime and disorder.
- 2.8. To adopt a public-focused communications plan for community and problem-oriented policing.
- 2.9. To support and encourage volunteer assistance, the Committee will:
  - provide leadership to, and support for, the activities of the district Community Policing Advisory Committees and other volunteers; and
  - review, provide feedback and forward recommendations to Council on a variety of matters related to the implementation of, and citizen involvement with community and problem-oriented policing.

## **Fire**

- 2.10. To provide Council with additional information related to the impacts and results of significant fire based incidents:
- within the City of Burnaby; and
  - relevant across the province
- 2.11. To provide Council with statistical trend analysis for Fire Department operations related to:
- fire suppression and medical emergency services;
  - fire prevention community services; and
  - department internal training initiatives and programs
- 2.12. To provide Council with a summary of community outreach initiatives relates to:
- community engagements; and
  - department recruitment engagements

## **Graffiti**

- 2.13. In keeping with Council's recognition of the need to examine best practices and innovative ideas on prevention and eradication of graffiti in Burnaby, the Committee will:
- recommend best practices in eradicating graffiti (e.g. graffiti control bylaws, assistance for the victims of graffiti vandalism, graffiti removal on public property and utilities);
  - recommend best practices in policing graffiti vandals; and
  - recommend innovative preventative measures.

## **3. Membership:**

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- 3.1. As per s. 142 of the *Community Charter*,
- “(1) A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.*
- (2) At least one member of a select committee must be a council member.*
- (3) Subject to subsection (2), persons who are not council members may be appointed to a select committee.”*
- 3.2. Voting membership consists of **up to three (3)** representatives from Council, including the Chair and Vice-Chair, one (1) representative from Burnaby School Board, one (1) from Burnaby Board of Trade, one (1) from each Community Policing Advisory Committee, and **up to six (6)** Burnaby citizen representatives.

- 3.3. Non-voting advisory organization representatives include one (1) from each of: District Parent Advisory Council, ICBC and Burnaby HUB.
- 3.4. Membership term is three (3) years with one opportunity for term renewal.
- 3.5. A member who is absent from three (3) consecutive meetings of the Committee without leave of the Committee or without reason satisfactory to the Committee shall forthwith cease to be a member.
- 3.6. Staff support is provided by the Public Safety and Community Services Department, Fire Department, Engineering Department, **Planning and Building Department**, RCMP and the Office of the City Clerk.

#### **4. Meetings:**

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- 4.1. Committee meetings will be held in accordance with criteria outlined in Sections 35 and 36 of the Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).
- 4.2. Meeting procedures are regulated according to Burnaby Procedure Bylaw 2004 (Bylaw No. 11714).

#### **5. Reference Information:**

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- [Burnaby Procedure Bylaw 2004 \(Bylaw No. 11714\)](#)
- [Corporate Strategic Plan \(2017\)](#)
- [Public Safety Award – Guidelines and Nomination Form](#)
- [CPAC Terms of Reference \(2014\)](#)
- [CPAC Expenditure Policy \(2012\)](#)
- [Public Safety Committee 2017-2019 Workplan](#)
- [Update on the Activities of the Burnaby – New Westminster Taskforce on Sexually Exploited and At-Risk Youth \(2020\)](#)
- [Mayor’s Task Force on Graffiti \(2006\)](#)
- [Burnaby Community Safety Plan \(2020\)](#)