
EXECUTIVE COMMITTEE OF COUNCIL

TO: MAYOR AND COUNCILLORS

SUBJECT: 2024 ADVISORY BODIES' TERMS OF REFERENCE UPDATES

RECOMMENDATION:

THAT textual housekeeping amendments, as indicated in Attachments 1 and 2 to the report titled "2024 Advisory Bodies' Terms of Reference Updates" dated March 6, 2024, be approved;

THAT the Corporate Officer be delegated the authority to complete future textual housekeeping amendments to Advisory Bodies' Terms of References for the following reasons:

- provincial and federal statute and regulation changes;
- bylaw and policy updates by the City of Burnaby;
- departmental, staff and external organizations name changes; and

THAT staff be directed to draft a policy framework for Terms of References for each Advisory Body, and report back to the Executive Committee of Council to introduce the proposed framework for approval.

REPORT

The Executive Committee of Council, at the Open meeting held on March 6, 2024, received and adopted the *attached* report providing housekeeping textual amendments to each Advisory Bodies' Terms of Reference based on new and updated bylaws, policies, and statutes.

Arising from discussion, the Committee amended the recommendation to direct staff to draft a policy framework for Terms of References for each Advisory Body, and report back to the Executive Committee of Council to introduce the proposed framework for approval.

On behalf of the Executive
Committee of Council,

Councillor Sav Dhaliwal
Chair

Councillor Pietro Calendino
Vice Chair

TO: EXECUTIVE COMMITTEE OF COUNCIL (ECC)
FROM: GENERAL MANAGER CORPORATE SERVICES
SUBJECT: **2024 ADVISORY BODIES' TERMS OF REFERENCE UPDATES**
PURPOSE: To provide updates and recommended amendments to each Advisory Bodies' Terms of Reference based on new and updated bylaws, policies, and statutes.

RECOMMENDATION

1. **THAT** textual housekeeping amendments, as indicated in Attachments 1 and 2 to the report titled "2024 Advisory Bodies' Terms of Reference Updates" dated March 6, 2024, be approved;

THAT the Corporate Officer be delegated the authority to complete future textual housekeeping amendments to Advisory Bodies' Terms of References for the following reasons:

- 1) provincial and federal statute and regulation changes;
 - 2) bylaw and policy updates by the City of Burnaby; and
 - 3) departmental, staff and external organizations name changes.
2. **THAT** staff be directed to conduct a thorough review of each Advisory Body Terms of Reference by consulting with:
 - 1) chairs and vice chairs;
 - 2) administrative officers;
 - 3) staff representatives; and
 - 4) submitted correspondence to Council or the Committees from appointed members or the public regarding the Terms of Reference; and;

THAT staff be directed to draft revised Terms of References for each Advisory Body and report back to introduce the proposed amendments for approval as required by the *Community Charter*.

1.0 POLICY SECTION

Pursuant to section 141 of the *Community Charter*, 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. Through this authority, changes to the following City of Burnaby standing committee's Terms of References (TORs) must be approved by the Mayor:

- 1) Audit Committee
- 2) Executive Committee of Council
- 3) Financial Management Committee
- 4) International Relations & Friendship Cities Committee
- 5) Planning and Development Committee

Pursuant to section 142 and 143, a Council may establish and appoint Select Committees and Commissions. The TORs for Select Committees and Commissions are approved by Council for the following:

- 1) Access Advisory Committee
- 2) Community Heritage Commission
- 3) Environment Committee
- 4) Mayor’s Task Force on Unsheltered Community Members
- 5) Parks, Recreation and Culture Committee
- 6) Public Safety Committee
- 7) Simon Fraser Liaison Committee
- 8) Social Planning Committee
- 9) Transportation Committee

2.0 BACKGROUND

In 2012, at the direction of Council, a review of Advisory Bodies’ TORs was undertaken by the Legislative Services Department. Through the review, a framework was established, including regular reviews of Advisory Bodies appointments, policies, and procedures to ensure compliance with the *Community Charter*, the *Local Government Act of B.C.*, and the Procedure Bylaw.

In 2023, Council adopted several new policies and bylaws necessitating updates to the current TORs, specifically:

- Burnaby Code of Conduct Bylaw 2023 (April 3, 2023);
- Delegation to Council and Council Advisory Groups Policy (June 19, 2023);
- Advisory Bodies Code of Conduct Policy (October 16, 2023);
- Burnaby Procedure Bylaw 2024 (November 20, 2023); and
- Correspondence for Council and Advisory Bodies Policy (December 11, 2023).

3.0 GENERAL INFORMATION

Delegated Authority to Staff for Housekeeping and Minor Text Amendments

TORs are documents that define the scope, objectives, roles, and responsibilities of the City’s Advisory Bodies. They provide clarity on the roles and responsibilities of individuals involved, ensure accountability, and facilitate effective collaboration among appointed members. Changes to TORs are often required when new policies, bylaws,

legislation, and statutes are passed. These changes are typically minor in nature and do not affect the scope or purview of the obligations required.

Granting authority to the Corporate Officer to make minor textual and/or housekeeping amendments to the TORs offers several advantages that streamline the administrative process within the City. By delegating this responsibility, the Corporate Officer can promptly address minor textual changes that arise from updates to policies, bylaws, legislation, and statutes without the need for report drafting and Council adoption and approvals. If the delegated authority is approved, any change or update to a TOR shall be tracked and Council and Advisory Body members will be advised of those changes, by way of written notification from the Corporate Officer.

If an amendment is required that will impact the responsibilities outlined in the TOR, or a change is requested by members of Council or advisory body members, these amendments will be subject to consideration and advisory to the Executive Committee and subject to Council or Mayoral approval.

Proposed Changes to TORs

This report proposes changes to Advisory Bodies’ TORs as follows:

3.1 Proposed General Updates:

The following sections were amended for all applicable TORs as follows:

3.1.1 Electronic Participation

Pursuant to the Burnaby Procedure Bylaw 2024, Bylaw No.14610, the following subsection was added after “membership”:

Except in the case of illness, leave or with written permission notice by the Chair, a member may not attend by electronic participation more than 25% of the meetings on the annual schedule adopted pursuant to s.5(1) of Bylaw No. 14610.

3.1.2 Clarity of Roles

For clarity, the following information regarding the Chair, Secretary and staff support was added:

- *two (2) members of Council will be appointed to serve as the Chair and Vice Chair;*
- *the Corporate Officer or their designate is responsible for the preparing of the agenda; and*
- *the designated City staff who will serve in support of the Advisory Body.*

3.1.3 Organizational Changes

Due to organizational and departmental name and formatting changes, the following was updated:

- *date formatting;*
- *job titles; and*
- *department names.*

3.1.4 Removing Outdated Bylaw References

Any reference to the old Procedure Bylaw was updated to reflect the current Burnaby Procedure Bylaw 2024, adopted November 20, 2023.

3.1.5 Quorum Requirements

For clarity, the following information regarding quorum and procedures was added:

- *Committee meetings will be scheduled in accordance with the criteria outlined in the current Burnaby Procedure Bylaw;*
- *the Chair or the Corporate Officer has the authority to call, cancel or re-schedule a meeting;*
- *a quorum will consist of a majority of the appointed members; and*
- *expectations for conduct from appointed members are outlined in the Advisory Body Code of Conduct Policy.*

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Consultation initiatives for a thorough review of all Advisory Bodies TORs will entail engaging appointed members, groups, and staff representatives of each Advisory Body. Upon receiving the findings, staff will report back to the Mayor and Councillors with recommendations to update the TORs of specific Advisory Bodies in Spring 2024.

5.0 FINANCIAL CONSIDERATIONS

There are no financial impacts or considerations from making these proposed amendments to the Advisory Bodies' TORs.

Respectfully submitted,

Juli Halliwell, General Manager Corporate Services

ATTACHMENTS

- Attachment 1 – Standing Committees TOR Updates (2024 Drafts) Mayoral Approval
- Attachment 2 – Select Committees and Commission TOR Updates (2024 Drafts) Council Approval

REPORT CONTRIBUTORS

This report was prepared by Samantha Pellizzari, Policy and Governance Administrator, and reviewed by Nikki Best, Corporate Officer.