

EXECUTIVE COMMITTEE OF COUNCIL

TO: MAYOR AND COUNCILLORS

SUBJECT: COUNCIL ADVISORY BODIES TERMS OF REFERENCE FRAMEWORK

RECOMMENDATION:

THAT the proposed Terms of Reference Framework outlined in Attachment 1 of the report titled, “Council Advisory Bodies Terms of Reference Framework”, dated October 2, 2024, of the Open meeting of the Executive Committee of Council, be **REFERRED** to staff to incorporate the following changes:

- remove from Section B under Mandates and Roles, the text “Clarifies what the group is empowered to do and provides a framework for its activities”;
- edit Section C to read “Create, Amend, Approve” and provide information on how the Terms of Reference are created under the domain of the Mayor;
- ensure that references to *Community Charter* and Burnaby Procedure Bylaw are used accurately throughout and provided in a concise and succinct manner and not duplicated or unnecessarily referenced;
- review the approval authority to ensure it reflects approval by the Mayor for standing committees and that select committees are created by the Mayor and approved by Council;
- remove the “Regular Review” section as any changes would have to be requested of the Mayor; and
- ensure that the Terms of Reference template documents are concise and succinct, avoid repetitive references, and are aligned with the Terms of Reference Framework.

REPORT

The Executive Committee of Council, at its meeting held on October 2, 2024, received the attached report seeking approval of the Council Advisory Bodies’ Terms of Reference Framework to standardise existing processes and provide consistency and clarity regarding the roles and responsibilities for each Advisory Body.

Arising from discussion, the recommendation in the report was not moved and the above motion was introduced and adopted.

The Committee requested that the amendments to the Framework be brought back to the Executive Committee of Council for final review.

On behalf of the Executive Committee of Council,

Councillor Sav Dhaliwal
Chair

Councillor P. Calendino
Vice Chair

TO: EXECUTIVE COMMITTEE OF COUNCIL (ECC)
FROM: GENERAL MANAGER CORPORATE SERVICES
SUBJECT: **COUNCIL ADVISORY BODIES' TERMS OF REFERENCE FRAMEWORK**
PURPOSE: To seek approval of the Council Advisory Bodies' Terms of Reference Framework to standardize existing processes and provide consistency and clarity regarding the roles and responsibilities for each Advisory Body.

RECOMMENDATIONS

1. **THAT** the Terms of Reference Framework, as indicated in Attachment 1 to the report titled "Council Advisory Bodies' Terms of Reference Framework" dated October 2, 2024, be approved.
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;
 - 4) submitted correspondence to Council or the Committees; and
3. **THAT** staff be directed to draft revised Terms of Reference for each Advisory Body in accordance with the Terms of Reference Framework, and report back to introduce the proposed amendments for approval, as required by the *Community Charter*.

1.0 POLICY SECTION

Pursuant to s.141 of the *Community Charter*, the Mayor is required to establish standing committees for matters that are better addressed by committee and to appoint individuals to those committees. Under this authority, any changes to the Terms of Reference (TOR) for the following standing committees must be approved by the mayor:

- Audit Committee
- Executive Committee of Council
- Financial Management Committee
- International Relations & Friendship Cities Committee
- Planning and Development Committee

Pursuant to s.142 and s.143 of the *Community Charter*, Council may establish and appoint members to select committees. The TOR for the following select committees and commissions are approved by Council:

- Access Advisory Committee
- Community Heritage Commission
- Environment Committee
- Parks, Recreation and Culture Committee
- Public Safety Committee
- Simon Fraser Liaison Committee
- Social Planning Committee
- Transportation Committee

2.0 BACKGROUND

During the Open Council meeting held on April 15, 2024, the Executive Committee of Council (ECC) submitted a report seeking approval for housekeeping textual amendments to the TOR for Advisory Bodies, as well as authority for the Corporate Officer to make future housekeeping amendments for the following reasons:

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

Arising from the discussion, staff were directed to draft a policy framework for the TOR for each Advisory Body, and report back to the Executive Committee of Council to introduce the proposed framework and seek approval.

3.0 GENERAL INFORMATION

TOR for Council Advisory Bodies are formal documents that define the purpose, scope, and responsibilities of the group. They detail the goals, specific issues or areas to be addressed, and the composition of the members. Additionally, the TOR outlines the roles and duties of the members, establishes governance procedures — including meeting schedules and decision-making processes — and specifies the duration of the Advisory Body's work.

The proposed framework establishes regular reviews to ensure compliance with all legislation, bylaws and policies relevant to the Advisory Body including, but not limited to: the *Community Charter*, the *Local Government Act* of B.C, and the Burnaby Procedure Bylaw, while also incorporating standards for form, content, amendments, and approval.

3.1 Form and Content Standards

Form and content standards for TOR are essential for ensuring both consistency and clarity in these documents.

Form standards prescribe the structural elements, including the use of a standardized template, consistent formatting, and document control features such as version numbers and approval dates. These standards ensure that all TOR are presented uniformly, with clear headers, footers, and readable formatting to facilitate navigation and understanding.

Content standards focus on the substance of the TOR, necessitating a clear articulation of responsibilities and governance procedures to facilitate effective decision making. Below are the essential subsections that must be included within a TOR to meet these content standards:

- Mandate and Role
 - Describes the scope of the Advisory Body's work.
 - Defines the specific functions and responsibilities assigned to the group, including the objectives it aims to achieve, the issues it is authorized to address, and the boundaries within which it operates.
 - Clarifies what the group is empowered to do and provides a framework for its activities.
- Membership
 - Outlines the composition of the Advisory Body, including whom has authority to appoint, and term of membership.
- Code of Conduct
 - Specifies that the ethical and behavioral standards expected of members are outlined and can be found in the Burnaby Procedure Bylaw, Burnaby Code of Conduct Bylaw and Advisory Bodies Code of Conduct Policy.
- Meetings
 - Details the scheduling, procedures, and expectations for attendance at meetings.
- Quorum and Procedures
 - Defines the minimum number of members required for a meeting and outlines procedural rules for conducting meetings.
- Recording Secretary and Support Staff
 - Identifies the individual responsible for preparing the agenda and notice of meetings, recording the minutes, and maintaining the records.

- Lists the staff administrative and technical support available to the Advisory Body.
- Governance Model
 - Defines the governance structure, including decision-making processes, reporting relationships, and oversight mechanisms.
- Termination
 - Specifies the conditions under which the Advisory Body or its members may be terminated.
- Resources
 - Lists required resources available to carry out the Advisory Body's functions effectively.

3.2 Amendments and Approval

Changes to a TOR are often necessary when new policies, bylaws, legislation, or statutes are enacted. These changes are typically minor and do not affect the scope or purview of the obligations required. By delegating this responsibility, the Corporate Officer can promptly address minor textual changes without the need for extensive report drafting and Mayor or Council approval.

Any minor textual or housekeeping amendments to a TOR completed by the Corporate Officer will be tracked, and Council and Advisory Body members will be notified of these changes through written communication from the Corporate Officer.

If an amendment is required that affects the responsibilities outlined in the TOR, or a change is requested by Council members or Advisory Body members, these amendments will be subject to review by the Executive Committee of Council and will require approval from Mayor or Council in accordance with the *Community Charter*.

3.3 Review

To determine if amendments are necessary, at the end of each calendar year, Legislative Services staff will conduct a thorough review of each Advisory Body's TOR by consulting with Chairs and Vice Chairs, Administrative Officers, staff representatives, and correspondence submitted to Council or the Committees from appointees.

If amendments are required, staff will present these changes for approval early the following year.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

If the Framework is approved, consultation initiatives for a thorough review of all Advisory Bodies' TOR 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 TOR of specific Advisory Bodies in January of each year.

Once amended and adopted, the updated TOR will be published individually on the City's website. If necessary, training will be offered to Advisory Body members on any newly adopted TOR.

5.0 FINANCIAL CONSIDERATIONS

There are no financial impacts or considerations.

Respectfully submitted,

Juli Halliwell, General Manager Corporate Services

ATTACHMENTS

Attachment 1 – Council Advisory Bodies' Terms of Reference Framework

REPORT CONTRIBUTORS

This report was prepared by Samantha Pellizzari, Policy and Governance Administrator, and reviewed by Kathryn Matts, Administrative Officer 2; Blanka Zeinabova, Senior Manager Legislative Services; and Nikki Best, Director Legislative Services.