



Notice of Meeting and Meeting Agenda Governance Committee

Wednesday, October 4, 2023

9:30 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

M. Little (Chair), S. Goodmanson (Vice Chair), S. Brice, C. Coleman, B. Desjardins, G. Holman,
P. Jones, K. Murdoch, D. Murdock, S. Tobias, C. Plant (Board Chair, ex officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

3.1. [23-721](#) Minutes of the August 2, 2023 Governance Committee Meeting

Recommendation: That the minutes of the Governance Committee of August 2, 2023 be adopted as circulated.

Attachments: [Minutes - August 2, 2023](#)

4. Chair's Remarks

5. Presentations/Delegations

The public are welcome to attend CRD Board meetings in-person.

Delegations will have the option to participate electronically. Please complete the online application at www.crd.bc.ca/address no later than 4:30 pm two days before the meeting and staff will respond with details.

Alternatively, you may email your comments on an agenda item to the CRD Board at crdboard@crd.bc.ca.

6. Committee Business

6.1. [23-709](#) Service Planning 2024 - Advocacy Community Need Summary

Recommendation: The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:
The Appendix A, Community Need Summary - Advocacy, be approved as presented and form the basis of the Provisional 2024 - 2028 Financial Plan.

Attachments: [Staff Report: Service Planning 2024 - Advocacy Community Need Summary](#)
[Appendix A: Community Need Summary - Advocacy](#)

6.2. [23-711](#) Service Planning 2024 - People Community Need Summary

Recommendation: The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:
That Appendix A, Community Need Summary - People, be approved as presented and form the basis of the Provisional 2024 - 2028 Financial Plan.

Attachments: [Staff Report: Service Planning 2024 - People Community Need Summary](#)
[Appendix A: Community Need Summary - People](#)

6.3. [23-710](#) Service Planning 2024 - Open Government Community Need Summary

Recommendation: The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:
That Appendix A, Community Need Summary - Open Government be approved as presented and form the basis of the Provisional 2024 - 2028 Financial Plan.

Attachments: [Staff Report: Service Planning 2024 - Open Government Community Need Summary](#)
[Appendix A: Community Need Summary - Open Government](#)

6.4. [23-712](#) Service Planning 2024 - Business Systems & Processes Community Need Summary

Recommendation: The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:
That Appendix A, Community Need Summary - Business Systems & Processes be approved as presented and form the basis of the Provisional 2024 - 2028 Financial Plan.

Attachments: [Staff Report: Service Planning 2024 - Business Systems & Processes Community Need Summary](#)
[Appendix A: Community Need Summary - Business Systems & Processes](#)

6.5. [23-670](#) Legislative and General Administration Service - 2024 Operating and Capital Budget

Recommendation: The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:
That Appendices A through O, the Legislative and General Government Operating and Capital Budgets be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Attachments: [Staff Report: Leg & Gen Service Plan](#)
[Appendix A: 2024 Leg & Gen Consolidated Budget](#)
[Appendix B: 2024 Budget Board Expenditures](#)
[Appendix C: 2024 Budget Other Leg & Gen Climate](#)
[Appendix D: 2024 Budget CAO & Executive Services](#)
[Appendix E: 2024 Budget Corporate Services](#)
[Appendix F: 2024 Budget Real Estate](#)
[Appendix G: 2024 Budget Human Resources](#)
[Appendix H: 2024 Budget Finance](#)
[Appendix I: 2024 Budget Health & Capital Planning](#)
[Appendix J: 2024 Budget Information Technology](#)
[Appendix K: 2024 Budget GM Planning & Protective Services](#)
[Appendix L: 2024 Budget Corporate Emergency](#)
[Appendix M: 2024 Budget First Nations Relations](#)
[Appendix N: 2024 Budget GM Parks & Environmental Services](#)
[Appendix O: 2024 Budget Corporate Communications](#)
[Presentation: Leg & Gen Service Budget](#)

6.6. [23-717](#) Code of Conduct - Next Steps

- Recommendation:** The Governance Committee recommends to the Capital Regional District Board:
1. That staff report back with a draft Code of Conduct bylaw that includes the following elements:
 - a. Standards of conduct will be applicable to Board Directors, Alternate Directors, and elected members of CRD Committees and Commissions;
 - b. Allows for complaints to be made by Directors, Alternate Directors, and elected members on CRD Committees and Commissions;
 - c. Includes a clear process for filing complaints;
 - d. Allows for complaints to be referred to and adjudicated by a third-party investigator;
 - e. Has a preliminary screening mechanism, an informal and formal resolution process;
 - f. Allows for the imposition of remedies and sanctions;
 - g. Includes guidelines for confidentiality in investigations and provides for the public release of investigative reports;
 - h. Provides for the discretionary reimbursement of legal expenses.

- Attachments:**
- [Staff Report: Code of Conduct - Next Steps](#)
 - [Appendix A: UBCM Model Code of Conduct](#)
 - [Appendix B: Code of Conduct Comparison Tables \(CRD & BC\)](#)
 - [Appendix C: Esquimalt Policy: Council Code of Conduct](#)
 - [Appendix D: Langford Policy: Council Code of Conduct Policy](#)
 - [Appendix E: Saanich Policy: Code of Conduct](#)
 - [Appendix F: Sidney Bylaw: Council Code of Conduct Bylaw No. 2249, 2023](#)
 - [Appendix G: Comox Valley Regional District Policy: Board Code of Conduct](#)
 - [Appendix H: Nanaimo Bylaw: City of Nanaimo Bylaw No. 7348](#)
 - [Appendix I: Surrey Bylaw: Council Code of Conduct Bylaw 2020, No. 20020](#)
 - [Appendix J: Vancouver Bylaw: Code of Conduct No. 12886](#)
 - [Presentation: Code of Conduct Next Steps](#)

7. Notice(s) of Motion**8. New Business****9. Adjournment**

The next meeting is December 6, 2023.

To ensure quorum, please advise Jessica Dorman (jdorman@crd.bc.ca) if you or your alternate cannot attend.

Meeting Minutes

Governance Committee

Wednesday, August 2, 2023

9:30 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

PRESENT

Directors: M. Little (Chair), S. Goodmanson (Vice Chair) (EP), K. Armour (for B. Desjardins), S. Brice, C. Coleman, G. Holman (EP), P. Jones, D. Murdock (9:41 am), J. Rogers (for S. Tobias) (EP)

Staff: T. Robbins, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; K. Morley, General Manager, Corporate Services; A. Orr, Senior Manager, Corporate Communications; C. Jenkinson, Manager, Executive Administration; F. Lopez, Manager, Strategic Planning; M. Lagoa, Deputy Corporate Officer; J. Dorman, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: B. Desjardins, K. Murdoch, C. Plant, S. Tobias

The meeting was called to order at 9:31 am.

1. Territorial Acknowledgement

Director Brice provided a Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Brice, **SECONDED** by Director Coleman,
That the agenda for the August 2, 2023 Governance Committee meeting be
approved.
CARRIED

3. Adoption of Minutes

3.1. [23-444](#) Minutes of the April 5, 2023 Governance Committee Meeting

MOVED by Director Coleman, **SECONDED** by Director Brice,
That the minutes of the Governance Committee meeting of April 5, 2023 be
adopted as circulated.
CARRIED

4. Chair's Remarks

Chair Little welcomed everyone to the meeting and spoke about the items on today's agenda.

5. Presentations/Delegations

There were no presentations or delegations.

6. Committee Business

6.1. [23-535](#) 2023 Governance Committee Terms of Reference - Revised

K. Morley spoke to Item 6.1.

**MOVED by Director Brice, SECONDED by Director Jones,
That the Governance Committee recommends to the Capital Regional District
Board:
That the revised 2023 Governance Committee Terms of Reference be approved
as presented.
CARRIED**

6.2. [23-531](#) Capital Regional District Advocacy Strategy

T. Robbins spoke to Item 6.2.

Discussion ensued on the following:

- application to Electoral Areas
- process for advocacy regarding local interests in Electoral Areas
- specifics surrounding operational strategies
- collaboration with different levels of governments and MLA's

Director Murdock joined the meeting at 9:41 am.

**MOVED by Director Coleman, SECONDED by Director Jones,
The Governance Committee recommends to the Capital Regional District Board:
That the updated CRD Advocacy Strategy be approved.
CARRIED**

6.3. [23-534](#) Capital Regional District Mission Statement

T. Robbins spoke to Item 6.3.

Discussion ensued on the impacts the mission statement has on priorities and the meaning and intent of the word "transcend".

MOVED by Alternate Director Armour, SECONDED by Director Brice,
The Governance Committee recommends to the Capital Regional District Board:
That the following mission statement be adopted: "We are a regional federation working together to serve the public good and plan the future of our livable, sustainable and resilient region. We transcend municipal and electoral area boundaries to deliver services to residents regionally, sub-regionally and locally through an inclusive, efficient and open organization."

Amendment:

MOVED by Alternate Director Armour, SECONDED by Director Brice,
That the main motion be amended to replace the word "transcend" with the words "work across".

CARRIED

MOVED by Alternate Director Rogers, SECONDED by Director Holman,
That the motion be amended as follows:

- add a comma after the word "good";
- remove the word "and" between the words "good" and "plan";
- add the word "for" between the words "plan" and "the"; and,
- replace the words "of our" with the words ", and build a".

CARRIED

MOVED by Director Holman, SECONDED by Alternate Director Armour,
That the amendment be amended to add the word "help" before the words "build a".

CARRIED

The question was called on the amended motion as amended.

That the motion be amended as follows:

- add a comma after the word "good";
- remove the word "and" between the words "good" and "plan";
- add the word "for" between the words "plan" and "the"; and,
- replace the words "of our" with the words ", help build a".

CARRIED

The question was called on the main motion as amended:

The Governance Committee recommends to the Capital Regional District Board:
That the following mission statement be adopted: "We are a regional federation working together to serve the public good, plan for the future, and help build a livable, sustainable and resilient region. We work across municipal and electoral area boundaries to deliver services to residents regionally, sub-regionally and locally through an inclusive, efficient and open organization."

CARRIED

6.4. [23-516](#) Bylaw No. 4556: Capital Regional District Public Notice Bylaw No. 1, 2023

K. Morley spoke to Item 6.4.

Discussion ensued on the email subscription service and individualized notifications.

**MOVED by Director Coleman, SECONDED by Director Murdock,
The Governance Committee recommends to the Capital Regional District Board:**

- 1. That Bylaw No. 4556, "Capital Regional District Public Notice Bylaw No. 1, 2023" be introduced and read a first, second, and third time;**
- 2. That Bylaw No. 4556 be adopted.**

CARRIED

6.5. [23-530](#) Membership in the Institute of Corporate Directors

K. Morley spoke to Item 6.5.

Discussion ensued on the professional development funding and reducing the membership term from 2026 to 2024.

**MOVED by Director Goodmanson, SECONDED by Director Brice,
The Governance Committee recommends to the Capital Regional District Board:
That the Board renew its membership with the Institute of Corporate Directors
until the end of 2024.**

CARRIED

**6.6. [23-539](#) Bylaw No. 4350 and 4566 - Proposed Amendments to Recreation
Commission Bylaws for Sooke and EA (2788) and Peninsula (2397)**

L. Hutcheson spoke to Item 6.6

Discussion ensued on the commission consultation.

**MOVED by Director Holman, SECONDED by Director Jones,
That the Governance Committee recommends to the Capital Regional District
Board:**

- 1. That Bylaw No. 4350, "Sooke and Electoral Area Parks and Recreation
Commission Bylaw No. 1, 2000, Amendment Bylaw No. 4, 2023" be introduced
and read a first, second and third time.**
- 2. That Bylaw No. 4350 be adopted.**
- 3. That Bylaw No. 4566, "Peninsula Recreation Commission Bylaw No. 1, 1996,
Amendment Bylaw No. 6, 2023" be introduced and read a first, second, and third
time.**
- 4. That Bylaw No. 4566 be adopted.**

CARRIED

7. Notice(s) of Motion

There were no notice(s) of motion.

8. New Business

There was no new business.

9. Adjournment

MOVED by Director Coleman, **SECONDED** by Director Brice,
That the August 2, 2023 Governance Committee meeting be adjourned at
10:47 am.
CARRIED

CHAIR

RECORDER

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Service Planning 2024 – Advocacy Community Need Summary**

ISSUE SUMMARY

To provide strategic context and an overview of services, initiatives and performance data related to the Advocacy Community Need.

BACKGROUND

The Capital Regional District (CRD) Board approved the 2023-2026 Board Priorities on March 8, 2023. Staff then developed the 2023-2026 CRD Corporate Plan which was approved by the CRD Board on April 12, 2023.

The CRD Corporate Plan presents the work the organization needs to deliver over the four-year term, along with the critical regional, sub-regional and local services, to meet the region's most important needs (i.e., Community Needs) and advance the Board's Vision and Priorities. Board Priorities, Corporate Plan initiatives and core service delivery form the foundation of the five-year financial plan.

The 2024 planning cycle marks the first year of the implementation of the 2023-2026 CRD Corporate Plan. The CRD's annual service plans, known as Community Need Summaries, provide an overview of the operational and strategic context, services levels, initiatives, and performance data for each Community Need. They also provide details of the initiatives, associated staffing, timing, and service levels required to advance the work in future years.

The Advocacy Community Need Summary is attached as Appendix A. The desired outcome is effective and coordinated advocacy.

The CRD reports on the progress of its initiatives and services on a regular basis. The Board receives updates about the Board Strategic Priorities through the Chief Administrative Officer Quarterly Progress Reports. The Board also receives an overview of progress made on delivering the Corporate Plan twice a year at the strategic check-in and provisional budget meetings, which take place in the spring and fall respectively. The next strategic check-in will take place in spring 2024. During the year, standing committees and commissions also fulfill an oversight and advisory role in relation to the work.

ALTERNATIVES

Alternative 1

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Advocacy, be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Alternative 2

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Advocacy, be approved as amended and form the basis of the Final 2024-2028 Financial Plan.

IMPLICATIONS

Governance Implications

In 2024, staff have prioritized programs and initiatives that:

- Advance 2023-2026 Board Priorities or Corporate Plan initiatives;
- Operationalize capital investments; and/or
- Are necessary to maintain a core service level following a regulatory change or where there is a safety risk to customers, communities, or staff.

The Executive Leadership Team (ELT) has reviewed and assessed all business cases and confirmed alignment with the criteria. ELT has determined that the consolidated package of work is appropriate and a proportional response to the CRD Board's and communities' expectations of the organization.

Financial Implications

To exercise constraint and cost containment, the CRD Board directed staff to keep the core inflationary adjustment to 3.5% through the 2024 Service and Financial Planning Guidelines. Staff and management have taken the necessary steps to mitigate the financial impact of proposed initiatives as well as cost escalation and high inflation rate experienced in 2022 through to 2023.

Financial and staff impacts for initiatives will be summarized and included in the provisional budget which will be presented at the Committee of the Whole meeting scheduled for October 25, 2023. Starting this year, this will also include a five-year forecast of staffing level changes, which will be reviewed annually.

Service Delivery Implications

Appendix A includes information about existing service delivery, operational considerations, and performance.

CONCLUSION

CRD staff are progressing initiatives identified in the 2023-2026 CRD Corporate Plan, including the Board Priorities. The CRD Board and commissions with delegated authorities determine resourcing through the annual review and approval of the provisional financial plan. To support decision-making, staff provide recommendations on funding, timing, and service levels through the service and financial planning processes.

RECOMMENDATION

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Advocacy, be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Submitted by:	Carolyn Jenkinson, Manager, Executive Operations
Concurrence:	Andy Orr, Senior Manager, Corporate Communications
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Community Need Summary – Advocacy

14

Advocacy



Effective and coordinated advocacy

01 Strategy

STRATEGIES & PLANS

- › [Advocacy Strategy for the Capital Regional District](#)

CORPORATE PLAN GOALS

- 14a Influence regional issues & advocate in a consistent, focused way that aligns with the Board Priorities

02 Contacts

CRD Board Chair	@email	250.360.3126
Chief Administrative Officer	@email	250.360.3124
Senior Manager, Corporate Communications	@email	250.360.3229
Manager, Executive Operations	@email	250.360.3125

03 Operating Context

ACHIEVEMENTS IN 2023

1. Continued to advance advocacy on Board Strategic Priorities and other Board and operational issues that arose during the year.
2. Updated Advocacy Strategy for Board approval and alignment to new Board Priorities.

FACTORS THAT WILL AFFECT OUR OPERATIONS IN 2024 AND BEYOND

- By definition, positive outcomes of advocacy are almost entirely dependent on third parties acting in ways that we believe will benefit the region.
- A successful advocacy strategy is targeted, focused and requires message discipline and consistency. Those we are advocating to must understand what our priorities are and that we are committed to advancing them.
- While the Board is within its right to advocate on matters that are outside of the CRD's service or legislated mandate, a lack of subject matter expertise internally can create significant challenges in putting together content to support advocacy efforts.
- Securing advocacy meetings can be challenging, depending on the appetite of the stakeholder involved. However, having a record of strong performance on a service provides us with essential credibility to secure these discussions.
- To be effective in gaining the support of senior orders of government, local government, and partners, the Priorities agreed to by the Board will remain the basis of the Advocacy Strategy, unless updated by the Board annually, or supplemented by resolutions of the Board to advocate on specific initiatives. The Board Priorities are organized under five themes with defined initiatives and desired outcomes. Role clarity, clear communication, and reporting is essential for both elected officials and staff to enhance effectiveness and portray the strength of common cause.

OPERATIONAL STATISTICS

2019	› 37 outgoing letters
2020	› 16 outgoing letters
2021	› 14 outgoing letters
2022	› 7 outgoing letters
2023	› 8 outgoing letters to date

Details are updated quarterly in the [Advocacy Dashboard](#) and presented as part of the Chief Administrative Officer Quarterly Report to the CRD Board.

04 Services

The services listed below rely on the support of several corporate and support divisions to operate effectively on a daily basis. More information about these services is available in the Corporate Services and Government Relations Community Need Summaries.

SERVICE BUDGET REFERENCES¹

- › 1.014 CAO and Executive Services
- › 1.118 Corporate Communications
- › 1.011 Board Expenditures

1. EXECUTIVE SERVICES

Description

Includes the Office of the CAO and Executive Administration, Corporate Communications, Human Resources and Corporate Safety, and Salt Spring Island Administration. Under the direction of the CAO, Executive Services:

What you can expect from us

- ▶ Provide overall management of CRD departments and programs, foster relationships and submit recommendations and progress reporting to the Board.
- ▶ Provide Board Chair and Board support.

Staffing Complement

Executive Administration
Corporate Communications

2. ADVOCACY SUPPORT

Description

The Board may act on any advocacy topic where it feels there is a regional interest or to support a local interest in collaboration with Electoral Area Directors. An Advocacy Strategy was developed in 2019 and updated in 2023 to assist the Board to be effective at gaining the support of other orders of governments and partners. The Board Strategic Priorities are the basis for Board advocacy. The process for adding to those is by Board resolution with follow-up actions typically directed through the Board

¹ Service budget(s) listed may fund other services

Chair, Chief Administrative Officer or Executive Leadership Team. The Board Chair may ask for the support of other Directors or staff to assist with efforts based on relationships, expertise and experience.

What you can expect from us

- ▶ Oversee the preparation of technical information briefs for the Chief Administrative Officer and/or Board Chair.
- ▶ Coordinate outreach including, but not limited to, correspondence and meetings.
- ▶ Track responses in the [Advocacy Dashboard](#), which transparently reports on all advocacy activities undertaken.

Staffing Complement

This work is incorporated into the existing workplans of the Senior Manager, Corporate Communications and Manager, Executive Operations.

05 Initiatives

Below are the initiatives listed in the [Capital Regional District 2023-2026 Corporate Plan](#) and the related initiative business cases (IBCs), including financial and staffing impacts, proposed for 2024. The financial impacts reflect full program costs, including cost of staffing.

Initiative	Implementation year(s)	Impacts in 2024
14a-1 Work collaboratively to address multi-jurisdictional issues that impact residents' wellbeing in alignment with the Board Priorities	Ongoing	-

06 Performance

GOAL 14A: INFLUENCE REGIONAL ISSUES & ADVOCATE IN A CONSISTENT, FOCUSED WAY THAT ALIGNS WITH THE BOARD PRIORITIES

Targets & Benchmarks

The CRD has a well-structured Advocacy Strategy that outlines the approach and maintains an Advocacy Dashboard keeping detailed records of all meetings, letters, phone calls documenting the advocacy initiatives discussed. The Advocacy Dashboard is a public facing document that is updated regularly and shared with the CRD Board through the Chief Administrative Officers' Quarterly Report.

Achieving a provincial or federal policy change or senior government action through regional district advocacy can be a slow and incremental process although worthwhile. Advocacy efforts may take years to yield results making it challenging to attribute specific outcomes to advocacy. Establishing a direct causal link between advocacy efforts and policy changes can be complicated as other factors such as public opinion, election outcomes or external events can influence policy decisions. Response levels to specific requests are unpredictable and often dependent on ministry approach and the immediate priorities of senior orders of government. Measuring the success of advocacy efforts can be difficult for local government and regional districts as they are often more nuanced and subjective. For these reasons, a specific performance target has not been identified.

07 Business Model

PARTICIPANTS All municipalities and electoral areas

FUNDING SOURCES Requisition

GOVERNANCE [Capital Regional District Board](#)

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Service Planning 2024 – People Community Need Summary**

ISSUE SUMMARY

To provide strategic context and an overview of services, initiatives and performance data related to the People Community Need.

BACKGROUND

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The People Community Need Summary is attached as Appendix A. The desired outcome is an organization staff are proud to be a part of.

The CRD reports on the progress of its initiatives and services on a regular basis. The Board receives updates about the Board Strategic Priorities through the Chief Administrative Officer Quarterly Progress Reports. The Board also receives an overview of progress made on delivering the Corporate Plan twice a year at the strategic check-in and provisional budget meetings, which take place in the spring and fall respectively. The next strategic check-in will take place in spring 2024. During the year, standing committees and commissions also fulfill an oversight and advisory role in relation to the work.

ALTERNATIVES

Alternative 1

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – People, be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Alternative 2

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – People, be approved as amended and form the basis of the Final 2024-2028 Financial Plan.

IMPLICATIONS

Governance Implications

In 2024, staff have prioritized programs and initiatives that:

- Advance 2023-2026 Board Priorities or Corporate Plan initiatives;
- Operationalize capital investments; and/or
- Are necessary to maintain a core service level following a regulatory change or where there is a safety risk to customers, communities, or staff.

The Executive Leadership Team (ELT) has reviewed and assessed all business cases and confirmed alignment with the criteria. ELT has determined that the consolidated package of work is appropriate and a proportional response to the CRD Board's and communities' expectations of the organization.

Financial Implications

To exercise constraint and cost containment, the CRD Board directed staff to keep the core inflationary adjustment to 3.5% through the 2024 Service and Financial Planning Guidelines. Staff and management have taken the necessary steps to mitigate the financial impact of proposed initiatives as well as cost escalation and high inflation rate experienced in 2022 through to 2023.

Financial and staff impacts for initiatives will be summarized and included in the provisional budget which will be presented at the Committee of the Whole meeting scheduled for October 25, 2023. Starting this year, this will also include a five-year forecast of staffing level changes, which will be reviewed annually.

Service Delivery Implications

Appendix A includes information about existing service delivery, operational considerations and performance. Additional information has been provided below about the proposed changes for 2024/2025.

1. Proposed changes for 2024

Staff are proposing to advance six new initiatives for the People Community Need that have financial implications for 2024, as shown in Table 1. The initiatives are:

1. advancing a Board or Corporate Plan Priority; and
2. adjustments to core service levels to meet regulatory and safety requirements.

Table 1. People Community Need Initiatives (2024)

Initiative	Implementation year(s)	Staff impacts (2024)	Incremental cost (2024)	Funding source
11a-1.1 Develop & implement the Corporate Accessibility Plan	2024-ongoing	1 New ongoing	\$60,000	Other
11a-2.1 Enhance understanding & accountability for EDI	2024-2026	-	\$15,000	Requisition
11a-3.1 Create & implement an Indigenous Employment Strategy	2024-ongoing	1 New Ongoing	\$210,000	Requisition & Other
11b-1.3 Human Resources Manager	2024-ongoing	1 New Ongoing	\$210,000	Other
11b-4.1 Employee Survey	2024-ongoing	-	\$50,000	Other
11b-7.1 Manager of Corporate Initiatives & Administration	2024-ongoing	1 New Ongoing	\$125,000	Requisition

The information in Table 1 reflects the business case costs which ELT reviewed as part of their annual assessment of initiatives. The financial impacts generally reflect full program costs, however the staffing costs associated with initiatives 11a-1.1 and 11b-7.1 reflect a phased implementation in 2024; the full staffing costs will be reflected in the 2025 budget.

11a-1.1 Develop and Implement the Corporate Accessibility Plan

In June 2021, the *Accessible British Columbia Act* became law and provides a framework to identify, remove, and prevent barriers to accessibility. In September 2022, new regulations came into force which require local governments to establish by September 2023:

- (1) an accessibility committee;
- (2) an accessibility plan; and
- (3) a tool to receive feedback on accessibility.

An Accessibility Plan must outline how the organization will identify, remove and prevent barriers to people in the organization or engaging with it. The plan must consider the principles of inclusion, adaptability, diversity, collaboration, self-determination, and universal design.

In April 2023, the Governance Committee and the CRD Board received and supported the establishment of an Accessibility Advisory Committee (AAC), with consideration on resources required to support the AAC as part of 2024 service planning. This support is necessary to deliver the significant requirements and outcomes needed to deliver and coordinate activities pertaining to an Accessibility Plan for the size and scope of the CRD organization. Currently, there are not dedicated staff resources or available capacity to support the activities related to this regulatory initiative on an on-going basis.

Initiative 11a-1.1 seeks to create a new regular ongoing role in the Human Resources & Corporate Safety Division to develop and implement an Accessibility Plan. The initiative also seeks an increase to the Division's core budget to identify and implement accessible technology to engage the public and committee.

11a-2.1 Enhance Understanding and Accountability for Equity, Diversity & Inclusion

The CRD Board adopted the following priority in 2023 "Develop understanding of, accountability for, equity, diversity and inclusion across CRD decision-making bodies". To advance this priority, initiative 11a-2.1 seeks a one-time budget increase for 2024-2026 (\$15,000/year for a three year total of \$45,000) to continue to advance educational sessions, titled Inclusion Literacy and Board Readiness, to CRD decision-making bodies.

These sessions will be focused on establishing a common foundational baseline around diversity and inclusive excellence. They explore the journey towards fostering a more psychologically safe, physically and mentally healthier workplace, and ultimately, a more inclusive workplace. The first module is specifically designed to prepare the board for the Equity, Diversity & Inclusion (EDI) journey and to identify the board's readiness, as well as the barriers that may bar them from leading the EDI journey. These sessions will be delivered to staff and to the CRD Board and will be expanded to all decision-making bodies, in line with the CRD Board Priority.

11a-3.1 Create and Implement an Indigenous Employment Strategy

The current labour market shortage and higher demand for Indigenous employees has led to increased numbers of Indigenous community members accessing employment. An Indigenous Employment Project report completed for the CRD in 2023 identified that many Indigenous community members, including young people, are seeking opportunities to advance their careers, build their skills, engage in more meaningful and rewarding work, find a workplace that is culturally safe and free from racism, or find work that supports them to fulfill cultural obligations in their communities.

The CRD has been working to identify opportunities to support Indigenous economic development and more inclusive models of governance and decision-making since 2015. Through this work, it has been determined that the organization needs to develop an Indigenous Employment Strategy, in collaboration with Indigenous communities, to lay out specific actions that the CRD will take for the CRD to become a desirable, competitive workplace for prospective Indigenous employees.

Initiative 11a-3.1 seeks to develop, deliver and resource the Indigenous Employment Project to support Indigenous employment at the CRD. To facilitate the work, the initiative seeks to create a new regular ongoing Manager of EDI and Indigenous Recruitment in the Human Resources & Corporate Safety Division to lead, implement, manage and monitor the effectiveness of the strategy moving forward.

11b-1.3 Human Resources Manager

The Human Resources & Corporate Safety Division operates in-house professional human resource and corporate safety services supporting the departments of the CRD. The organizational staffing complement has grown by 26.5% since 2018. In recent years, several Divisions such as Regional Housing, Regional Parks, and Information Technology & GIS have required more focused human resource attention given the nature of the industry and the recent growth requirements. In addition, the market for talent and expectations to modernize work environments, the impacts of the health pandemic both during and after, and requirements placed on organizations by regulatory agencies and lawmakers have increased substantially.

Resourcing in human resources has not increased while the organization was evolving. This has placed a significant burden on the Division's ability to keep pace with these increasing organizational changes, and resulting human resources support demands.

Initiative 11b-1.3 seeks to create a new regular ongoing Human Resources Manager role in the Human Resources & Corporate Safety Division. This position will bolster the staffing complement to ensure a continued high level of services to all CRD departments and Divisions, while further advancing the many strategic human resources programs required.

11b-4.1 CRD Employee Survey

Employee Experience Surveys offer an opportunity for all employees to share feedback about their experiences of working at the CRD. This information provides valuable data about the work and workplace, and a better understanding of employee experience, organizational climate, and engagement levels with the organization. The insights from the survey help the CRD and its staff continuously ensure that the CRD is a workplace where employees realize their potential and whose lives are improved through organizational connections and meaningful, fulfilling work.

Following the 2023 Employee Experience Survey, the CRD is looking to conduct Employee Experience Surveys every 18-24 months as part of its focus on employee engagement and ensuring a meaningful, fulfilling, and productive work environment.

Initiative 11b-4.1 seeks an increase to the core budget of Human Resources & Corporate Safety to facilitate future surveys, with the next iteration planned in Q3/Q4 of 2024.

11b-7.1 Manager of Corporate Initiatives and Administration

The CRD has experienced an increase in the number of corporate initiatives that are initiated by the Chief Administrative Officer and the Executive Leadership Team and do not relate directly to departmental lines of business.

Initiative 11b-7.1 seeks to create a new regular ongoing Manager of Corporate Initiatives and Administration role in the Executive Services department. The position will plan and lead the implementation of corporate initiatives, navigating change management and implementing new processes, procedures, and business strategies. The position will also develop and lead a more formal approach to corporate administration, and provide corporate administration oversight.

2. Planned changes in 2025

There are three initiatives planned for 2025, shown in Table 2. The CRD Board will consider approval next year.

Table 2. Forecast of Future Initiatives: People Community Need

Initiative	Implementation year(s)	Staff impacts (2025)	Incremental cost (2025)	Funding source
11b-1.1 HRIS Talent Suite	2025-2028	-		Not applicable
11b-1.2 Alignment of Services: Manager of Safety	2025-ongoing	1 New Ongoing	\$195,000	Other
11b-3.1 Benefits, Wellness & Abilities Management Coordinator	2025-2025	1 New Ongoing	\$153,000	Other

The information in Table 2 also reflects the business case costs.

11b-1.1 HRIS Talent Suite

Talent management is a key focus of our corporate strategic human resources initiatives. Included within a talent strategy is the need for improved functionality of our learning and development, performance and goals, and succession and development platforms to aid employees and managers, along with human resources.

In 2023, the CRD started the first phase of a robust Human Resources Information System (HRIS) with Employee Central and Recruitment & Onboarding. As the next phase of our HRIS, this initiative involves the purchase and adoption of SAP's cloud based SuccessFactors Talent Suite modules (Learning, Performance & Goals, Succession & Development) to leverage our existing system and capabilities. SuccessFactors helps organization ensure centralized employee records and assist managers and the organization in more modern talent management strategies and approaches.

Initiative 11b-1.1 will propose to increase staffing resources and core budgets in the Human Resources & Corporate Safety, Financial Services and Information Technology & GIS Divisions to facilitate the next phase of implementation starting in 2026.

11b-1.2 Alignment of Services: Manager of Safety

Over the past years, the CRD has experience considerable organizational growth in response to service and regulatory expectations. Divisions such as Integrated Water Services, Regional Housing and Regional Parks, for example, are requiring more focused corporate safety attention than ever before given the nature of the industry, growing infrastructure and employee bases, and related hazards and risk levels. In addition, and over that same period, the occupational health and safety obligations placed on employers by senior levels of government, the public, workers, and industry, combined with the impacts of the health pandemic, both during and after, and

requirements placed on organizations by regulatory agencies and lawmakers have increased substantially.

The combination of these factors and changes in regulatory requirements and legislation including the *Workers Compensation Act* and Occupational Health & Safety Regulations, have exceeded the current capacity of the four staff resources in Corporate Safety.

Initiative 11b-1.2 will propose to create a new regular ongoing Manager of Safety position in the Human Resources & Corporate Safety Division. This position will supplement the current staff complement and ensure continued, effective professional corporate safety oversight for the organization, in partnership with departments.

11b-3.1 Benefits, Wellness & Abilities Management Coordinator

In the recent CRD Employee Surveys, staff identified the need for more wellness initiatives to make the CRD a great place to work. Various studies have shown that good employee health is positively correlated to job satisfaction and increased employee engagement which affects productivity, turn over, sick leave usage etc. In past years, organizations focused on benefit programs as wellness strategies.

While the CRD currently engages in a number of wellness related corporate initiatives and informal worksite specific activities, there is not a formal wellness program at the CRD with dedicated resources to drive these initiatives forward in a robust and comprehensive way.

Initiative 11b-3.1 will propose to create a new regular ongoing Benefits, Wellness & Abilities Management Coordinator in the Human Resources & Corporate Safety Division. This position aims to consolidate existing but less comprehensive benefits and abilities management programs, then develop and lead coordinated and aligned benefits, wellness and abilities management programs aimed to provide proactive tools, resources, and programs that keep employees engaged on the job, and to quickly return employees back to work when they may be unable to temporarily be in the workplace. Professional resources to assist in delivering a comprehensive approach is paramount to ensure a successful program.

CONCLUSION

CRD staff are progressing initiatives identified in the 2023-2026 CRD Corporate Plan, including the Board Priorities. The CRD Board and commissions with delegated authorities determine resourcing through the annual review and approval of the provisional financial plan. To support decision-making, staff provide recommendations on funding, timing and service levels through the service and financial planning processes.

RECOMMENDATION

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – People, be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Submitted by:	Chris Neilson, MBA, CPHR, Senior Manager HR and Corporate Safety
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Community Need Summary – People

11

People



An organization staff are proud to be a part of

01 Strategy

STRATEGIES & PLANS

- › [Organizational Development Plan](#)
- › [CRD Climate Action Strategy](#)

CORPORATE PLAN GOALS

- 11a Equity, diversity & inclusion
- 11b Organizational capacity

02 Contacts

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Human Resources & Corporate Safety

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03 Operating Context

ACHIEVEMENTS IN 2023

1. Certificate of Recognition with Merit Certification Rating (\$900K+ cost savings) with WorkSafeBC
2. Canada's Greenest Employers Designation
3. Alternative Work Options Implementation
4. Collective Bargaining: Merger of United Steelworkers 1-1937 into Canadian Union of Public Employees Local 1978
5. Developed and Implemented 2023 Employee Experience Survey; Action Planning Underway

FACTORS THAT WILL AFFECT OUR OPERATIONS IN 2024 AND BEYOND

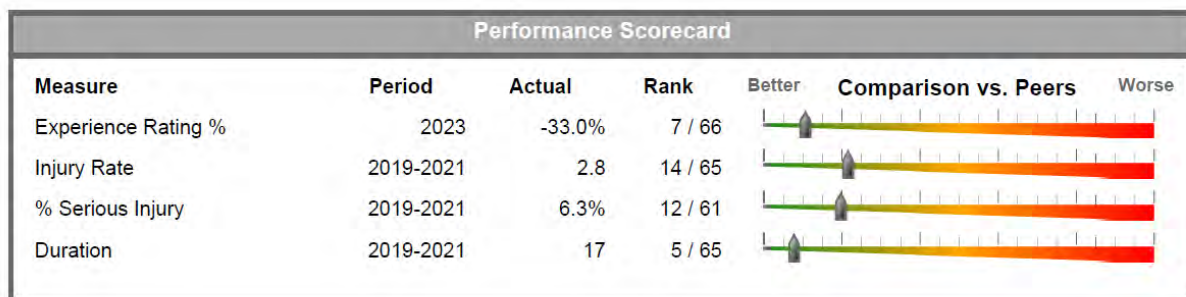
- Changing workplace and society demographics have significant impact on the nature of HR programs. There are a number of trends impacting the CRD including: significant workplace retirements, more employee transitional/family needs, acceleration of workplace and technological change, and shifting economic conditions with inflated costs of living, and exceptionally low unemployment with increased pressures on attracting and retaining staff.
- Enhanced efforts in organizational design, absence management, workforce & succession planning, recruitment and retention, and learning & development will be paramount to ensure the continued success of the CRD.
- Many divisions are seeing a decreasing pool of candidates for vacancies, and efforts are being placed in redefining operations to ensure an appropriate pool of employees continues to deliver the wide variety of services.
- We continue to see increased pressures on the recruitment and retention of technical, professional and senior level staff especially, and most recently on more junior staff particular to the pandemic. Increased efforts ongoing to evaluate ongoing staffing needs, train and develop staff, and conduct succession planning.

OPERATIONAL STATISTICS (TO QUARTER 1, 2023)

	CRD Current Q1, 2023	CRD Current Annual 2023	Industry Average Annual 2023	CRD Annual 2022	Industry Average 2022
1. Total Unionized Workforce (all staff)	89.8%	89.8%	78.6%	89.3%	81.2%
2. Average Length of Service (regular staff)	9.2 years	9.2 years	11.0 years	9.5 years	11.1 years
3. Average Employee Age (regular staff)	45.4 years	45.4 years	46.6 years	45.7 years	46.7 years
4. Turnover Rate / Retirement Rate (regular staff) ¹	1.4% / 0.3%	1.4% / 0.3%	2.1% / 0.5%	11.7% / 3.4%	11.1% / 2.9%
5. Job Opportunities (all staff)	111	205	N/A	565	N/A
6. Vacancy Rate (regular staff)	2.6%	2.6%	3.2%	3.3%	4.9%
7. Absenteeism (Sick Leave) Rate (regular staff)	5.1%	5.1%	6.2%	5.1%	5.8%
8. WorkSafeBC Employer Rate (all staff)	2.14% less 10% ²	2.14% less 10% ²	3.19%	2.05% less 10% ²	2.92%

For further information about these statistics please refer to the CAO Quarterly Progress Reports.

WorkSafeBC Trends Analysis (3 Tables):

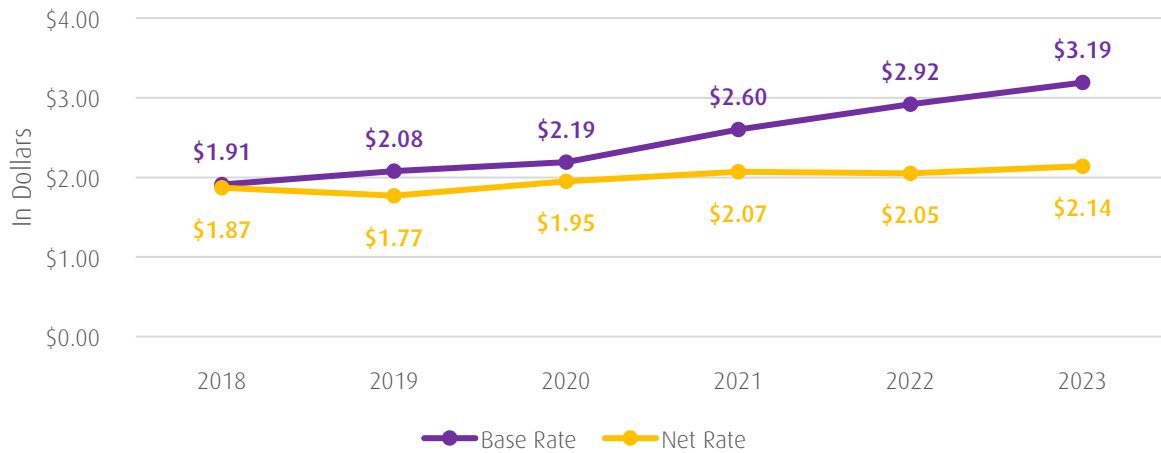


¹ Quarterly statistics are cumulative, with annuals being the sum of all quarters in the calendar year.

² An additional 10% reduction in assessed premiums is applied to the assessed rate, as a result of the CRD's Certificate of Recognition program and designation.

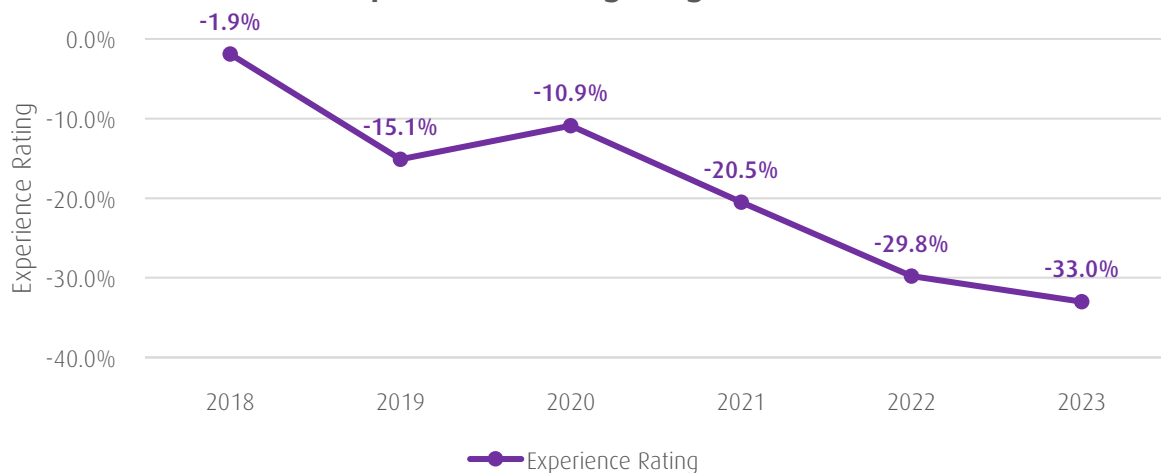
Cost of WorkSafeBC premiums per \$100 of assessable earnings. Net rate is the CRD's rate assigned by WorkSafeBC. Base rate is the rate for the industry. For 2023, the CRD's premium rate assessment is 49% below industry base assessments.

Net Rate vs Base Rate Trend



Experience rating is the amount of cost savings or cost premium over base rate each year. For 2023, the CRD is at an experience rating 33% better than industry base average.

Experience Rating %age Trend



04 Services

The services listed below rely on the support of several corporate and support divisions to operate effectively on a daily basis. More information about these services is available in the Corporate Services and Government Relations Community Need Summaries.

SERVICE BUDGET REFERENCES³

- › 1.016 Human Resources

HUMAN RESOURCES & CORPORATE SAFETY

Description

Provides professional in-house services to all departments and divisions for a multi-faceted inside and outside workforce. The Human Resource generalists and Corporate Occupational Health and Safety specialists support strong relationships between employees and managers, provide a one-stop HR shop with the information, tools, advice and support needed to align individual and organizational success and ensure a healthy and safe workplace and workforce.

What you can expect from us

- ▶ Employment relations, including 500+ job opportunities, labour relations for two unions, and Human Resources Information System (HRIS) management and reporting for 1,100+ employees and 1,400 volunteers
- ▶ Occupational health and safety, corporate wellness and benefits, and disability management
- ▶ Development and administration of over 80 personnel policies and corporate safe work practices
- ▶ Developing and delivering corporate learning and development programs (600+ participants annually)
- ▶ Delivering impactful stay-at-work/return-to-work disability management activities, ensuring impactful and meaningful employee engagement and absenteeism below rising industry norms
- ▶ Strategic Human Resource and Corporate Safety programs related to: Equity, Diversity, Inclusion and Accessibility; Organizational Capacity; Talent Acquisition; Employee Experience and Recognition; Talent Excellence; Human Resources and Corporate Safety Compliance and Excellence; and Leadership and Culture.

Staffing Complement

Division: **14.0 FTE (including Managers and Administrative Support)**

³ Service budget(s) listed may fund other services

05 Initiatives

Below are the initiatives listed in the [Capital Regional District 2023-2026 Corporate Plan](#) and the related initiative business cases (IBCs), including financial and staffing impacts, proposed for 2024. The financial impacts reflect full program costs, including cost of staffing.

Initiative	Implementation year(s)	Impacts in 2024	
11a-1 Develop and implement an organizational accessibility plan that is informed by residents and an Accessibility Advisory Committee ► NEW IBC 11a-1.1 Develop & implement the Corporate Accessibility Plan	2024 2024-ongoing	\$60K other	1 New ongoing (Q4 2024 start)
11a-2 Develop understanding of, and accountability for, equity, diversity and inclusion across CRD decision-making bodies ► NEW IBC 11a-2.1 Enhance understanding & accountability for Equity, Diversity & Inclusion (EDI)	2024 2024-2026	\$15K requisition	-
11a-3 Create and implement an Indigenous Employment Strategy in partnership with local Indigenous communities and Indigenous-serving organizations ► NEW IBC 11a-3.1 Create & implement an Indigenous Employment Strategy	2024 2024-ongoing	\$210K requisition + other	1 New Ongoing
11a-4 Strengthen Board decision-making frameworks to include First Nations Reconciliation, Equity, Diversity & Inclusion, and Climate Action lenses	Ongoing	-	-
11b-1 Advance the Human Resource Strategic Plan to guide organizational capacity and continuity, workforce planning and retention, and corporate safety ► FUTURE IBC 11b-1.1 HRIS Talent Suite ► FUTURE IBC 11b-1.2 Alignment of Services: Manager of Safety ► NEW IBC 11b-1.3 Human Resources Manager	Ongoing Planned for 2025 Planned for 2025 2024-ongoing	\$ - \$195K other \$210K other	- 1 New Ongoing 1 New Ongoing

Initiative	Implementation year(s)	Impacts in 2024	
11b-2 Maintain and enhance corporate compliance and alignment with workplace safety legislation	2023	-	-
11b-3 Maintain business continuity, efficiency and resilience by rightsizing the staffing complement and facilities	Ongoing	-	-
► FUTURE IBC 11b-3.1 Benefits, Wellness & Abilities Management Coordinator	Planned for 2025	\$153K other	1 New Ongoing
11b-4 Implement the recommendations in the 2023 CRD Employee Survey report	2023-2024	-	-
► NEW IBC 11b-4.1 Employee Survey	2024-ongoing	\$50K other	-
11b-5 Continue supporting the CRD Leadership Development Program	Ongoing	-	-
11b-6 Evaluate the effectiveness and impacts of the workplace flexibility and Alternative Work Options implementation on the organization and staff	2024-ongoing	-	-
► NEW IBC 11b-7.1 Manager of Corporate Initiatives & Administration	2024-ongoing	\$125K requisition	1 New Ongoing (Q2 2024 start)

06 Performance

GOAL 11A: EQUITY, DIVERSITY & INCLUSION

Targets & Benchmarks

Education for CRD staff and decision-makers to achieve a level of EDI competence and confidence needed to create a diverse, equitable, and inclusive organization.

The target for 2023 is to increase the number of CRD staff, and thus the overall percentage of CRD staff, who have completed EDI educational sessions.

Measuring Progress

Ref	Performance Measure(s)	Type	2022 Actual	2023 Forecast	2024 Target	Desired trend
1	The number of CRD staff participants who completed EDI educational sessions	Quantity	40	80	120	↗
2	Percentage of CRD staff who have completed EDI educational sessions	Quantity	12%	22%	38%	↗

¹ Counted as unique participant who have completed EDI training at the CRD

² Shown as a percentage of unique participants who have completed EDI training at the CRD

Discussion

Once staff have completed foundational levels of education, aligned with the education the decision-making bodies will receive, they will be better equipped to inform decision-making.

In 2022, two EDI educational sessions were facilitated. In 2023, there will be three EDI educational sessions facilitated for CRD Staff. Further, in 2023, EDI principles have begun to be embedded in other educational sessions (e.g. Recruitment & Selection, Performance Management, iLead Leadership Development Program, etc.).

Since engaging Inclusive Excellence Strategy Solutions to conduct EDI educational sessions, over 119 unique CRD employees (approximately 16%) at all levels of the organization have received education (many CRD staff members have taken multiple EDI educational sessions). The following educational sessions have been offered and we will continue to augment these as deemed appropriate: Confronting Unconscious Bias in the Workplace, Confronting Unconscious Bias in Recruitment, How to be an Ally, and Active Bystander

Future topics of EDI educational sessions will be developed to meet the changing requirements of an evolving society.

GOAL 11B: ORGANIZATIONAL CAPACITY

Targets & Benchmarks

Workforce engagement performance indicators measure the strength of the organization through the active engagement of employees, and assists in responding to changes in our external and internal environments through our Human Resources and Corporate Safety strategies and initiatives.

- Employee turnover industry average (2022): **11.1%**
- Unplanned absenteeism industry average (2022): **5.8%**
- Position vacancy rate industry average (2022): **4.9%**

Measuring Progress

Ref	Performance Measure(s)	Type	2022 Actual	2023 Forecast	2024 Target	Desired trend
1	Employee turnover	Quality	11.7%	9.0%	9.0%	↘
2	Unplanned absenteeism	Quality	5.1%	5.1%	4.5%	↘
3	Regular Position Vacancy Rate	Quality	3.3%	3.0%	2.5%	↘

¹ Total number of CRD staff (regular) that have left their employment with us as a percentage of the regular staff pool; data retrieved from corporate enterprise resource planning system

² Percentage of working time missed as a result of CRD staff (regular) unplanned absence (e.g. sick leave, emergency leave, other); data retrieved from corporate enterprise resource planning system

³ Percentage of regular staff positions that are vacant, including those under active recruitment; data retrieved from corporate enterprise resource planning system and recruitment dashboard

Discussion

The CRD has 758.94 FTE's – 732.94 regular and 26 term positions (with terms ranging from one to five years, with the majority being two year or longer, term positions) – and 433 auxiliary staff, mostly in Parks and Recreation. 89.8% of the CRD's paid workforce is unionized. The average length of service and average workforce age of CRD staff remain relatively consistent from previous years, at 9.2 years and 45.4 years respectively. Following the pandemic, with the increased pressures of a competitive labour market, turnover across industry has increased including at the CRD. Retirement rates account for approximately 21% of all employee turnover. We anticipate as the economy begins to righten, turnover will return to pre-pandemic levels at approximately 9%.

As an essential service, the CRD closely monitors the impact of absenteeism and takes appropriate measures to ensure essential operations are maintained. The CRD measures and monitors absenteeism by both its sick leave usage and safety ratings and has commenced a comprehensive disability management program aimed at early intervention and proactive and positive return to work programs.

By this the CRD is continuing its proactive disability management efforts to ensure costs of absenteeism are appropriately managed, and employees are actively engaged early in return-to-work measures to aid in their recovery to work from illness, as well as its proactive healthy workplace program focused on providing employees personal tools to keep them healthy. Sick leave absenteeism rates remaining trending consistently with previous years and remain below industry averages. We forecast that with new alternative work options, along with reduced pressures related to pandemic constraints of previous years, that absenteeism levels will return back to pre-pandemic levels.

07 Business Model

PARTICIPANTS	All municipalities and electoral areas
FUNDING SOURCES	Allocations, requisitions
GOVERNANCE	Governance Committee

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Service Planning 2024 – Open Government Community Need Summary**

ISSUE SUMMARY

To provide strategic context and an overview of services, initiatives and performance data related to the Open Government Community Need.

BACKGROUND

The Capital Regional District (CRD) Board approved the 2023-2026 Board Priorities on March 8, 2023. Staff then developed the 2023-2026 CRD Corporate Plan which was approved by the CRD Board on April 12, 2023.

The CRD Corporate Plan presents the work the organization needs to deliver over the four-year term, along with the critical regional, sub-regional and local services, to meet the region's most important needs (i.e., Community Needs) and advance the Board's Vision and Priorities. Board Priorities, Corporate Plan initiatives and core service delivery form the foundation of the five-year financial plan.

The 2024 planning cycle marks the first year of the implementation of the 2023-2026 CRD Corporate Plan. The CRD's annual service plans, known as Community Need Summaries, provide an overview of the operational and strategic context, services levels, initiatives, and performance data for each Community Need. They also provide details of the initiatives, associated staffing, timing and service levels required to advance the work in future years.

The Open Government Community Need Summary is attached as Appendix A. The desired outcome is coordinated and collaborative governance, and leadership in organizational performance and service review.

The CRD reports on the progress of its initiatives and services on a regular basis. The Board receives updates about the Board Strategic Priorities through the Chief Administrative Officer Quarterly Progress Reports. The Board also receives an overview of progress made on delivering the Corporate Plan twice a year at the strategic check-in and provisional budget meetings, which take place in the spring and fall respectively. The next strategic check-in will take place in spring 2024. During the year, standing committees and commissions also fulfill an oversight and advisory role in relation to the work.

ALTERNATIVES

Alternative 1

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Open Government be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Alternative 2

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Open Government be approved as amended and form the basis of the Final 2024-2028 Financial Plan.

IMPLICATIONS

Governance Implications

In 2024, staff have prioritized programs and initiatives that:

- Advance 2023-2026 Board Priorities or Corporate Plan initiatives;
- Operationalize capital investments; and/or
- Are necessary to maintain a core service level following a regulatory change or where there is a safety risk to customers, communities, or staff.

The Executive Leadership Team (ELT) has reviewed and assessed all business cases and confirmed alignment with the criteria. ELT has determined that the consolidated package of work is appropriate and a proportional response to the CRD Board's and communities' expectations of the organization.

Financial Implications

To exercise constraint and cost containment, the CRD Board directed staff to keep the core inflationary adjustment to 3.5% through the 2024 Service and Financial Planning Guidelines. Staff and management have taken the necessary steps to mitigate the financial impact of proposed initiatives as well as cost escalation and high inflation rate experienced in 2022 through to 2023.

Financial and staff impacts for initiatives will be summarized and included in the provisional budget which will be presented at the Committee of the Whole meeting scheduled for October 25, 2023. Starting this year, this will also include a five-year forecast of staffing level changes, which will be reviewed annually.

Service Delivery Implications

Appendix A includes information about existing service delivery, operational considerations and performance. Additional information has been provided below about the proposed changes for 2024.

Staff are proposing to advance four new initiatives for the Open Government Community Need that have financial implications for 2024, as shown in Table 1. The key drivers for the initiatives are:

1. advancing a Board or Corporate Plan Priority; and
2. adjustments to core service levels to meet regulatory obligations.

Table 1. Open Government Community Need Initiatives (2024)

Initiative	Implementation year(s)	Staff impacts (2024)	Incremental cost (2024)	Funding source
12a-1.1 Privacy & Information Senior Analyst	2024-ongoing	1 New Ongoing	\$115,000	Requisition
12b-1.1 Build EDI principles into Public Participation Framework	2024	-	\$25,000	Requisition
12b-2.1 Citizen Experience Survey	2024	-	\$53,000	Requisition
12b-4.1 Meeting Management Improvements	2024-2025	-	\$40,000	Requisition

The information in Table 1 reflects the business case costs which ELT reviewed as part of their annual assessment of initiatives. The financial impacts generally reflect full program costs, however, the staffing costs reflect a Q2 2024 implementation; the full staffing costs will be reflected in the 2025 budget.

12a-1.1 Privacy and Information Senior Analyst

The CRD must comply with the *Freedom of Information and Protection of Privacy Act* (FOIPPA). This means responding to Freedom of Information requests in a timely manner and developing comprehensive Privacy Impact Assessments (PIA) for new initiatives. The Privacy & Information Services Division supports the organization with this work, reinforcing the importance of privacy safe and FOIPPA compliant practices, as well as policy and program activities and adjustments in response to legislative changes.

Recent changes to the FOIPPA legislation are forecasted to significantly increased the scope of work for the Division, particularly related to PIAs. The Division is currently made up of one manager and one part-time analyst. As such, current staff capacity to respond to legislative changes is limited. The proposed FTE position will be a part-year implementation in 2024, with an anticipated start date in April.

Initiative 12a-1.1 seeks to create a new regular ongoing Privacy and Information Senior Analyst to support the annual increases to PIA work already impacting the Division, which are expected to compound due to the FOIPPA legislative changes.

12b-1.1 Build EDI principles into Public Participation Framework

The CRD Public Participation Framework guides current engagement practices. The framework was developed in 2014 and does not reflect the CRD Board and organizational commitments to Equity, Diversity & Inclusion (EDI) principles and lessons learned in recent years.

The framework should be updated to include these principles and supported by a new toolkit to enable staff across the organization to effectively plan and deliver public engagement initiatives that are inclusive, gather feedback from a wider range of residents, address barriers to participation, and ultimately support more inclusive representation and decision making.

The Corporate Communications Division has held preliminary discussions with the Regional District of Nanaimo and confirmed they would be willing to share their policy and toolkit, which were developed in collaboration with the Cowichan Valley Regional District, Comox Valley Regional District and City of Courtenay in 2019. Staff will look for opportunities to collaborate with these organizations, where feasible.

Initiative 12b-1.1 seeks a one-time increase to the Corporate Communications core budget to hire a consultant to share their expertise in this emerging area, including advice on targeted outreach to groups or organizations that represent underrepresented communities.

12b-2.1 Citizen Experience Survey

A citizen survey is a tool that can increase transparency, improve accountability, build relationships with citizens, and contribute to informed decision making. A CRD wide resident satisfaction study has not been conducted for several years so currently there is a data gap and no baselines by which to create metric-based approaches to strategic communication planning. Recent insights from the Employee Engagement Survey point to a need to explore the sentiment towards the CRD in the region.

To address this gap, the Corporate Communications Division would like to conduct a Citizen Experience Survey in 2024. Initiative 12b-2.1 seeks a one-time increase to the Corporate Communications core budget to engage a research consultant to frame the survey questions, conduct the research, analyze the data, and develop baseline of data to inform service planning, communication strategy and outreach activities moving forward.

12b-4.1 Meeting Management Improvements

Meeting logistics play a crucial role in supporting active civic participation and engagement among diverse community members. As the regional population grows, so do community expectations and, more practically, the representation on the Board which is proportional to population.

To meet the demand from the community the Legislative Services Division would like to progress the following meeting logistics improvements:

- 1) Improvements to the audio-visual equipment in the Fisgard Street and Salt Spring Island Middle School boardrooms to improve the quality of broadcast,
- 2) Improvements to the functionality of the meeting management software used, including to add an automated voting dashboard and create an ability to scale up the technology for use by all local service committees and commissions, and
- 3) Redesign the Fisgard Street boardroom to provide additional seating to accommodate extra directors and additional First Nations representation.

Initiative 12b-4.1 seeks a one-time core budget increase to start preparing for these major changes. A more specific approach and implementation costs will be presented through the 2025 service planning cycle.

CONCLUSION

CRD staff are progressing initiatives identified in the 2023-2026 CRD Corporate Plan, including the Board Priorities. The CRD Board and commissions with delegated authorities determine resourcing through the annual review and approval of the provisional financial plan. To support decision-making, staff provide recommendations on funding, timing and service levels through the service and financial planning processes.

RECOMMENDATION

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Open Government be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Submitted by:	Andy Orr, Senior Manager, Corporate Communications
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Community Need Summary – Open Government

12

Open Government



Coordinated and collaborative governance, and leadership in organizational performance and service delivery

01 Strategy

STRATEGIES & PLANS

› [2022-2026 Corporate Plan](#)

› [Climate Action Strategy](#)

CORPORATE PLAN GOALS

12a Enhanced privacy & records management

12b Foster greater civic participation among diverse community members

02 Contacts

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Manager, Information Services	@ email	T. 250.360.3639
Manager, Legislative Services	@ email	T. 250.360.3127

03 Operating Context

ACHIEVEMENTS IN 2023

1. **Work is underway to procure and implement a Digital Asset Management System¹.** The system will improve efficiency and capacity to present a unified message, and oversight to reduce risks related to records and related copyright, permissions and licensing requirements for digital images and graphics.
2. **SharePoint Analytics** are being activated this year, enabling the CRD to measure how the corporate intranet landing page is used and identify opportunities to better communicate and engage employees in support of corporate goals.
3. **Website redesign** planning is underway to modernize the CRD website's design and navigation systems and create a user-friendly, dynamic and accessible virtual front counter.
4. **EDRMS (Electronic Documents and Records Management System)** planning work continues as IT&GIS prepares the CRD's Microsoft foundation to support EDRMS and SharePoint Online.
5. **Elections for Salt Spring Island Local Community Commission** was conducted in May 2023 and orientation was held in conjunction with the Oath of Office for new Commissioners in June.

FACTORS THAT WILL AFFECT OUR OPERATIONS IN 2024 AND BEYOND

Communications

- **Internal Communications:** informs decision-making and influences employee behaviour in ways that benefit government, the public, and employees themselves. Visual communication has emerged as a significant trend. Research shows that visual content gets far more engagement and improves information retention drastically. Since the pandemic and restrictions on face-to-face interactions the shift to digital communications was key to internal communications.
- **Digital Communications:** More Canadians than ever are using the Internet to connect with government; digital communications remains the fastest growing area for Corporate Communications. The CRD has been building internal capacity, implementing a digital engagement platform, and upgrading its social media management toolkit to be able to adapt to a rapidly shifting context.
- **Media:** We continue to see disruption of business models for local media outlets, news coverage, as well as instability of major social media platforms. As the information ecosystem changes, the CRD needs to continue diversifying its strategies to leverage content created and distributed via traditional and digital channels. As the region grapples with major changes such as climate change, the CRD will require effective delivery of timely, credible and informative messaging to counter misinformation and maintain public trust.

¹ This workstream is focused on digital assets (e.g. images) which is distinct from the Enterprise Asset Management System which captures infrastructure data (e.g. bridges). Information about the latter is captured in the Business Systems & Processes Community Need Summary.

- **Accessibility:** In support of a corporate accessibility plan, Corporate Communications will be reviewing information accessibility standards and how to implement them as part of its style guides, website design and communication materials.
- **Social Media:** The CRD has been coordinating and posting to CRD social media channels since 2015. Between 2021-2022 CRD followers grew to 23,000 from 16,000 an increase of 43%. The CRD is also focusing on engagement, with an engagement rate of 12% on social channels that's an increase of 7 % between 2021-2022. The CRD is increasing the sophistication of its approaches through data-based insights and by developing more media-rich content with an emphasis on video. anticipating where shifting audience preferences. The CRD has created a Threads and Mastadon accounts, as Twitter devolves into a more unreliable platform.

Information and Privacy

- **Electronic Documents and Records Management System (EDRMS):** Technology use and information growth has exceeded the CRD's recordkeeping capabilities, resulting in an accumulating spread of electronic records which cannot be managed effectively in accordance with legal & regulatory requirements, policies or business needs. As modernizing our information management program framework is complex and requires significant effort and investment, the CRD is using a phased approach. Foundation work is underway to prepare for EDRMS and SharePoint Online. However, given how immense this information footprint is, future work will be necessary to address remaining physical and electronic legacy records after EDRMS is operational (i.e. clean up/dispositions, migrations, digitizing, etc.)
- **Information Access:** Freedom of Information (FOI) requests continues to increase year-over-year, as does the complexity of records to process. Thus far, 2023 is trending higher compared to previous years (248 requests in 2022, 239 requests in 2021 and 172 requests in 2020.) Furthermore, a significant trend is emerging with Bylaw Enforcement FOI requests, leading to exceptionally high volumes of audio and video record formats to review, redact and release. It appears that recordings are becoming increasingly relied on for bylaw enforcement complaints so this trend may continue.
- **Privacy Management:** FIPPA amendments (November 2021) have resulted in higher legislative privacy requirements for conducting a privacy management program, privacy impact assessments (PIAs) and mandatory breach notifications. These elevated requirements are anticipated to drive even more demand for privacy and information services support. In 2022, Information Services worked on over 35 PIAs while completing 28. Many initiatives requiring a PIA were only partially assessed or bypassed the PIA process due to workload capacity issues. A request for 1 FTE Senior Privacy and Information Analyst is included in the 2024 budget to increase service capacity.

Governance

- The CRD has over 79 commissions, committees and contribution services that assist in the governance and operational guidance of CRD services. The resultant levels of service provided by Legislative Services have been increasing over the years, including:
- Continuous increase year-over-year in the establishment of new committees and commissions

- Increase in number of elector approval processes requested by divisions, this has resulted in conducting voting on elector approval processes (i.e. Referendums) in 2021, 2022, and conducting elections for the Salt Spring Island Local Community Commission in 2023.
- A review of the agenda management software for CRD Board to assess capability to improve webcasting audio-visual in the boardroom, as well as assess the future capability to scale-up agenda management software to be used across the organization to create consistency in the appearance of CRD meeting agendas and webcasting.

Legal counsel

- Growth in Regional Housing (Regional Housing First program), as well as a general increase in up-take of legal assistance by divisions are continuing to increase pressure on Legal Services staff to support contracting, procurement process, mortgage and housing agreements and tenant management issues.

OPERATIONAL STATISTICS

2022 data at a glance:

# Surveys undertaken (internal and external)	32
# Public engagement projects undertaken	8
# FOI requests received	248
# Privacy Impact Assessments completed	28
# Staff reports submitted to the three CRD Boards for direction ¹	199

¹ Excludes 'For Information' reports

04 Services

The services listed below rely on the support of several corporate and support divisions to operate effectively on a daily basis. More information about these services is available in the Corporate Services and Government Relations Community Need Summaries.

SERVICE BUDGET REFERENCES²

- | | |
|----------------------------|----------------------------------|
| › 1.103 Elections | › 1.015 Real Estate |
| › 1.011 Board Expenditures | › 1.118 Corporate Communications |
| › 1.014 Corporate Services | |

1. CORPORATE COMMUNICATIONS

Description

Develops communications strategies and systems for effective communications with external and internal audiences. The division is responsible for developing and applying communication guidelines and tools, as well as strategy and advice in alignment with Board, corporate and service area priorities. Also responsible for developing tools and techniques to foster engagement, ensuring that the public has access to accurate, timely and consistent information.

What you can expect from us

- ▶ Board communication support (agendas, priorities, programs and overall information to support public understanding of organization)
- ▶ Create and update corporate documents and website content (e.g. reports, dashboards, progress updates)
- ▶ Oversee and manage the Internal Communications Framework
- ▶ Oversee survey creation and public participation initiatives, including planning and implementation of projects on the CRD engagement platform.
- ▶ Media strategy and relations
- ▶ Coordinate advertising buys and social media strategy
- ▶ Manage the internal communications framework and implementation; maintain CRD Central intranet landing page
- ▶ Establish communication protocols and training for the organization that lead to efficiency, alignment and best practice
- ▶ Provide creative direction for print, online, video and event communications
- ▶ Provide training for designated website and survey authors across the organization

² Service budget(s) listed may fund other services

Staffing Complement

Corporate Communications: **3.0 FTE + 4 Managers + Administrative Support**

2. LEGAL SERVICES

Description

Provides professional advice and expertise related to bylaws, contracts, agreements, procurement, legislative compliance and all legal matters.

What you can expect from us

- ▶ Bylaw drafting and review, including supervision of outside counsel when required
- ▶ Manage governance changes and advise on legislative and statutory interpretation
- ▶ Manage policy development to ensure compliance with policy framework and modern principles of policy development
- ▶ Staff training in procurement, policy, and contract and bylaw drafting
- ▶ Manage and litigate commercial, administrative, and public law claims relating to CRD, CRHD and CRHC
- ▶ Advise on ticket enforcement, bylaw application, regulatory compliance, real estate matters, building inspection, and other areas
- ▶ Report quarterly on contracts and procurement trends at the CRD
- ▶ Draft, review and approve 800+ agreements per year, and respond to 1,500+ inquiries for legal advice

Staffing Complement

Legal & Risk Management: **4.0 FTE + Senior Manager (include 2 FTE for Integrated Water Services Purchasing)**

3. LEGISLATIVE SERVICES

Description

Provides professional advice and expertise related to meetings, parliamentary procedure, internal and external appointments, legislative requirements and processes, and elector approval processes.

What you can expect from us

- ▶ Administrative and legislative support to the three CRD Boards, 11 standing committees, and 79 committees and commissions
- ▶ Publish agendas and record minutes for over 100 open and closed meetings annually for the three CRD Boards, and their standing and select committees
- ▶ Facilitate 40+ delegations from residents and organizations who wish to speak at CRD Board or Committee meetings
- ▶ Conduct elections and bylaw assent processes

- ▶ Process ~70 bylaws annually for adoption and manage the administration of bylaws including referrals for provincial approval
- ▶ Coordinate ~300 appointments annually to CRD committees and commissions
- ▶ Conduct training for commission members, meeting chairs, and staff on parliamentary procedure
- ▶ Annually review and distribute 1000+ pieces of correspondence addressed to the CRD Board

Staffing Complement

Legislative Services: **3.0 FTE + Manager**

4. PRIVACY & INFORMATION SERVICES

Description

Provides professional advice and expertise to guide and support the organization to protect privacy, provide information access and effectively manage and use its valued information resources. Leads and administers the corporate privacy and information management programs, information access requests, privacy impact assessments (PIAs) and other legal matters under FOIPPA.

What you can expect from us

- ▶ Administer 200+ FOI requests annually (including 2,000+ associated records each year)
- ▶ Administer 35+ PIAs annually; review and support documenting initiatives, write collection notices, conduct risk assessments and legal research, advise/make recommendations, coordinate across stakeholders
- ▶ Develop and administer the corporate privacy and information management programs to support regulatory compliance and effective practices
- ▶ Conduct regular mandatory privacy training sessions to onboard new employees within 6 months of hiring; offer specialized training periodically
- ▶ Respond to complaints or matters involving the Office of the Privacy Commissioner (OIPC) under FOIPPA; lead reviews and incident reporting
- ▶ Conduct records inventories & appraisals, develop lifecycle management plans for all records and approve disposition (destroy or retain permanently) to ensure timely and effective management of information resources
- ▶ Develop framework for effective documents and records management, including metadata and rules-based recordkeeping (RBR) in SharePoint Online for EDRMS and associated work
- ▶ Lead and support digitization projects and addressing legacy records

Staffing Complement

Privacy & Information Services: **2.5 FTE + 2 Managers**

5. REAL ESTATE

Description

Provides professional advice and expertise related to the strategic management of the CRD's real estate portfolio including the acquisition and disposal of property, registering CRD rights on properties, and property management services.

What you can expect from us

- ▶ Manage the real estate portfolio and property management services across the organization
- ▶ Manage and complete due diligence for acquisitions and dispositions of property for: Regional Parks, Housing (CRHC), Hospitals (CRHD), Hartland Landfill, Community Parks, Small Craft Harbours, Communications Towers and Integrated Water Services
- ▶ Co-ordinate the internal review and response to third-party referrals submitted to the CRD
- ▶ Manage corporate land and land agreement data both tabular and spatial
- ▶ Co-ordinate, complete and manage leases, licenses, permits, and land-use applications
- ▶ Oversee the completion and registration of ~150 new covenants and statutory right-of-way annually in favour of CRD
- ▶ Conduct land research and due diligence to support corporate initiatives and decisions

Staffing Complement

Real Estate & SGI Administration: **1.0 FTE + Senior Manager**

6. RISK & INSURANCE

Description

Provides professional advice and expertise related to liability, risk management, business continuity and insurance procurement on behalf of the CRD.

What you can expect from us

- ▶ Manage risks and reporting out through the Corporate Risk Registry on a semi-annual basis
- ▶ Binding insurance for property loss for \$650M worth of assets, liability coverage for internal and external claims, and course of construction coverage for capital project
- ▶ Oversee and maintain volunteer insurance program
- ▶ Business Continuity Planning assistance for all CRD services
- ▶ Investigate and adjudicate minor claims submitted against the CRD, and manage litigated claims including instructing external counsel
- ▶ Review contracts and agreements for risk and insurance considerations

Staffing Complement

Legal & Risk Management: **2.0 FTE + Manager**

05 Initiatives

Below are the initiatives listed in the [Capital Regional District 2023-2026 Corporate Plan](#) and the related initiative business cases (IBCs), including financial and staffing impacts, proposed for 2024. The financial impacts reflect full program costs, including cost of staffing.

Initiative	Implementation year(s)	Impacts in 2024	
<p>12a-1 Adhere to new and emerging requirements of privacy legislation in a consistent manner</p> <p>► NEW IBC 12a-1.1 Privacy & Information Senior Analyst</p>	<p>Ongoing</p> <p>2024-ongoing</p>	<p>\$115K requisition</p>	<p>1 New Ongoing</p>
<p>12a-2 Support the digitization of our legacy records once the Electronic Documents and Records Management System is implemented</p>	2023–2026	-	-
<p>12b-1 Enhance the public participation and engagement practices and framework to foster trust and understanding, informed by input from residents and equity, diversity and inclusion principles</p> <p>► NEW IBC 12b-1.1 Build EDI principles into Public Participation Framework</p>	<p>2024</p> <p>2024</p>	<p>\$25K requisition</p>	-
<p>12b-2 Advance the Communications Strategic Plan to guide organizational communications practices and policies internally and externally</p> <p>► NEW IBC 12b-2.1 Citizen Experience Survey</p>	<p>2023</p> <p>2024</p>	<p>\$53K requisition</p>	-
<p>12b-3 Modernize the crd.bc.ca website</p>	2023–2025	-	-
<p>12b-4 Redesign and upgrade the CRD boardroom and broadcasting equipment to prepare for future planned growth and improve electronic meeting participation and engagement</p> <p>► NEW IBC 12b-4.1 Meeting Management Improvements</p>	<p>2023-2025</p> <p>2023-2025</p>	<p>\$40K requisition</p>	-

12b-5 Build capacity for elections and electoral approval processes to address increasing demand for new service creation	Planned for 2025	-	-
12b-6 Implement a Board voting dashboard	<i>Advanced through 12b-4.1</i>	-	-

06 Performance

GOAL 12A: ENHANCED PRIVACY & RECORDS MANAGEMENT

Targets & Benchmarks

Full compliance with the *Freedom of Information and Protection of Privacy Act* (the Act) by responding to all access requests within the legislated time-limit serves the public's interest and demonstrates the CRD's commitment to accountability, openness and transparency.

Measuring Progress

Ref	Performance Measure(s)	Type	2022 Actual	2023 Forecast	2024 Target	Desired trend
1	FOI and Privacy Program Compliance for Access Requests ¹	Quality	100%	100%	100%	→
2	Volume of FOI requests ²	Quantity	248	300	250	↘
3	Completed PIA requests for initiatives ³	Quantity	28	18	30	↗

¹ Percentage of FOI requests which were answered within the legislated timeframe; data from Information and Privacy division.

² Total number of FOI requests received by the CRD.

³ Total number of PIA requests completed.

Discussion

For access requests, the desired trend is to reduce the annual volume of FOI requests by implementing fee-based and non-cost records release programs, where beneficial and practicable. This allows disclosure of records outside of the FOI process, though personal information and any other excepted information must still be protected in accordance with the Act. Efforts are planned in 2024 to implement a fee-based release program for applicable Building Inspection records (pending approval of initiative 12a1-1.) Once established, staff will compare the number of Building Inspection FOI requests to previous years (as well as document page counts) and monitor the outcome of this work jointly with Building Inspection. Additional reporting metrics will be established in due course.

For privacy impact assessments (PIAs), the desired trend is to complete each PIA review request for a proposed initiative prior to the initiative's launch. Our goal is complete all required PIAs for proposed initiatives for full compliance with the Act. It is important to note that this work may not fall within the same calendar year, depending on the initiative's start and launch date. Approval of initiative 12a1-1 will increase Privacy and Information Services' capacity to complete PIA reviews in compliance with the Act. Additional reporting metrics will be established in due course.

GOAL 12B: FOSTER CIVIC PARTICIPATION AMONG DIVERSE COMMUNITY MEMBERS

Targets & Benchmarks

- Website sessions and reach indicators measure the reach of our organizational information and how engaged our audiences are with the information disseminated.
- The Boards decision-making measure tracks the work of the three Boards.

Measuring Progress

Ref	Performance Measure(s)	Type	2022 Actual	2023 Forecast	2024 Target	Desired trend
1	Unique visits to the crd.bc.ca site (sessions)	Quantity	2.1M	2.0M	2.1M	↗
2	Social media engagement	Quantity	10.4%	7.0%	7.0%	↗
3	Impressions	Quantity	855,000	1,600,000	1,800,000	↗

¹ Data from Google analytics

² Average engagement per post (comments, likes, shares, reactions) across CRD social platforms - Twitter, Facebook, Linked In, Instagram

³ Impressions: Number pieces of content a users sees on their social media activity stream

Discussion

- Measure 1:** Google analytics has updated how it calculates data as of July 1, 2023. The new calculation reduces duplication and therefore a lower number is to be expected. The 2022 Actual numbers are based on previous methods and the 2023 Forecast numbers are based on new methods.
- Measure 2:** Social media platforms are showing considerable volatility at the moment and the CRD's social media audience is growing and beginning to shift from a smaller more dedicated audience to a larger more casual audience. This is why the forecast shows a dip in the engagement rate. Any engagement above 1% is considered good and the standard across all industries.
- Measure 3:** Impressions reflect the growth in the volume of CRD content and a growth in the audience that content is reaching.

07 Business Model

PARTICIPANTS	All municipalities and electoral areas
FUNDING SOURCES	Requisitions
GOVERNANCE	<u>Governance Committee</u>

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Service Planning 2024 – Business Systems & Processes Community Need Summary**

ISSUE SUMMARY

To provide strategic context and an overview of services, initiatives and performance data related to the Business Systems & Processes Community Need.

BACKGROUND

The Capital Regional District (CRD) Board approved the 2023-2026 Board Priorities on March 8, 2023. Staff then developed the 2023-2026 CRD Corporate Plan which was approved by the CRD Board on April 12, 2023.

The CRD Corporate Plan presents the work the organization needs to deliver over the four-year term, along with the critical regional, sub-regional and local services, to meet the region's most important needs (i.e., Community Needs) and advance the Board's Vision and Priorities. Board Priorities, Corporate Plan initiatives and core service delivery form the foundation of the five-year financial plan.

The 2024 planning cycle marks the first year of the implementation of the 2023-2026 CRD Corporate Plan. The CRD's annual service plans, known as Community Need Summaries, provide an overview of the operational and strategic context, services levels, initiatives, and performance data for each Community Need. They also provide details of the initiatives, associated staffing, timing and service levels required to advance the work in future years.

The Business Systems & Processes Community Need Summary is attached as Appendix A. The desired outcome is leading systems and policies to respond to best practices, comply with legislative requirements and delivery sustainable budgets.

The CRD reports on the progress of its initiatives and services on a regular basis. The Board receives updates about the Board Strategic Priorities through the Chief Administrative Officer Quarterly Progress Reports. The Board also receives an overview of progress made on delivering the Corporate Plan twice a year at the strategic check-in and provisional budget meetings, which take place in the spring and fall respectively. The next strategic check-in will take place in spring 2024. During the year, standing committees and commissions also fulfill an oversight and advisory role in relation to the work.

ALTERNATIVES

Alternative 1

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Business Systems & Processes be approved as

presented and form the basis of the Provisional 2024-2028 Financial Plan.

Alternative 2

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Business Systems & Processes be approved as amended and form the basis of the Final 2024-2028 Financial Plan.

IMPLICATIONS

Governance Implications

In 2024, staff have prioritized programs and initiatives that:

- Advance 2023-2026 Board Priorities or Corporate Plan initiatives;
- Operationalize capital investments; and/or
- Are necessary to maintain a core service level following a regulatory change or where there is a safety risk to customers, communities, or staff.

The Executive Leadership Team (ELT) has reviewed and assessed all initiative business cases and confirmed alignment with the criteria. ELT has determined that the consolidated package of work is appropriate and a proportional response to the CRD Board's and communities' expectations of the organization.

Financial Implications

To exercise constraint and cost containment, the CRD Board directed staff to keep the core inflationary adjustment to 3.5% through the 2024 Service and Financial Planning Guidelines. Staff and management have taken the necessary steps to mitigate the financial impact of proposed initiatives as well as cost escalation and high inflation rate experienced in 2022 through to 2023.

Financial and staff impacts for initiatives will be summarized and included in the provisional budget which will be presented at the Committee of the Whole meeting scheduled for October 25, 2023. Starting this year, this will also include a five-year forecast of staffing level changes, which will be reviewed annually.

Service Delivery Implications

Appendix A includes information about existing service delivery, operational considerations and performance. Additional information has been provided below about the proposed changes for 2024/2025.

1. Proposed changes for 2024

Include summary of service level(s) change(s), if applicable

Support resources

In both the Financial Services and Information Technology & GIS Divisions, there are no new initiatives proposed for 2024. Work continues to progress on several multi-year initiatives including the implementation of the Corporate Asset Management Strategy and upgrade of the organization's Enterprise Resource Management software system.

However, the Financial Services and Information Technology & GIS Divisions are support services for the organization that provide one-time and ongoing project assistance. To provide the necessary support to the initiatives that are advancing the sixteen Community Needs in 2024, the Divisions seek to increase their staffing complement as shown in Table 1.

Table 1. Support services resourcing (2024):

Initiative	Implementation year(s)	Staff impacts (2024)	Incremental cost (2024)	Funding source
<i>Transportation Community Need</i>				
4a-1.1 Transportation Service	2024–2025	Financial Services: 0.5 New Term	\$47,000	Requisition/Internal Recovery
<i>Housing & Health Community Need</i>				
5a-1.1 Capital Project Delivery	2023-2028	Financial Services: 0.5 New Term	\$47,000	Requisition/Internal Recovery
<i>All Other Community Needs</i>				
Various IBCs	2024-ongoing	Financial Services: 1.0 New Ongoing	\$82,000	Requisition/Internal Recovery
Various IBCs	2024-ongoing	Information Technology & GIS: 1.0 New Ongoing	\$140,000	Requisition/Internal Recovery

The information in Table 1 reflects the business case costs which ELT reviewed as part of their annual assessment of initiatives. The financial impacts reflect a phased implementation of resourcing in 2024 and include non-labour costs such as equipment, furniture, office space, etc. Full annual impacts of labour are reflected in the 2025 and ongoing budgets.

2. Planned changes in 2025

There is one initiative planned for 2025, shown in Table 2. The CRD Board will consider approval next year.

Table 2. Forecast of Future Initiatives: Business Systems & Processes Community Need

Initiative	Implementation year(s)	Staff impacts (2025)	Incremental cost (2025)	Funding source
13c-1.1 Revenue Services	2025-ongoing	1 New Ongoing	\$196,000	Fee-for-service & Requisition

The information in Table 2 also reflects the business case costs.

13c-1.1 Revenue Services

In 2018, the CRD established a new service level to meet current revenue management needs and accommodate future growth. A new position was created with a service level allocation of 30% revenue, 20% corporate finance, 30% treasury and debt management, and 20% cash management and other related responsibilities. This service level proved very successful in providing dedicated support for revenue analysis, solidifying a best practice approach to revenue strategy, billing, collections and customer service.

New demand has emerged in this area over time, beyond the originally planned growth and initiative 13c-1.1 will be proposed to create a regular ongoing Manager of Revenue position in the Financial Services Division to maintain service levels considering this growth.

CONCLUSION

CRD staff are progressing initiatives identified in the 2023-2026 CRD Corporate Plan, including the Board Priorities. The CRD Board and commissions with delegated authorities determine resourcing through the annual review and approval of the provisional financial plan. To support decision-making, staff provide recommendations on funding, timing and service levels through the service and financial planning processes.

RECOMMENDATION

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendix A, Community Need Summary – Business Systems & Processes be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Submitted by:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer
Submitted by:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Approved by:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Community Need Summary – Business Systems & Processes

13

Business Systems & Processes



Leading systems and policies to respond to best practices, comply with legislative requirements and deliver sustainable budgets

01 Strategy

STRATEGIES & PLANS

- › [Corporate Asset Management Strategy](#)

CORPORATE PLAN GOALS

- 13a Effective systems, processes & policies
- 13b Business capacity & continuity
- 13c Achieve sustainable budgets through innovation & streamlining while recognizing the need for infrastructure investments & accountability to taxpayers

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03 Operating Context

ACHIEVEMENTS IN 2023

Financial Services:

1. Corporate Accounting and Standard Compliance: Implementation of Corporate Internal Control Framework and Financial Risk Mitigation and Monitoring Programming as well as implementation of the new public sector accounting standard for asset retirement obligations. Trending since 2020 higher levels of statutory payroll, corporate filing changes, increased federal government statistical reporting requirements and a greater number of changing accounting and auditing standards has increased risk of non-compliance as the organization has grown and increased risk of financial statement misstatements.
2. Corporate Asset Management Strategy (CAMS): Since the adoption of the CAMS in 2019, the CRD has advanced long-term planning activities and standardization of asset information. Highlights include completion of Sustainable Service Delivery Plans (SSDPs) for approximately 50% (31 services) and requirements building for an enterprise asset management system. Effort to achieve the targets in the CAMS have increased due to the additional resources that were approved in 2022 for the Asset Management Division.
3. Scalability and Efficacy: Completed redesign of financial reporting data hierarchy and SAP Lifecycle Replacement Project scoping supporting the successful launch of the S4Hana Migration Project.

FACTORS THAT WILL AFFECT OUR OPERATIONS IN 2024 AND BEYOND

Financial Services

- **Organizational growth:** has resulted in increased demand for financial services such as strategic analysis, service establishment, infrastructure planning, borrowing, budgeting, reporting, payroll and system development. In support of growth and to meet demand, modernization of digital platforms and business practices are key for scalability and efficacy of financial system structure and practices.
- **Staff Recruitment and Development:** Staff retirements and turn over in financial services and across the organization have lead to a greater degree of training to address knowledge gaps within a growing organization. This increases the pressure on existing capacity to move through and complete deliverables annually.
- **Corporate Finance and Decision Support:** Continue to see higher levels of activity in service establishment, infrastructure replacement planning, financing strategy development, business case and proforma development.
- **Grant funding:** Also in 2021 and trending into 2022, externally driven, increased government grant activity is placing greater demand on financial services to support in eligibility assessment, application support, reporting and compliance.
- **Treasury and Debt:** With recent economic volatility and interest rate increases, the organization continues to see increased need for treasury planning and activity, while also an increased need for oversight of reserves against operating and capital reserve guidelines. Market volatility increases uncertainty in planning service sustainability and adequacy of reserves.

Information Technology & GIS (IT&GIS)

- In response to the rapid technological advancements, increasing digital demands and direction from the Executive Leadership Team, IT&GIS are looking to implement a comprehensive Digital and IT Strategy. These strategies will be designed to enhance the experiences of citizens, businesses, and employees by leveraging centralized IT governance, modern tools, secure digital identity solutions, streamlined online service delivery, advanced application rationalization, digitization of paper-based forms, enhanced protection of CRD data through cybersecurity controls, and efficient cloud hosting services. Over the next three years, the Digital and IT strategy action plan promises to elevate service and operational excellence while effectively addressing the needs of the stakeholders of the CRD. Key objectives and benefits are expected to include:
 - **Centralized IT Governance and Decision Making:** streamlined processes to maximize benefits for each dollar spent, better resource allocation, and engagement with IT managers and CIOs across the region to enhance regional cooperation and information sharing.
 - **Modern Tools and Technologies in the Workplace:** empowered employees that have access to productivity-boosting tools and technologies, enabling solutions to support alternative work options, and deployment of business intelligence and data analytics tools to improve service monitoring and reporting.
 - **Digital Identity and Services:** seamless and secure access to CRD's online services.
 - **Delivery of Digital Tools & Online Services:** continued digitization of paper-based records, provision of 24/7 access to essential services for residents, and consolidation of existing applications and systems to drive operational efficiency and cost savings.
 - **Application Rationalization and Modernization:** reduce costs by optimizing existing applications and reducing reliance on legacy applications and technologies.
 - **A Cybersecurity Program:** that is compliant with all regulatory standards and safeguards sensitive data and assets.
 - **Migration to Cloud Hosting Services and Alternate Data Center(s):** long term migration to cloud-based services will provide additional scalability, flexibility, and cost efficiency.
 - **Service and Operational Excellence:** implementing options for residents to pay online for CRD licences and permits and offer other modern online services to enhance service delivery and operations.
- The implementation of a sustainable Digital and IT Strategy is poised to revolutionize the way citizens, businesses, and employees interact with CRD services. By focusing on the key objectives listed above, CRD is well-positioned to thrive in the digital age. Over the next three years, this strategy will drive innovation, efficiency, and satisfaction among stakeholders.

Facilities

- **Facilities Centralization Plan:** Facilities continues to grow and centralize key aspects of Facilities Management into existing CRD departments to ensure all CRD facilities are maintained and operated consistently to industry best practices.
- **Space Planning:** Facilities continues to focus its efforts on spatial planning. The main requirement is for desk/office space for new staff to meet the increasing demands at all of the main CRD locations.

- **SMART Buildings Technology:** As buildings systems integrate new technology into their controls, buildings are becoming SMART; which means the building is “alive” and adaptable to changing environments for such things as HVAC and electrical requirements. Facilities systems are continually being updated to become SMART.
- **Maintenance & Operations:** As the building systems change and become more SMART, the skill set to maintain them must adapt with the changes. Building maintenance and operational staff will require continual training to ensure they meet the requirement to maintain the buildings.

OPERATIONAL STATISTICS

Facilities

	2022
Total Number of Work Orders	2,738
Total Number of Preventative Work Orders	1,105
Total Number of Reactive Work Orders	50
Misc./Staff Requests	1,583

04 Services

The services listed below rely on the support of several corporate and support divisions to operate effectively on a daily basis. More information about these services is available in the Corporate Services and Government Relations Community Need Summaries.

SERVICE BUDGET REFERENCES¹

- | | |
|---|--|
| › 1.017 Financial Services & Asset Management | › 1.107 Corporate Satellite Building |
| › 1.022 Information Technology | › 1.112 Regional Grant in Aid |
| › 1.101 GIS | › 1.335 Geo-Spatial Referencing System |
| › 1.105 Facility Management | › 21.1 Feasibility Reserve Fund |
| › 1.106 CRD Headquarters Buildings | |

1. ASSET MANAGEMENT

Description

Provides professional advice and expertise to services on asset management best practices. The team leads corporate initiatives that advance asset management maturity for the organization.

What you can expect from us

- ▶ Develop and advise on corporate asset management strategies, plans, standards and procedures for \$3.0bn in CRD, CRHC and CRHD assets
- ▶ Support system development project for a Corporate Enterprise Asset Management system, supporting ongoing management and planning capabilities
- ▶ Responsible for implementation of 40 of the 73 actions identified in the CRD Corporate Asset Management Strategy, including development of an asset management program (standards, tools, templates and development of sustainable service delivery plans) and enterprise asset management system (enhanced asset registries and planning practices); divisions and other stakeholders responsible for remaining actions
- ▶ Provide advice/expert guidance for developing SSDPs
- ▶ Provide standard methodologies to define service levels, set goals and key performance indicators, develop asset registries, risk assessments, criticality assessments, capital project prioritization, asset management maturity assessments, capital planning, project management and reliability-centered design, operations, and maintenance

Staffing Complement

Financial Services: **3.0 FTE (including Manager)**

¹ Service budget(s) listed may fund other services

2. FINANCE SERVICES

Description

Financial Services provides guidance on the overall financial stability of the organization and is responsible for the organization's adherence to the legislated framework governing financial administration in local government.

- Financial Planning
- Corporate Accounting and Reporting
- Internal Controls over Financial Reporting
- Revenues and Collections (taxes and fees)
- Disbursements (Inc. Payroll)
- Corporate Finance Policy and Decision Support
- Long Term Financial Planning
- Treasury and Banking
- Financial Systems
- Grants Management
- Other administrative services, such as transit pass inventory management, printing internal interoffice mail

What you can expect from us

- ▶ Biweekly payroll processing, reporting for 1,250 employees totaling \$95M in four employee groups under both the CRD and CRHC.
- ▶ Weekly cheque and EFT runs produce 30,000 vendor payments a year
- ▶ Process on average four periodic updates to the financial system for legislative and financial system upgrades
- ▶ Monthly and quarterly billing and collections for approximately 30,000 water billing customers.
- ▶ Develop banking services for CRD (transactions flow through 36 bank accounts a year); monthly reconciliation of all bank accounts for approximately 24,000 banking transactions and integration of over 150,000 transactions a year
- ▶ Oversight over corporate financial regulatory compliance and provincial and federal legislative and reporting alignment
- ▶ Provide overarching corporate support and coordination for more than 200 CRD services to develop five year operating and capital plans for each of the three entities and for each service as legislated.
- ▶ Execute on financial system projects and program development scaling services to address organizational growth and demand.
- ▶ Statutory Corporate Reporting to the Board, including annual audited financial statements and the annual five year financial plan.
- ▶ Evaluating large project business cases by forecasting financial impact and evaluating market and economic risks.
- ▶ Implementing long-term financial planning beyond the standard five-year financial planning framework to ensure corporate sustainability and achieving long-term objectives.
- ▶ Manage internal grant programs for the Electoral Areas, including Community Works Fund, Grants-in-Aid Fund and special programs such as COVID Safe Restart Grant, Growing Community Fund (GCF).

- ▶ Manage the organization's external grants portfolio by notifying CRD services of available grant programs weekly, providing advice on grant application. Received over \$555M in grant funding from senior levels of government since 2014. Treasury management and strategy across all three legal entities, with a combined invested reserves portfolio holdings of over \$400 million on average.
- ▶ Print shop production of high volume of customer billings/other material and daily internal mail & courier service to 14 CRD offices.

Staffing Complement

Financial Services: **54.5 FTE (including Managers, Administrative Support and Water Billing services)**

3. INFORMATION TECHNOLOGY & GIS

Description

Information Technology is responsible for the development and delivery of highly available, reliable, and secure corporate information systems, technology services, and tools to CRD Departments, the public and the Board.

- Supporting and maintaining core foundation technologies and enterprise service delivery for network, telecom, cybersecurity, device, mobility, corporate and client applications, data centre and cloud services
- Information Technology Service Desk and Desktop Support team
- Provision and support of our corporate SAP Enterprise Resource Planning (ERP) for Financial, Payroll, and HR Systems
- Corporate-wide voice, data, video conferencing, Wi-Fi and radio communications systems
- Corporate Website and Digital Engagement support and planning
- Board and Committee meeting support
- Office Productivity Suite (Microsoft 365) of applications and services
- Vendor and Contract Management Office
- IT Project Portfolio Management and Technology Investment Planning
- Geographic Information Data and Systems Support
- Orthophotography and lidar data acquisition and deployment
- Cloud hosting and Data Center Services
- Application development and Business Solutions

What you can expect from us

- ▶ Supporting and maintaining core foundation applications technologies and enterprise standards for network, telecom, cybersecurity, mobility, client systems, data centre, cloud services, identity, and access management.
- ▶ Enabling and supporting the digital workforce through oversight of collaboration tools and technologies. Responding to technology issues through the Information Technology Service Desk and Desktop Support team and maintaining the end user system equipment fleet of computers, monitors, and peripheral devices.

- ▶ Manage the technology infrastructure connecting 30+ sites across the CRD, including 1,100 full time and auxiliary users, 100+ applications, 1,200 computers, 600 smartphones, 300 servers and systems and an integrated end to end corporate phone systems.
- ▶ Manage SAP our Enterprise Resource Planning system including financial, payroll, purchasing, assets, capital projects, water utility billing and maintenance systems for CRD, CRHD and CRHD.
- ▶ Developing, managing, and operating the CRD's digital service delivery channels and platforms, including the CRD's website (crd.bc.ca), geographic information systems (GIS), SharePoint and corporate applications. Overseeing the Digital Strategy. Developing and delivering Technology Services' annual IT Strategy. Providing strategic oversight, enterprise architecture, roadmaps and guidelines for projects, initiatives, and products within the Technology and digital services portfolio
- ▶ Procurement of GIS orthophotography and lidar data for 23 Capital Region municipal and federal partners
- ▶ Support Hartland Landfill automated scales, processing 140,000 tonnes of solid waste and generating \$16M of revenue annually.
- ▶ Provide daily operational and technical support for Tempest system, for the management of bylaws, building inspection, planning, zoning, and dog licensing, generating approximately \$1.25M of revenue annually
- ▶ Provide daily operational and technical support for PerfectMind Recreation Management System for three Recreation Centres and Regional Parks generating approximately \$14.5M annually
- ▶ Produce and process approximately 30,000 maintenance workorders annually for the maintenance of corporate assets located in Housing, Integrated Water, and Facilities Management
- ▶ Management and support of the corporate Project System, processing \$400M annually in capital projects
- ▶ Provide project management and technology solutions for approx. 200 projects to address changing and emerging business needs throughout the organization.
- ▶ In partnership with Corporate Services provide ongoing improvements to records management practices and systems to ensure regulatory compliance
- ▶ In partnership with Financial Services provide Asset Management support for the development of the Corporate Asset Management Strategy, including the development and implementation of a corporate Enterprise Asset Management system, providing management and planning capabilities for \$2B in CRD assets
- ▶ In partnership with Human Resources & Corporate Safety, develop and implement the upgrade to our SAP platform to S4 HANA including the addition of new SAP modules in support of HR business process improvements related to managing employee information and employee Onboarding and Recruitment practices.

Staffing Complement

Division: **45 FTE (including Managers and Administrative Support)**

4. FACILITIES MANAGEMENT

Description

Delivers comprehensive Facilities Management (FM) services to corporate facilities to all CRD departments. FM provides numerous functions/services to internal CRD departments, they include:

- Facilities Planning
 - Facilities Master Plans
 - Space Planning
 - Maintenance Planning
 - Building Condition Assessments
 - Security Assessments
- Energy Management
 - Energy Audits
 - Energy Data Collection
- Operations & Maintenance Delivery
 - Internal Technical Staff
 - External Contractors
- Project Management

Team of specialized maintenance technicians, project engineers and coordinators, energy specialists and tradespeople who ensure CRD facilities are performing optimally and are safe and comfortable for staff and public.

What you can expect from us

- ▶ Directly manage the facilities components of various CRD buildings that include treatment plants, pump stations, office and operational buildings.
- ▶ Procure multi-year facility/building management service contracts for facilities; support other departments to ensure service contracts align with corporate standards
- ▶ Administer regulatory requirements for CRD facilities; this program includes fire safety, elevators, boilers, emergency generators, roof anchors and backflow preventers
- ▶ Deliver capital projects related to new construction and building system renewals, as well as numerous maintenance projects
- ▶ Provide Project Management services for facility projects to other CRD departments

Staffing Complement

Facilities Management & Engineering Services: **12.0 FTE (including Manager and Administrative Support)**

5. ENGINEERING SERVICES

Description

Provide engineering feasibility studies, detailed design, tendering, construction management and commissioning services that support a number of community needs (Solid Waste & Recycling, Regional Parks, Housing & Health, Climate Action, Arts & Recreation and Local Government).

What you can expect from us

- ▶ Lead or support the planning, design and project management of 15-20 major construction projects, with an approximate total value of \$15-\$20 million annually
- ▶ Projects include ongoing contract management of the solid waste filling and aggregate production contracts, as well as smaller projects related to landfill gas collection, leachate management, environmental controls and emergency response preparation
- ▶ Engineering Services also manages an additional 15-20 smaller projects each year for other CRD facilities
- ▶ Lead the design, procurement and construction of the Renewable Natural Gas, Kitchen Scraps Processing, New Liner for Landfill Cell 4/5, and Biosolids Advanced Thermal Demonstration Plant projects

Staffing Complement

Facilities Management & Engineering Services: **13.0 FTE (including Managers and Administrative Support)**

05 Initiatives

Below are the initiatives listed in the [Capital Regional District 2023-2026 Corporate Plan](#) and the related initiative business cases (IBCs), including financial and staffing impacts, proposed for 2024. The financial impacts reflect full program costs, including cost of staffing.

Initiative	Implementation year(s)	Impacts in 2024	
13a-1 Advance strategic approaches to procurement and project delivery to build capacity, improve standardization and support affordable services		-	-
13a-2 Advance the Technology Strategic Plan to guide the modernization and transformation of our current IT services and systems and launching new digital technology solutions	Ongoing	-	-
13b-1 Continue implementing business continuity planning and the Enterprise Risk Management framework	Ongoing	-	-
13b-2 Mature the integration of asset management into capital planning processes to strengthen fiscal management practices and support resource sustainability	Ongoing	-	-
13c-1 Advance changes to policies and systems to streamline activities, reduce complexity and increase efficiency			
► FUTURE IBC 13c-1.1 Revenue Services	Planned for 2025	\$196K fee-for-service + requisition	1 New Ongoing
13c-2 Optimize Financial Services through enhanced internal controls and continuous improvement methodologies	2024	-	-
SUPPORT SERVICES			
► Resources required in Financial Services to help support all IBCs	2024-ongoing	\$176K internal recovery + requisition	1 New Ongoing 1 New Term
► Resources required in Information Technology & GIS to help support all IBCs	2024-ongoing	\$140K internal recovery + requisition	1 New Ongoing

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Legislative and General Government Service - 2024 Operating and Capital Budget**

ISSUE SUMMARY

To provide an overview of the draft 2024 Legislative and General Government Service budgets, including 2023 year-end budget projections.

BACKGROUND

The Capital Regional District (CRD) was created in 1966 as part of the British Columbia Provincial Government's initiative to provide regional decision-making on matters that transcend municipal boundaries, and to enable more effective service delivery through region-wide or shared delivery models. In addition, as the local government for electoral areas, the CRD facilitates and delivers projects and services for residents living in unincorporated areas. The CRD also owns and operates the Capital Region Housing Corporation (CRHC), the second largest non-profit housing provider in the province, and administers the Capital Regional Hospital District (CRHD) which provides capital funding for healthcare infrastructure, such as health facilities and hospital equipment.

The governance structure includes a 24-member Board of Directors which is composed of one or more elected officials from each of municipality and electoral area within CRD boundaries. Each local government and electoral area hold one director position on the Board for every 25,000 residents (or portion thereof). Each director also serves on the CRHD and CRHC Boards.

By way of legislation, costs for legislative and general government activities are included in a Legislative and General Government Service. This service includes sub-budgets for Board Expenditures, the Chief Administrative Officer (CAO) and Executive Services, Corporate Climate Action, Corporate Communications, Corporate Emergency Services, Corporate Services, Financial Services, First Nations Relations, Human Resources (HR), Information Technology (IT), and select General Managers.

The Legislative and General Government Service is primarily funded through requisition and cost recovery from CRD services, the CRHC and the CRHD. Other funding sources include transfers from reserve, grants, and surplus carryforward when available.

This report will provide forecasted 2023 results and an overview of the 2024-2028 Financial Plan for the Legislative and General Government Service budgets.

2023 Year End Projected Results

Details of each budget, including forecasted year-end results can be found in Appendices B through O.

The Legislative and General Government service is forecasting a one-time net favourable variance of \$1.6M for 2023. The surplus is primarily the result of labour market challenges in staffing new, turnover, and vacant positions. Staff have recommended a surplus carryforward of \$0.6 million into 2024 to offset requisition while transferring the balance to fund one-time initiatives identified in the 2024-2028 Financial Plan.

With respect to capital expenditures in 2023, a total of 37 projects were planned with combined budgets of \$4.5 million. Staff are forecasting a favourable variance of \$1.8 million driven primarily by delays in implementation of various projects including upgrades to our enterprise resource management system, implementation of an electronic records management system (EDRMS), the website redesign project, and boardroom improvements. All projects have been rescoped into 2024 where the funds have been budgeted.

2024 Operating Budget

The draft 2024 Legislative and General Government operating budget including year over year changes in expense and revenue is summarized in Appendix A. Total budgeted expenditures for 2024 are \$37.8 million, a 3.5% increase over 2023. Less than one third of operating expenditures are funded through requisition or \$12.2 million, a 6.9% increase over 2023.

Table 1 summarizes the change in expenditures for each sub-budget within the service, providing both the \$ and % over prior year.

Table 1: 2024 Year over Year Budget Comparison (\$Millions)

Budget Description	2024 Financial Plan	2023 Financial Plan	\$ Change	% Change
Revenue	1.578	1.602	(0.024)	-1.5%
Board Expenditures	1.335	1.259	0.076	5.7%
CAO & Executive Services	1.114	0.929	0.185	16.6%
Corporate Services	2.867	2.941	(0.074)	-2.6%
Human Resources	3.749	3.178	0.571	15.2%
Financial Services	8.762	8.459	0.303	3.5%
Information Technology	12.698	12.462	0.236	1.9%
First Nations	1.229	1.312	(0.083)	-6.8%
Corporate Communications	1.513	1.454	0.060	3.9%
Other*	2.942	2.926	0.016	0.5%
Total	\$37.787	\$36.521	\$1.266	3.5%

*Other: Includes the functions of Corporate Climate, Real Estate, Health Planning, GM Planning and Protective Services, Corporate Emergency and GM Regional Parks and Environmental Services (ES)

Impact drivers for each operating budget are detailed in bridge files in appendices B through O.

Below are explanations for sub-budgets with a change in expenditure exceeding guidelines of 3.5% and \$50,000, and/or functions with Initiative Business Case (IBC) cost impacts:

- **Board Expenditures:** Increase due to IBC 12b-4.1: Meeting Management Improvements and annual escalation for director remuneration rates. Staff have identified improvements required to the Fisgard boardroom to update the audio-visual equipment, increase functionality to our meeting management software to include a voting dashboard, and

redesign of the boardroom to allow for expansion and additional seats at the board table. Funds in 2024 will be required for scoping and design work. Implementation of the improvements may take place over multiple years. A proposal on the costs of improvements will be brought forward as part of 2025 service and budget planning.

- **CAO and Executive Services:** 1.0 Full-Time Equivalent (FTE) for IBC 11b-7.1: Manager of Corporate Initiatives and Administration (nine months), step increases and paygrade changes on existing staff. Beginning in Quarter 2, the position will plan and lead the implementation of corporate initiatives that are initiated by the CAO and Executive Leadership Team that do not relate directly to departmental lines of business while also developing and administering a more formal approach to corporate administration.
- **Corporate Services:** 1.0 FTE for 2024 IBC 12a-1.1: Privacy and Information Senior Analyst (nine months), offset by reduction in one-time expenditures for EDRMS. Additional capacity is required to respond to legislative changes to the *Freedom of Information and Protection of Privacy Act* which now mandates Privacy Impact Assessments be conducted for all corporate initiatives that may collect, record or disclose personal information. This position will also support managing the increase in the volume of FOI requests and developing corporate policy to increase proactive disclosure of routine records.
- **Human Resources:** 3.0 FTEs for 2024 IBC 11a-3.1: Create and Implement an Indigenous Employment Strategy, 2024 IBC 11b-1.3: Human Resources Manager and 2024 IBC 11a-1.1: Develop and Implement the Corporate Accessibility Plan (three months); and 11a-2.1 Enhance Understanding and Accountability for Equity Diversity & Inclusion (EDI) Across Decision Making Bodies (funding only).
- **Financial Services:** 1.0 FTE ongoing and 1.0 FTE term to support for various IBCs including capital project cost controllership in Regional Housing. As a support division to the organization the impact of advancing all other IBCs are impacting the ability to continue providing transactional processing, regulatory reporting, and other core support services. Other impacts on the operating budget are driven by salary and benefit increases as a result of the new collective agreement, annual step increases and cost recovery impacts related to facilities.
- **First Nations:** Reduction in one-time expenditures from 2023 for First Nations Relations initiatives for cultural training and advancing the indigenous employment strategy. The 2023 IBC 3a-1.1 Government to Government Relationship Building initiative has been reintroduced as an ongoing budget item under 2024 IBC 15a-1.1 Government to Government Relationship Building to provide continued capacity funding to support relationship building and MOU development to make progress on priority action items identified by First Nations in the region.
- **Corporate Communications:** Addition of the 2024 IBCs 12b-1.1 Build EDI Principles into Public Participation Framework and 12b-1.2 Citizen Experience Survey. Summary of IBCs 12-1.1 This initiative would replace the 2014 framework with a new policy that reflects Board and organizational commitments to EDI principles and lessons learned in recent years. The policy would be supported by a new toolkit that enables staff across the organization to effectively plan and deliver public engagement initiatives that are inclusive, gather feedback from a wider range of residents, address barriers to participation and ultimately support more inclusive representation and decision making. Research/feedback

from residents would be helpful in framing response to community needs and how organization plans communications and engagement activities, nested in those community needs. Further, survey results will provide actionable insights and baselines so that metric-based outcomes can be developed for strategic planning.

2024 Capital Budget

The proposed five-year capital plan for the Legislative and General Government Service totals \$11.2 million with \$2.3M in year 1. Table 2 summarizes the capital plan by budget within the service.

Table 2: 2024-2028 Capital Expenditure by Function (\$Millions)

Budget Description	Annual Capital Plan (2024)	Total Capital Plan (2024-2028)	% of L&G
Board Expenditures	0.765	0.911	13.75%
CAO/Corporate Services	0.015	0.073	0.27%
Human Resources	0.007	0.728	0.12%
Financial Services	0.507	0.845	9.11%
Information Technology	3.977	8.306	71.52%
First Nations	0.002	0.012	0.14%
Corporate Communications	0.278	0.297	5.01%
Other*	0.009	0.045	0.16%
Total	\$5.560	\$11.217	100%

**Other: Includes the functions of Corporate Climate, Real Estate, Health Planning, GM Planning and Protective Services, Corporate Emergency and GM Regional Parks and ES.*

Details for each capital plan can be found in appendices B through O.

Below are explanations for sub-budgets with capital expenditures exceeding \$0.250 million:

Board Expenditures: New boardroom table for additional capacity, as well as boardroom technology upgrades and replacements for audio and media, for 2024.

Financial Services: Development and integration of the Enterprise Asset Management (EAM) module within the SAP Enterprise Resource Management system is planned to continue through 2024 and into 2025. Guided by the 2019 Board approved Corporate Asset Management Strategy, EAM is being developed to standardize, consolidate, and integrate asset information across functions to streamline reporting, intervention, and capital investment decision-making. With over \$3.0 billion in tangible capital assets, risk management through condition assessments and systematic intervention is a key deliverable in the asset management program.

Information Technology: Over the five-year plan, Legislative and General Government functions continue refreshing aging infrastructure to support the organization in high performing service delivery. As part of the five-year Technology Modernization Strategy, the CRD is making investments to upgrade data center infrastructure, corporate software and applications, and migrate to a digital technology culture. These investments are essential to provide critical capacity, ensuring a stable and modern platform to support the delivery across the Region's services. The modernization of this infrastructure will address years of technical debt while

addressing reliability and enhancing security. Cloud readiness and the adoption of cloud hosted services also rely on technological upgrades.

The most significant project in the five-year capital plan is the SAP migration project, which will upgrade the end-of-life SAP ECC platform to S4 HANA. Updating the 20-year-old platform seeks to support real-time data processing and reporting, streamline operations, automate processes and preparedness for cloud hosting services. The upgrade ensures reliable and secure system compliance to industry standards. This includes the deployment of a new financial model enhancing the support of critical operations and services across each department of the CRD.

Corporate Communications: The public website redesign project continues in 2024 as a strategic investment and foundational piece for the organization's communication and digital transformation plans. The timing aligns with changes in how local governments deliver information for online audiences and enables the CRD to improve the usability, accessibility and resiliency of the platform as both a transparency and customer service channel. When complete, the CRD will have a website that aligns with our goals related to accessibility, usability, transparent governance and customer service. The website will also move from an on-premise solution to a hosted cloud solution to minimize disruption and maximize availability.

ALTERNATIVES

Alternative 1

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendices A through O, the Legislative and General Government Operating and Capital Budgets be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Alternative 2

The Governance Committee refer the budget back to staff for additional information for the Capital Regional District Board's consideration.

IMPLICATIONS

Financial Implications

In line with the 2024 Service and Financial Planning Guidelines approved by the CRD Board in May, prioritization has focused on mitigating cost impacts where possible while balancing essential services and initiatives. To exercise constraint and cost containment, the core inflationary expense adjustment has been kept to 3.5% for the 2024 when balancing the consolidated Legislative and General Government service. Mitigation of expenditure and inflation pressures were achieved through phased rollout of initiatives, resource optimization and removing nonvalue-added work content.

Staff continue to manage cost pressures on revenue through utilization of reserves and surplus carryforward where possible as well as refinement of cost recovery across services.

Intergovernmental Implications

CRD staff will continue to work closely with all Nations whose areas of interests overlap with regional parks and trails in implementing the Regional Parks and Trails Strategic Plan 2022–2032.

The Regional Parks and Trails Strategic Plan 2022–2032 focuses on strengthening government-to-government relationships and understanding between the CRD and First Nations in the region. Through the latter half of 2022, engagement on the Interim Strategic Plan took place with First Nations in the region. The CRD is committed to maintaining an open dialogue with First Nations to confirm that Indigenous cultural values and cultural uses are respected and that the priorities and actions remain relevant and meaningful. Continued work on co-creating MOUs for First Nations in the region through the government to government relationship building initiative will ensure we continue to make progress on the Board Priority of advancing reconciliation with First Nations.

Alignment with Board and Corporate Priorities

Community Need Summaries present an overview of the operational and strategic context, services levels, initiatives, and performance data for each Community Need in the CRD 2023-2026 Corporate Plan. They also provide details of the initiatives, associated staffing, timing and service levels required to advance the work in future years.

The Community Need Summaries related to the Legislative and General Government service are Advocacy, People, Open Government, First Nations, and Business Systems and Processes. These Community Need Summaries are being presented under separate reports and document the organization's service planning recommendations for 2024.

CONCLUSION

The proposed 2024 Legislative and General Government Service budgets have been prepared for consideration by the Governance Committee. The Committee will make budget recommendations to the CRD Board through the Committee of the Whole. The proposed 2024 budget reflects the inclusion of many CRD Corporate Plan initiatives across a number of Legislative and General functions.

RECOMMENDATION

The Governance Committee recommends the Committee of the Whole recommend to the Capital Regional District Board:

That Appendices A through O, the Legislative and General Government Operating and Capital Budgets be approved as presented and form the basis of the Provisional 2024-2028 Financial Plan.

Submitted by:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer
Submitted by:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer
Submitted by:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services

ATTACHMENTS

Appendix A: 2024 Legislative & General Consolidated Operating Budget
Appendix B: CRD 2024 Budget Board Expenditures
Appendix C: CRD 2024 Budget Other Legislative & General - Climate
Appendix D: CRD 2024 Budget CAO & Executive Services
Appendix E: CRD 2024 Budget Corporate Services
Appendix F: CRD 2024 Budget Real Estate
Appendix G: CRD 2024 Budget Human Resources
Appendix H: CRD 2024 Budget Finance
Appendix I: CRD 2024 Budget Health & Capital Planning Strategies
Appendix J: CRD 2024 Budget Information Technology
Appendix K: CRD 2024 Budget GM Planning & Protective Services
Appendix L: CRD 2024 Budget Corporate Emergency
Appendix M: CRD 2024 Budget First Nations Relations
Appendix N: CRD 2024 Budget GM - Parks and Environmental Services
Appendix O: CRD 2024 Budget Corporate Communications

2024 Legislative and General Government Consolidated Operating Budget Summary

The following tables summarize the total 2024 Legislative and General Government sub-budgets detailed in appendices B through O by comparing the change from 2023.

Table 1: 2024 Budgeted Expenses

Budget Component	2024 Budget	2023 Budget	\$ Variance	% Variance
Salaries and Wages	25.868	24.193	1.675	6.9%
Consultancy and Contract for Services	2.428	3.210	(0.782)	(24.4%)
Software Licenses	2.569	2.380	0.189	7.9%
Other Operating Costs	6.923	6.738	0.185	2.7%
Total (M)	\$37.787	\$36.521	\$1.266	3.5%

Table 2: 2024 Budgeted Revenue

Budget Component	2024 Budget	2023 Budget	\$ Variance	% Variance
Allocations and Other Revenue	23.276	21.066	2.210	10.5%
Requisition	12.162	11.374	0.788	6.9%
Transfers From Reserve	2.349	4.081	(1.732)	(42.4%)
Total (M)	\$37.787	\$36.521	\$1.266	3.5%

Requisition

The 2024 requisition is \$12.2 million, which is a 6.9% increase over 2023.

The key drivers of the increase in requisition are as follows:

- 2024 IBC 12b-4.1 Meeting Management Improvements for Board
- 2024 IBC 11b-7.1: Manager of Corporate Initiatives and Administration (nine months) for the CAO & Executive Office
- 2024 IBC 12a-1.1: Privacy and Information Senior Analyst (nine months) for Corporate Services
- 2024 IBC 15a-1.2: First Nations Relations Staffing (six months)
- Salary and remuneration adjustments based on collective agreement and bylaw

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Board Expenditures

COMMITTEE REVIEW

Service: 1.011 Board Expenditures

Committee: Governance Committee & Finance Committee

DEFINITION:

Authorized by Letters Patent to provide for the remuneration and expenses of the Capital Regional District members of the Board.
One-half of the remuneration paid to the electoral area directors is charged to the Electoral Area Administrative Budgets (starting with the year 2003 budget).

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition

1.011 - Board Expenditures

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Directors' Remuneration	866,261	850,000	904,143	-	-	904,143	922,230	940,670	959,480	978,670
Standard Overhead Allocation	63,109	63,109	60,175	-	-	60,175	61,379	62,607	63,859	65,136
Building Occupancy	100,229	100,229	111,261	-	-	111,261	116,932	122,913	129,204	135,274
Legal Expenses	15,000	-	15,530	-	-	15,530	15,840	16,160	16,480	16,810
Contract for Services	36,000	26,000	10,000	-	-	10,000	10,200	10,400	10,610	10,820
Software Licenses	54,140	52,000	56,030	20,000	30,000	106,030	77,550	79,100	80,680	82,290
Meetings & Printing	14,560	15,500	15,070	-	-	15,070	15,370	15,680	16,000	16,320
Scholarship Programs	18,200	18,200	18,750	-	-	18,750	19,070	19,400	19,730	20,070
Other Operating Expenses	36,010	25,860	36,760	-	-	36,760	37,590	38,440	39,300	40,180
TOTAL OPERATING COSTS	1,203,509	1,150,898	1,227,719	20,000	30,000	1,277,719	1,276,161	1,305,370	1,335,343	1,365,570
*Percentage Increase over prior year						6.2%	-0.1%	2.3%	2.3%	2.3%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	55,000	55,000	56,930	-	-	56,930	58,070	59,230	60,410	61,620
TOTAL CAPITAL / RESERVE	55,000	55,000	56,930	-	-	56,930	58,070	59,230	60,410	61,620
TOTAL COSTS	1,258,509	1,205,898	1,284,649	20,000	30,000	1,334,649	1,334,231	1,364,600	1,395,753	1,427,190
<u>INTERNAL RECOVERIES</u>						6.0%	0.0%	2.3%	2.3%	2.3%
Transfer from Internal Reserve	(26,000)	(26,000)	-	-	-	-	-	-	-	-
Other	(2,500)	(2,836)	(2,500)	-	-	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)
NET COSTS	1,230,009	1,177,062	1,282,149	20,000	30,000	1,332,149	1,331,731	1,362,100	1,393,253	1,424,690
*Percentage increase over prior year Total Costs			4.2%			8.3%	0.0%	2.3%	2.3%	2.3%
AUTHORIZED POSITIONS:										
Salaried	24	24	24			24	24	24	24	24

Change in Budget 2023 to 2024
Service: 1.011 - Board Expenditures

Total Expenditure

Comments

2023 Budget **1,258,509**

Change in Salaries:

Director Remuneration 37,882 Inclusive of estimated bylaw rate, based on inflation

Total Change in Salaries 37,882

Other Changes:

Contract for Services (26,000) Reduction in one-time funding for 2023 Board Orientation

Software Licences 50,000 2024 IBC 12b-4.1 Meeting Management Improvements

Building Occupancy 11,032

Other Costs 3,226

Total Other Changes 38,258

2024 Budget **1,334,649**

Summary of % Expense Increase

2024 IBC Expense 4.0%

Director Remuneration 3.0%

Reduction in one-time contract for services -2.1%

Balance of increase 1.1%

% expense increase from 2023: **6.0%**

% Requisition increase from 2023 (if applicable): **8%** Requisition funding is 100% of service revenue

Overall 2023 Budget Performance
(expected variance to budget and surplus treatment)

There is an estimated one-time favourable variance of \$27,000 (2.2%) due to minor variances on director remuneration (\$16,000) as well as savings on contract for services (\$10,000).

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.011 Board Expenditures	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
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EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$282,500	\$764,500	\$91,500	\$55,000	\$0	\$0	\$0	\$911,000
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$282,500	\$764,500	\$91,500	\$55,000	\$0	\$0	\$0	\$911,000

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$282,500	\$764,500	\$91,500	\$55,000	\$0	\$0	\$0	\$911,000
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$282,500	\$764,500	\$91,500	\$55,000	\$0	\$0	\$0	\$911,000

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.011

Service Name:

Board Expenditures

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
19-01	Replacement	Boardroom Video Distribution Equipment	Replacement of all existing video switching equipment	\$ 81,000	E	ERF	\$ 56,000	\$ 81,000					\$ 81,000
19-02	Replacement	Boardroom Projector and Screen Replacement	Replace projector and screen in Main office boardroom	\$ 60,000	E	ERF		\$ -	\$ 60,000				\$ 60,000
19-03	Replacement	Boardroom Chairs	Replace boardroom chairs	\$ 30,000	E	ERF		\$ 30,000	\$ -				\$ 30,000
20-01	Replacement	Boardroom Audio System	Replace boardroom audio system	\$ 21,700	E	ERF		\$ 10,000	\$ 10,000				\$ 20,000
20-02	Replacement	Boardroom Video Storage and Power Equipment	Replace video storage and power equipment	\$ 3,000	E	ERF	\$ 1,500	\$ 1,500	\$ 1,500				\$ 3,000
21-02	Replacement	Boardroom Video Streaming Equipment Replacement	Replace video streaming equipment (Granicus is way more than this...)	\$ 17,500	E	ERF		\$ 12,000	\$ 5,000				\$ 17,000
22-01	Replacement	iPad and Tablet Replacements	Replace director iPads and tablets	\$ 50,000	E	ERF		\$ -	\$ -	\$ 50,000			\$ 50,000
22-02	Replacement	Boardroom Microphone System Replacement	Replace microphone system (this has not been done)	\$ 100,000	E	ERF	\$ 100,000	\$ 100,000	\$ -				\$ 100,000
23-01	Replacement	Replace Video Display and Switching	Replace Video Display and Switching	\$ 30,000	E	ERF	\$ 20,000	\$ 20,000	\$ 10,000				\$ 30,000
23-02	Replacement	Replace/Expand Recording Secretary Table	Replace/Expand Recording Secretary Table	\$ 25,000	E	ERF	\$ 25,000	\$ 25,000					\$ 25,000
23-03	Replacement	Multi-Camera System	Replace existing video Camera with a Mult-=Camera System	\$ 80,000	E	ERF	\$ 80,000	\$ 80,000					\$ 80,000
24-01	Replacement	AV for Boardroom	AV for Boardroom, as identiefied in 2024 IBC 12b-4.1: Meeting Management Improvements (not 2024?)	\$ 150,000	E	ERF		\$ 150,000					\$ 150,000
24-02	Replacement	Boardroom Table	Replace Boardroom Table, as identiefied in 2024 IBC 12b-4.1: Meeting Management Improvements	\$ 200,000	E	ERF		\$ 200,000					\$ 200,000
24-03	Replacement	Wiring	Replace wiring to accommodate new Board table	\$ 15,000	E	ERF		\$ 15,000		\$ -			\$ 15,000
24-04	Replacement	Granicus Encoder Replacement		\$ 30,000	E	ERF		\$ 30,000					\$ 30,000
24-05	New	Granicus Integrated Voting		\$ 20,000	E	ERF		\$ 10,000	\$ 5,000	\$ 5,000			\$ 20,000
													\$ -
													\$ -
			GRAND TOTAL	\$ 913,200			\$ 282,500	\$ 764,500	\$ 91,500	\$ 55,000	\$ -	\$ -	\$ 911,000

Reserve Schedule

Reserve Fund: 1.011 Board

Boardroom Technology, Furniture and Equipment - The Board of Director assets include IPADs, computers, equipment and furniture used to support the Board and for activities held in the Boardroom.

Reserve Cash Flow

Fund: 1022 Fund Center: 101413

ERF Group: BOARD.ERF

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	479,077	744,758	37,188	3,758	7,988	68,398
Actual Purchases		-	-	-	-	
Planned Purchases (Based on Capital Plan)	-	(764,500)	(91,500)	(55,000)	-	-
Transfer from Operating Budget	55,000	56,930	58,070	59,230	60,410	61,620
Transfer from Operating Reserve	200,000	-	-	-	-	-
Interest Income	10,682	-	-	-	-	-
Ending Balance \$	744,758	37,188	3,758	7,988	68,398	130,018

Assumptions/Background:

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Other Legislative & General - Climate

COMMITTEE REVIEW

Service: 1.012 Other Legislative & General - Climate

Committee: Governance Committee & Finance Committee

DEFINITION:

Authorized by Letters Patent to provide for legislative expenditures of the Board.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

N/A

FUNDING:

Requisition

1.012 OTHER LEGISLATIVE & GENERAL - CLIMATE

OPERATING COSTS:

Salaries and Wages
Contributions - projects
Other Operating Expenses

TOTAL OPERATING COSTS

*Percentage Increase over prior year

CAPITAL / RESERVE

Transfer to Climate Action Reserve Fund

TOTAL CAPITAL / RESERVES

TOTAL COSTS

*Percentage increase over prior year requisition

REVENUE

Climate Action Grant

TOTAL REVENUE

NET COSTS

*Percentage increase over prior year Net Costs

AUTHORIZED POSITIONS:

Salaried

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	2024 ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
	98,873	125,219	110,426	-	-	110,426	113,074	115,785	118,558	121,396
	-	-	-	-	-	-	-	-	-	-
	-	774	-	-	-	-	-	-	-	-
	98,873	125,993	110,426	-	-	110,426	113,074	115,785	118,558	121,396
		27.4%	11.7%	0.0%	0.0%	11.7%	2.4%	2.4%	2.4%	2.4%
	103,000	75,880	103,000	-	-	103,000	105,060	107,161	109,304	111,491
	103,000	75,880	103,000	-	-	103,000	105,060	107,161	109,304	111,491
	201,873	201,873	213,426	-	-	213,426	218,134	222,946	227,862	232,887
		0.0%	5.7%	0.0%	0.0%	5.7%	2.2%	2.2%	2.2%	2.2%
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
	201,873	201,873	213,426	-	-	213,426	218,134	222,946	227,862	232,887
		0.0%	5.7%	0.0%	0.0%	5.7%	2.2%	2.2%	2.2%	2.2%
	1.0	1.0	1.0	-	-	1.0	1.0	1.0	1.0	1.0

CAPITAL REGIONAL DISTRICT

2024 BUDGET

CAO & Executive Services

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.014 CAO & Executive Services

Committee: Governance Committee & Finance Committee

DEFINITION:

Authorized by Letters Patent to provide for administrative expenditures of the Capital Regional District Board.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition

CAO & Executive Services	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS:</u>										
Salaries and Wages	807,269	791,000	855,770	102,470	-	958,241	1,016,156	1,040,463	1,065,340	1,090,791
Building Occupancy	20,757	20,757	26,714	-	-	26,714	28,028	29,414	30,870	32,276
Intergovernment Allocation	-	-	-	-	-	-	-	-	-	-
Legal Expenses	1,900	1,900	1,970	-	-	1,970	2,010	2,050	2,090	2,130
Software Licenses	5,250	3,000	5,430	1,500	-	6,930	5,490	5,600	5,710	5,820
Other Operating Expenses	92,939	51,179	96,773	8,000	12,500	117,273	106,975	109,208	111,491	113,844
TOTAL OPERATING COSTS	928,115	867,836	986,657	111,970	12,500	1,111,127	1,158,659	1,186,735	1,215,501	1,244,861
*Percentage Increase over prior year						19.7%	4.3%	2.4%	2.4%	2.4%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	1,250	1,250	3,000	-	-	3,000	3,060	3,120	3,180	3,240
TOTAL CAPITAL / RESERVES	1,250	1,250	3,000	-	-	3,000	3,060	3,120	3,180	3,240
TOTAL COSTS	929,365	869,086	989,657	111,970	12,500	1,114,127	1,161,719	1,189,855	1,218,681	1,248,101
Internal Recovery from CAWTP	-	-	-	-	-	-	-	-	-	-
Transfer from Internal Reserve	-	-	-	-	-	-	-	-	-	-
NET COSTS	929,365	869,086	989,657	111,970	12,500	1,114,127	1,161,719	1,189,855	1,218,681	1,248,101
*Percentage increase over prior year Net Costs			6.5%			19.9%	4.3%	2.4%	2.4%	2.4%
<u>AUTHORIZED POSITIONS:</u>										
Salaried	5.0	5.0	5.0	1.0	-	6.0	6.0	6.0	6.0	6.0

Change in Budget 2023 to 2024

Service: 1.014 CAO & EXECUTIVE SERVICES

Total Expenditure

Comments

2023 Budget 929,365

Change in Salaries:

Base salary and benefit change	14,877	Inclusive of estimated collective agreement changes
Step increase/paygrade change	33,625	
1.0 FTE Exempt Manager	102,470	2024 IBC 11b-7.1: Manager of Corporate Initiatives and Administration (9 months)
Reduction in auxiliary wages		
Total Change in Salaries	150,972	

Other Changes:

Office & Equipment Costs	25,190	Office costs associated with new ongoing FTEs
Building Occupancy	5,957	
Other Costs	2,643	
Total Other Changes	33,790	

2024 Budget 1,114,127

Summary of % Expense Increase

2024 IBC Expense	13.7%
Other salary adjustments	5.2%
Balance of increase	0.9%
% expense increase from 2023:	19.9%

% Requisition increase from 2023 (if applicable):	20%	Requisition funding is 100% of service revenue
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Overall 2023 Budget Performance

(expected variance to budget and surplus treatment)

There is an estimated one-time favourable variance of \$60,300 (7.5%) due mainly savings on contracted expenses (\$30,000), and minor savings on salaries and temporary staff vacancies (\$25,000).

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.014	Carry						
	CAO / Corporate Services	Forward	2024	2025	2026	2027	2028	TOTAL
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #: 1.014

Service Name: CAO / Corporate Services

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer	Computer Replacement	\$ 14,796	E	ERF		\$ 14,796	\$ -	\$ -	\$ -		\$ 14,796
25-01	Replacement	Computer	Computer Replacement	\$ 3,288	E	ERF		\$ -	\$ 3,288	\$ -	\$ -		\$ 3,288
26-01	Replacement	Computer	Computer Replacement	\$ 20,133	E	ERF		\$ -	\$ -	\$ 20,133	\$ -		\$ 20,133
27-01	Replacement	Computer	Computer Replacement	\$ 20,133	E	ERF		\$ -	\$ -	\$ -	\$ 20,133		\$ 20,133
28-01	Replacement	Computer	Computer Replacement	\$ 14,796	E	ERF		\$ -	\$ -	\$ -	\$ -	\$ 14,796	\$ 14,796
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 73,146				\$ 14,796	\$ 3,288	\$ 20,133	\$ 20,133	\$ 14,796	\$ 73,146

Reserve Schedule

Reserve Fund: 1.014 CAO / Corporate Services

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Reserve Cash Flow

Fund: 1022 Fund Center: 101366 ERF Group: CAO.ERF	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	74,903	57,991	53,195	60,107	50,374	40,851
Actual Purchases		-	-	-		-
Planned Purchases (Based on Capital Plan)	(22,362)	(14,796)	(3,288)	(20,133)	(20,133)	(14,796)
Transfer from Operating Budget	5,450	10,000	10,200	10,400	10,610	10,820
Interest Income		-	-	-	-	-
Ending Balance \$	57,991	53,195	60,107	50,374	40,851	36,875

<u>Assumptions/Background:</u>

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Corporate Services

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.014 Corporate Services

Committee: Governance Committee &
Finance Committee

DEFINITION:

Authorized by Letters Patent to provide for administrative expenditures of the Capital Regional District Board.

SERVICE DESCRIPTION:

Risk management including insurance claims, loss control and tender call/contract review.
Corporate administrative support including legal services, legislative services, reception, mail, printing and Freedom of Information requests.
Support for electoral area volunteer services and fire departments.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and internal recoveries

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
CORPORATE SERVICES										
<u>OPERATING COSTS:</u>										
Salaries and Wages	2,320,885	2,015,000	2,364,184	93,165	-	2,457,349	2,547,662	2,608,593	2,670,951	2,734,755
Building Occupancy	112,600	112,600	122,984	-	-	122,984	129,259	135,878	142,839	149,556
Legal Expenses	7,650	-	7,920	-	-	7,920	8,080	8,240	8,400	8,570
Contract for Services	399,000	349,000	-	-	150,000	150,000	-	-	-	-
Software Licenses	13,100	13,100	13,560	1,500	-	15,060	15,360	15,660	15,970	16,290
Other Operating Expenses	83,715	164,865	86,470	8,000	12,500	106,970	98,129	100,088	102,057	104,066
TOTAL OPERATING COSTS	2,936,950	2,654,565	2,595,117	102,665	162,500	2,860,283	2,798,490	2,868,459	2,940,217	3,013,236
*Percentage Increase over prior year						-2.6%	-2.2%	2.5%	2.5%	2.5%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	4,200	4,200	7,000	-	-	7,000	7,140	7,280	7,430	7,580
Transfer to Operating Reserve Fund	-	-	-	-	-	-	-	-	-	-
Transfer to Climate Action Reserve Fund	-	-	-	-	-	-	-	-	-	-
TOTAL CAPITAL / RESERVES	4,200	4,200	7,000	-	-	7,000	7,140	7,280	7,430	7,580
TOTAL COSTS	2,941,150	2,658,765	2,602,117	102,665	162,500	2,867,283	2,805,630	2,875,739	2,947,647	3,020,816
*Percentage increase over prior year			-11.5%			-2.5%	-2.2%	2.5%	2.5%	2.5%
REVENUE										
FOI Revenue	-	-	-	-	-	-	-	-	-	-
Climate Action Grant	-	-	-	-	-	-	-	-	-	-
Transfer from Operating Reserve	(399,000)	(249,000)	-	-	(150,000)	(150,000)	-	-	-	-
TOTAL REVENUE	(399,000)	(249,000)	-	-	(150,000)	(150,000)	-	-	-	-
NET COSTS	2,542,150	2,409,765	2,602,117	102,665	12,500	2,717,283	2,805,630	2,875,739	2,947,647	3,020,816
*Percentage increase over prior year Net Costs			2.4%			6.9%	3.3%	2.5%	2.5%	2.5%
<u>AUTHORIZED POSITIONS:</u>										
Salaried	15.6	15.6	15.6	1.0	-	16.6	16.6	16.6	16.6	16.6

Change in Budget 2023 to 2024
Service: 1.014B CORPORATE SERVICES

Total Expenditure

Comments

2023 Budget

2,941,150

Change in Salaries:

Base salary and benefit change	44,241
Step increase/paygrade change	37,207
1.0 FTE Senior Analyst	93,165
Reduction in auxiliary wages	(38,150)

Inclusive of estimated collective agreement changes

2024 IBC 12a-1.1: Privacy and Information Senior Analyst (9 months)

Total Change in Salaries **136,464**

Other Changes:

Contract for Services	(200,000)
Contract for Services	(50,000)
Office & Equipment Costs	22,000
Building Occupancy	10,384
Other Costs	7,285

Reduction for 2024 one-time costs for EDRMS: \$100k carry forward into 2024, net of \$200k estimated spend in 2023

Reduction for 2023 one-time costs for centralizing procurement study: \$50k carry forward into 2024, net of \$50k estimated spend in 2023

Office costs associated with new ongoing FTEs

Total Other Changes **(210,331)**

2024 Budget

2,867,283

Summary of % Expense Increase

2024 IBC Expense	3.9%
Reduction in one-time contract for services	-8.5%
Balance of increase	2.1%
% expense increase from 2023:	-2.5%

% Requisition increase from 2023 (if applicable):

7%

Requisition funding is 75% of service revenue

Overall 2023 Budget Performance

(expected variance to budget and surplus treatment)

There is a one time favourable variance of \$132,385 (4.5%) largely to temporary staff vacancies (\$305,900) and deferral of EDRMS contract for services expenses to 2024 (\$100,000); .This is partially offset by reduced transfers from reserve for EDRMS of \$100,000, increased legal advisory consulting of \$100,000 and additional program consulting of \$50,000.

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.014	Carry						
	CAO / Corporate Services	Forward	2024	2025	2026	2027	2028	TOTAL
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$14,796	\$3,288	\$20,133	\$20,133	\$14,796	\$73,146

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #: 1.014

Service Name: CAO / Corporate Services

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer	Computer Replacement	\$ 14,796	E	ERF		\$ 14,796	\$ -	\$ -	\$ -		\$ 14,796
25-01	Replacement	Computer	Computer Replacement	\$ 3,288	E	ERF		\$ -	\$ 3,288	\$ -	\$ -		\$ 3,288
26-01	Replacement	Computer	Computer Replacement	\$ 20,133	E	ERF		\$ -	\$ -	\$ 20,133	\$ -		\$ 20,133
27-01	Replacement	Computer	Computer Replacement	\$ 20,133	E	ERF		\$ -	\$ -	\$ -	\$ 20,133		\$ 20,133
28-01	Replacement	Computer	Computer Replacement	\$ 14,796	E	ERF		\$ -	\$ -	\$ -	\$ -	\$ 14,796	\$ 14,796
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 73,146				\$ 14,796	\$ 3,288	\$ 20,133	\$ 20,133	\$ 14,796	\$ 73,146

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Real Estate

COMMITTEE REVIEW

Service: 1.015 Real Estate

Committee: Governance Committee & Finance Committee

DEFINITION:

Authorized by Letters Patent to provide for administrative expenditures of the Capital Regional District Board.

SERVICE DESCRIPTION:

Acquisition, disposal and management of real estate interests on behalf of CRD departments and commissions/committees.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Internal recoveries and requisition

1.015 - Real Estate Services

OPERATING COSTS:

Salaries and Wages

Allocations

Legal Expenses

Software Licenses

Other Operating Expenses

TOTAL OPERATING COSTS

*Percentage increase/-decrease over prior year

CAPITAL / RESERVE

Transfer to Equipment Replacement Fund

TOTAL CAPITAL / RESERVE

TOTAL COSTS

*Percentage increase/-decrease over prior year Total Costs

Internal Recoveries

Transfers from operating reserve

NET COSTS

*Percentage increase over prior year Net Costs

AUTHORIZED POSITIONS:

Salaried

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	2024 ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
Salaries and Wages	428,444	420,748	440,064	-	-	440,064	450,579	461,335	472,336	483,599
Allocations	63,357	63,357	69,483	-	-	69,483	72,644	75,155	77,242	79,689
Legal Expenses	1,500	3,798	1,500	-	-	1,500	1,530	1,560	1,590	1,620
Software Licenses	9,620	9,620	9,960	-	-	9,960	10,160	10,360	10,570	10,780
Other Operating Expenses	23,130	23,958	23,800	-	-	23,800	24,270	24,741	25,223	25,725
TOTAL OPERATING COSTS	526,051	521,481	544,807	-	-	544,807	559,183	573,151	586,961	601,413
*Percentage increase/-decrease over prior year						3.6%	2.6%	2.5%	2.4%	2.5%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	-	-	-	-	-	-	-	-	-	-
TOTAL CAPITAL / RESERVE	-	-	-	-	-	-	-	-	-	-
TOTAL COSTS	526,051	521,481	544,807	-	-	544,807	559,183	573,151	586,961	601,413
*Percentage increase/-decrease over prior year Total Costs						3.6%	2.6%	2.5%	2.4%	2.5%
Internal Recoveries	(420,680)	(420,680)	(435,846)	-	-	(435,846)	(447,346)	(458,521)	(469,569)	(481,130)
Transfers from operating reserve	-	-	-	-	-	-	-	-	-	-
NET COSTS	105,371	100,801	108,961	-	-	108,961	111,837	114,630	117,392	120,283
*Percentage increase over prior year Net Costs						3.4%	2.6%	2.5%	2.4%	2.5%
AUTHORIZED POSITIONS:										
Salaried	3.0	3.0	3.0	0	0	3.0	3.0	3.0	3.0	3.0

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.015 Real Estate	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
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EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$1,500	\$0	\$1,500	\$0	\$1,500	\$4,500	
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$1,500	\$0	\$1,500	\$0	\$1,500	\$4,500	

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$1,500	\$0	\$1,500	\$0	\$1,500	\$4,500	
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$1,500	\$0	\$1,500	\$0	\$1,500	\$4,500	

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #: 1.015

Service Name: Real Estate

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer	Computer Replacement	\$ 1,500	E	ERF		\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ 1,500
26-01	Replacement	Computer	Computer Replacement	\$ 1,500	E	ERF		\$ -	\$ -	\$ 1,500	\$ -	\$ -	\$ 1,500
28-01	Replacement	Computer	Computer Replacement	\$ 1,500	E	ERF		\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ 1,500
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 4,500				\$ 1,500	\$ -	\$ 1,500	\$ -	\$ 1,500	\$ 4,500

Reserve Schedule

Reserve Fund: 1.015 Real Estate
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Reserve Cash Flow

Fund: 1022 Fund Center: 101418 ERF Group: PRPSRV.ERF	Estimated	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	23,922	24,743	21,521	21,521	19,910	19,910
Actual Purchases	(367)					
Planned Purchases (Based on Capital Plan)	-	(3,222)	-	(1,611)	-	(1,500)
Transfer from Operating Budget	1,000	-	-	-	-	-
Interest Income	189	-	-	-	-	-
Ending Balance \$	24,743	21,521	21,521	19,910	19,910	18,410

Assumptions/Background: 2024 - 1 standard laptop 2026 - 1 standard laptop 2028 - 1 standard laptop
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CAPITAL REGIONAL DISTRICT

2024 BUDGET

Human Resources

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.016 Human Resources

Committee: Governance Committee &
Finance Committee

DEFINITION:

Authorized by Letters Patent to provide Human Resources services to the Board of the Capital Regional District.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and internal recoveries

1.016 - Human Resources

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Salaries and Wages	2,347,106	2,220,000	2,350,043	410,700	66,700	2,827,443	3,283,593	3,400,309	3,400,205	3,481,361
Allocations	83,178	83,178	104,168	-	-	104,168	108,536	113,122	117,927	122,598
Legal Expenses	16,720	10,000	17,310	-	-	17,310	17,660	18,010	18,370	18,740
GVLRA Membership Dues and Staff Training	158,260	151,000	170,800	10,500	-	181,300	188,430	192,190	196,030	199,950
Contract for Services	372,055	321,600	326,197	-	15,000	341,197	336,233	336,315	327,527	333,895
Software Licenses	4,360	10,000	10,000	4,500	-	14,500	16,290	19,620	20,010	20,410
Other Operating Expenses	186,840	137,680	188,060	13,500	22,500	224,060	208,804	211,960	215,197	219,516
			-	-	-	-				
TOTAL OPERATING COSTS	3,168,519	2,933,458	3,166,578	439,200	104,200	3,709,978	4,159,546	4,291,526	4,295,266	4,396,470
*Percentage Increase over prior year						17.1%	12.1%	3.2%	0.1%	2.4%
<u>CAPITAL / RESERVE</u>										
Equipment Purchases	-	-	-	-	30,000	30,000	20,000	-	-	-
Transfer to Equipment Replacement Fund	9,000	9,000	9,000	-	-	9,000	9,000	9,000	9,000	9,000
TOTAL CAPITAL / RESERVE	9,000	9,000	9,000	-	30,000	39,000	29,000	9,000	9,000	9,000
TOTAL COSTS	3,177,519	2,942,458	3,175,578	439,200	134,200	3,748,978	4,188,546	4,300,526	4,304,266	4,405,470
						18.0%	11.7%	2.7%	0.1%	2.4%
<u>INTERNAL RECOVERIES</u>										
Recovery Costs	(20,000)	(20,000)	(20,000)	-	-	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
First Aid Recovery	(5,884)	(5,884)	(6,090)	-	-	(6,090)	(6,071)	(6,197)	(6,323)	(6,374)
Transfer from Internal Reserve	(139,500)	(139,500)	-	-	(60,000)	(60,000)	(2,000)	(1,000)	-	-
Safety Officer Recovery	-	-	-	-	-	-	-	-	-	-
Human Resources	(2,325,666)	(2,325,666)	(2,708,622)	(336,694)	(59,200)	(3,104,516)	(3,361,760)	(3,468,857)	(3,472,395)	(3,557,456)
TOTAL INTERNAL RECOVERIES	(2,491,050)	(2,491,050)	(2,734,712)	(336,694)	(119,200)	(3,190,606)	(3,389,831)	(3,496,054)	(3,498,718)	(3,583,830)
NET COSTS	686,469	451,408	440,866	102,506	15,000	558,372	798,715	804,472	805,548	821,640
*Percentage increase over prior year Net Costs						-18.7%	43.0%	0.7%	0.1%	2.0%
AUTHORIZED POSITIONS: Salaried	14.0	14.0	14.0	-	3.0	17.0	19.0	19.0	19.0	19.0

Change in Budget 2023 to 2024
Service: 1.016 HUMAN RESOURCES

Total Expenditure

Comments

2023 Budget

3,177,519

Change in Salaries:

Base salary and benefit change	45,516	Inclusive of estimated collective agreement changes
Step increase/paygrade change	18,595	
1.0 FTE Accessibility & EDI Specialist	37,952	2024 IBC 11a-1.1: Develop and Implement The Corporate Accessibility Plan (3 months)
1.0 FTE Manager EDIA and Indigenous Strategies	186,374	2024 IBC 11a-3.1: Create and Implement an Indigenous Employment Strategy 2024
1.0 FTE Manager Human Resources	186,374	IBC 11b-1.3: Benefits, Wellness & Abilities Management Coordinator
Auxiliary wages adjustment	5,527	
Total Change in Salaries	480,337	

Other Changes:

Office & Equipment Costs	96,000	Office costs associated with new ongoing FTEs
Contract for Services	(50,000)	Reduction in one-time funding for 2023 Employee Survey
Building Occupancy	17,370	
Other Costs	27,751	
Total Other Changes	91,121	

2024 Budget

3,748,977

Summary of % Expense Increase

2024 IBC Expense	15.9%
Reduction in one-time contract for services	-1.6%
Balance of increase	3.6%
% expense increase from 2023:	18.0%

% Requisition increase from 2023 (if applicable):

19%

Requisition funding is 15% of service revenue

Overall 2023 Budget Performance

(expected variance to budget and surplus treatment)

There is an estimated one-time favourable variance of \$235,000 (34.2%) due largely to temporary staff vacancies (\$127,000) as well as reduced training and development spending (\$55,000) compared to plan. Further minor savings from reduced office supply costs and legal services.

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.016	Carry						
	Human Resources	Forward	2024	2025	2026	2027	2028	TOTAL
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$6,576	\$6,765	\$353,288	\$354,932	\$6,576	\$728,137
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$6,576	\$6,765	\$353,288	\$354,932	\$6,576	\$728,137

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$6,576	\$6,765	\$3,288	\$4,932	\$6,576	\$28,137
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$350,000	\$350,000	\$0	\$700,000
	\$0	\$6,576	\$6,765	\$353,288	\$354,932	\$6,576	\$728,137

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.016

Service Name:

Human Resources

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replaceme	Computer	Computer Replacement	\$ 4,695	E	ERF		\$ 6,576	\$ -	\$ -	\$ -		\$ 6,576
25-01	Replaceme	Computer	Computer Replacement	\$ 6,260	E	ERF		\$ -	\$ 6,765	\$ -	\$ -		\$ 6,765
26-01	Replaceme	Computer	Computer Replacement	\$ 1,033	E	ERF		\$ -	\$ -	\$ 3,288	\$ -		\$ 3,288
27-01	Replaceme	Computer	Computer Replacement	\$ 1,033	E	ERF		\$ -	\$ -	\$ -	\$ 4,932		\$ 4,932
28-01	Replaceme	Computer	Computer Replacement	\$ 1,033	E	ERF		\$ -	\$ -	\$ -	\$ -	\$ 6,576	\$ 6,576
26-02	New	HRIS - Talent Suite		\$ 700,000	E	Res				\$ 350,000	\$ 350,000		\$ 700,000
													\$ -
													\$ -
			Grand Total	\$ 714,054				\$ 6,576	\$ 6,765	\$ 353,288	\$ 354,932	\$ 6,576	\$ 728,137

Reserve Schedule

Reserve Fund: 1.016 Human Resources
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Reserve Cash Flow

Fund: 1022 Fund Center: 101419 ERF Group: HR.ERF	Actual	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	23,436	4,603	7,027	9,262	14,974	19,042
Actual Purchases		-	-	-		-
Planned Purchases (Based on Capital Plan)	(27,833)	(6,576)	(6,765)	(3,288)	(4,932)	(6,576)
Transfer from Operating Budget	9,000	9,000	9,000	9,000	9,000	9,000
Interest Income	-	-	-	-	-	-
Ending Balance \$	4,603	7,027	9,262	14,974	19,042	21,466

<u>Assumptions/Background:</u>

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Finance

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.017 Finance

Committee: Governance Committee &
Finance Committee

DEFINITION:

Authorized by Letters Patent to provide financial services to the Board of the Capital Regional District.

SERVICE DESCRIPTION:

Financial services and systems including budget preparation, financial accounting and reporting, financial analysis, accounts payable and payments, revenue billing and collection, payroll, financial systems support, banking, investments, long term debt and bylaw preparation.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and internal recoveries

1.017 - FINANCE	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	2024 ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS:</u>										
Salaries and Wages	6,817,656	6,361,860	7,048,131	212,702	-	7,260,833	7,538,196	7,713,579	7,579,221	7,759,707
Allocations	304,251	304,369	328,522	-	-	328,522	342,976	358,157	374,067	389,541
Auditing Expense	79,000	79,000	83,000	-	-	83,000	86,000	89,000	90,780	92,600
Contract for Services	555,330	403,503	214,220	-	120,000	334,220	250,000	250,000	250,000	250,000
Postage & Freight	246,540	220,238	255,170	-	-	255,170	260,280	265,490	270,800	276,220
Supplies	86,320	76,590	78,890	-	9,000	87,890	80,480	79,910	81,520	83,150
Other Operating Expenses	335,190	314,194	339,620	9,400	28,600	377,620	356,190	363,520	370,960	378,580
TOTAL OPERATING COSTS	8,424,287	7,759,754	8,347,553	222,102	157,600	8,727,255	8,914,122	9,119,657	9,017,347	9,229,797
*Percentage Increase over prior year			-0.9%	2.6%	1.9%	3.6%	2.1%	2.3%	-1.1%	2.4%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	35,000	50,000	35,000	-	-	35,000	35,000	35,000	35,000	35,000
Transfer to General Capital Fund	-	335,000	-	-	-	-	-	-	-	-
TOTAL CAPITAL / RESERVES	35,000	385,000	35,000	-	-	35,000	35,000	35,000	35,000	35,000
TOTAL COSTS	8,459,287	8,144,754	8,382,553	222,102	157,600	8,762,255	8,949,122	9,154,657	9,052,347	9,264,797
*Percentage Increase over prior year			-0.9%	2.6%	1.9%	3.6%	2.1%	2.3%	-1.1%	2.3%
<u>REVENUE</u>										
US Bank Rebate	(59,880)	(50,000)	(61,980)	-	-	(61,980)	(63,220)	(64,480)	(65,770)	(67,090)
Provincial Grants	(60,000)	(65,000)	(60,000)	-	-	(60,000)	(61,200)	(62,420)	(63,670)	(64,940)
Sales of Services	(224,830)	(202,581)	(240,330)	-	-	(240,330)	(245,140)	(250,040)	(255,040)	(260,140)
Other	(86,911)	(86,291)	(90,406)	-	-	(90,406)	(92,721)	(95,083)	(97,504)	(99,973)
Allocation Recoveries	(104,040)	(156,060)	(107,680)	-	-	(107,680)	(109,830)	(112,030)	(114,270)	(116,560)
Transfer from Reserve	(669,224)	(359,044)	(351,362)	-	(120,000)	(471,362)	(303,470)	(310,744)	-	-
TOTAL REVENUES	(1,204,885)	(918,975)	(911,758)	-	(120,000)	(1,031,758)	(875,581)	(894,797)	(596,254)	(608,703)
NET COSTS	7,254,402	7,225,779	7,470,795	222,102	37,600	7,730,497	8,073,541	8,259,859	8,456,094	8,656,095
*Percentage increase over prior year Net Costs			3.0%	3.1%	0.5%	6.6%	4.4%	2.3%	2.4%	2.4%
<u>AUTHORIZED POSITIONS:</u>										
Salaried	49.0	49.0	49.0	1.0	-	50.0	51.0	51.5	51.5	51.5
Term	2.5	2.5	2.5	1.0	-	3.5	3.0	2.5	0.5	0.5

Change in Budget 2023 to 2024
Service: 1.017 Finance

Total Expenditure

Comments

2023 Budget **8,459,287**

Change in Salaries:

Base salary and benefit change	131,863	Inclusive of estimated collective agreement changes
Step increase/paygrade change	87,660	Inclusive of annualization and reclassification of 2023 IBC positions
1.0 FTE Financial Analyst	75,288	2024 IBCs Various Support
0.5 FTE Financial Analyst (Term)	68,707	2024 IBC Support: 5a-1.1 Capital Project Delivery
0.5 FTE Financial Analyst (Term)	68,707	2024 IBC Support: 4a-1.1 Transportation Service
Other	10,952	Increase on auxiliary labour, overtime, and standby pay

Total Change in Salaries **443,177**

Other Changes:

Building Occupancy	21,155	Facilities allocation
Office and Equipment Costs	47,000	Office costs associated with office renovation, new on-going, and term FTEs
Contract for Services (one-time)	(100,650)	Reduction for 2023 one-time KPMG G/L and reporting tools
	(110,000)	Reduction for 2023 one-time SAP Funds Management module consulting
Other Costs	2,286	

Total Other Changes **(140,209)**

2024 Budget **8,762,255**

Summary of % Expense Increase

2024 Base salary and step increases	2.6%
2023 One-time Contract Costs (Reserve-funded)	-2.5%
2024 IBC Expense	3.1%
Balance of increase	0.4%
% expense increase from 2023:	3.6%

% Requisition increase from 2023 (if applicable): **3.1%** *Requisition funding is 38% of service revenue*

Overall 2023 Budget Performance
(expected variance to budget and surplus treatment)

There is an estimated one-time favourable variance of \$28,623 (0.3%) due mainly to hiring challenges of vacant positions and hiring new staff at lower pay steps; offset by one-time Equipment Replacement Reserve contributions. This surplus will be transferred to the Legislative and General Operating Reserve.

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.017	Carry						
	Finance	Forward	2024	2025	2026	2027	2028	TOTAL
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$222,885	\$506,549	\$228,994	\$58,043	\$12,994	\$38,549	\$845,129
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$222,885	\$506,549	\$228,994	\$58,043	\$12,994	\$38,549	\$845,129

SOURCE OF FUNDS

Capital Funds on Hand	\$200,000	\$425,000	\$200,000	\$0	\$0	\$0	\$625,000
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$22,885	\$81,549	\$28,994	\$58,043	\$12,994	\$38,549	\$220,129
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$222,885	\$506,549	\$228,994	\$58,043	\$12,994	\$38,549	\$845,129

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #: 1.017

Service Name: Finance

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
23-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 82,110	E	ERF	\$ 22,885	\$ 22,885	\$ -	\$ -	\$ -	\$ -	\$ 22,885
24-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 58,664	E	ERF	\$ -	\$ 58,664	\$ -	\$ -	\$ -	\$ -	\$ 58,664
25-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 28,994	E	ERF	\$ -	\$ -	\$ 28,994	\$ -	\$ -	\$ -	\$ 28,994
26-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 58,043	E	ERF	\$ -	\$ -	\$ -	\$ 58,043	\$ -	\$ -	\$ 58,043
27-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 12,994	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ 12,994	\$ -	\$ 12,994
28-01	Replacement	Computer	Computer and Office Equipment Replacement	\$ 38,549	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,549	\$ 38,549
21-01	New	Enterprise Asset Management	SAP Software & Hardware costs for IBC 15b-2 "Asset Management and Risk Analysis"	\$ 625,000	E	Cap	\$ 200,000	\$ 425,000	\$ 200,000	\$ -	\$ -	\$ -	\$ 625,000
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 904,354			\$ 222,885	\$ 506,549	\$ 228,994	\$ 58,043	\$ 12,994	\$ 38,549	\$ 845,129

Reserve Schedule

Reserve Fund: 1.017 Finance

Reserve Cash Flow

Fund: 1022 Fund Center: 101420

ERF Group: FIN.ERF

	Estimated	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	413,696	404,471	357,922	363,928	340,885	362,891
Actual Purchases	(59,225)					
Planned Purchases (Based on Capital Plan)		(81,549)	(28,994)	(58,043)	(12,994)	(38,549)
Transfer from Operating Budget	50,000	35,000	35,000	35,000	35,000	35,000
Interest Income	-	-	-	-	-	-
Ending Balance \$	404,471	357,922	363,928	340,885	362,891	359,342

Assumptions/Background:

2024 - Replace 21 standard laptops, and 1 ultra-portable laptop, plus peripherals and workstations

2025 - Replace 7 standard laptops, 1 semi-ruggedized laptop, peripherals and binding equipment for print shop

2026 - Replace 17 standard laptops, 1 semi-ruggedized laptop, and 1 ultra-portable laptop, peripherals and postage meter for print shop

2027 - Replace 3 standard laptops, 1 semi-ruggedized laptop, plus peripherals

2028 - Replace 21 standard laptops, and 1 ultra-portable laptop, plus peripherals

Capital Fund Schedule

Reserve Fund: Asset Management

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Capital Fund Cash Flow

Capital Fund Fund Center: 191087	Estimated	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	625,000	625,000	200,000	-	-	-
Actual Purchases	-	-	-	-		
Planned Purchases (Based on Capital Plan)	-	(425,000)	(200,000)	-	-	-
Transfer from Operating Budget	-					
Transfer from Operating Reserve Fund	-					
Interest Income	-	-	-	-	-	-
Ending Balance \$	625,000	200,000	-	-	-	-

Assumptions/Background:

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Health & Capital Planning Strategies

COMMITTEE REVIEW

OCTOBER 2023

1.018 - HEALTH AND CAPITAL PLANNING STRATEGIES

OPERATING COSTS:

Salaries and Wages
Legal/Auditing Costs
Consultants
Allocations - Standard Overhead
Allocations - Human Resources
Allocations - Others
Operating - Other Costs

TOTAL OPERATING COSTS

*Percentage Increase over prior year

CAPITAL / RESERVE

Transfer to Equipment Replacement Reserve
Transfer to Reserve Fund

TOTAL CAPITAL / RESERVES

Debt Expenditures
MFA Debt Reserve

TOTAL COSTS

*Percentage Increase over prior year

Recovery - Capital Regional Hospital District
Recovery - Capital Project

OPERATING COSTS LESS INTERNAL RECOVERIES

*Percentage Increase over prior year

Surplus / (Deficit)
Balance C/F from Prior to Current year
Balance transferred to HD Section 20 Reserve

TOTAL REVENUE

REQUISITION

*Percentage Increase over prior year

PARTICIPANTS: all Municipalities, Electoral Areas, Tsawout and Songhees
First Nations

AUTHORIZED POSITIONS:

Salaried
Term Position - Sr. Project Coordinator 2-year term (2023 IBC 14a-1)

		BUDGET REQUEST							
2023 BOARD BUDGET	2023 ESTIMATED ACTUAL	2024 CORE BUDGET	2024 ONGOING	2024 ONE-TIME	2024 TOTAL	2025 TOTAL	2026 TOTAL	2027 TOTAL	2028 TOTAL
430,511	287,182	436,723	-	-	436,723	323,035	330,778	338,701	346,809
26,160	26,160	27,200	-	-	27,200	28,220	29,240	29,820	30,420
3,510	3,510	3,630	-	-	3,630	3,700	3,770	3,850	3,930
129,961	129,961	140,671	-	-	140,671	143,484	146,354	149,281	152,266
11,476	11,476	15,287	-	-	15,287	16,554	17,081	17,098	17,517
77,015	77,015	81,399	-	-	81,399	83,554	85,781	88,086	90,387
24,720	17,110	20,720	-	-	20,720	21,130	21,550	21,980	22,410
703,353	552,414	725,630	-	-	725,630	619,677	634,554	648,816	663,739
0.0%	-21.5%	3.2%			3.2%	-14.6%	2.4%	2.2%	2.3%
2,100	2,100	2,170	-	-	2,170	2,210	2,250	2,300	2,350
-	-	-	-	-	-	-	-	-	-
2,100	2,100	2,170	-	-	2,170	2,210	2,250	2,300	2,350
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
705,453	554,514	727,800	-	-	727,800	621,887	636,804	651,116	666,089
0.0%	-21.4%	3.2%			3.2%	-14.6%	2.4%	2.2%	2.3%
(705,453)	(705,453)	(727,800)	-	-	(727,800)	(621,887)	(636,804)	(651,116)	(666,089)
-	-	-	-	-	-	-	-	-	-
-	(150,939)	-	-	-	-	-	-	-	-
0.0%	0.0%	0.0%			0.0%	0.0%	0.0%	0.0%	0.0%
-	150,939	-	-	-	-	-	-	-	-
-	(150,939)	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
0.0%	0.0%	0.0%			0.0%	0.0%	0.0%	0.0%	0.0%
2.0	2.0	2.0	0.0	0.0	2.0	2.0	2.0	2.0	2.0
1.0	1.0	1.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.018	Carry						
	Health & Capital Planning Strategies	Forward	2024	2025	2026	2027	2028	TOTAL
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$1,500	\$0	\$3,000	\$1,500	\$1,500	\$7,500
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\$0	\$1,500	\$0	\$3,000	\$1,500	\$1,500	\$7,500
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SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$1,500	\$0	\$3,000	\$1,500	\$1,500	\$7,500
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\$0	\$1,500	\$0	\$3,000	\$1,500	\$1,500	\$7,500
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CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.018

Service Name:

Health & Capital Planning Strategies

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer	Replace Computers	\$ 1,500	E	ERF	\$ -	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ 1,500
26-01	Replacement	Computer	Replace Computers	\$ 3,000	E	ERF	\$ -	\$ -	\$ -	\$ 3,000	\$ -	\$ -	\$ 3,000
27-01	Replacement	Computer	Replace Computers	\$ 1,500	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ -	\$ 1,500
28-01	Replacement	Computer	Replace Computers	\$ 1,500	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ 1,500
													\$ -
													\$ -
													\$ -
Grand Total				\$ 7,500				\$ 1,500	\$ -	\$ 3,000	\$ 1,500	\$ 1,500	\$ 7,500

Reserve Schedule

Reserve Fund: 1.018 Health & Capital Planning Strategies

Assets held by the Health and Capital Planning Strategies are office equipment and office furniture.
The equipment replacement funds set aside are for replacement of office equipment/furniture only.

Reserve Cash Flow

Fund: 1022 Fund Center: 101851
ERF Group: HP.ERF

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	5,173	5,288	5,958	8,168	7,418	8,218
Actual Purchase	(1,985)					
Planned Purchase (Based on Capital Plan)		(1,500)	-	(3,000)	(1,500)	(1,500)
Transfer from Operating Budget	2,100	2,170	2,210	2,250	2,300	2,350
Interest Revenue	-					
Ending Balance \$	5,288	5,958	8,168	7,418	8,218	9,068

Assumptions/Background:

2024 - 1 standard laptop
2026 - 2 standard laptops
2027 - 1 standard laptop
2028 - 1 standard laptop

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Information Technology

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.022 Information Technology

Committee: Governance Committee &
Finance Committee

DEFINITION:

Support services to the departments of the Capital Regional District.

SERVICE DESCRIPTION:

Corporate information system development and support, telecommunications & phone systems, desktop support, networking, 911 systems, data communications, emergency systems, radio systems design & support, corporate web site, social media, application analysis & development, data management, Geographic Information Systems, web mapping, geospatial services, mapping and property information.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and internal recoveries

1.022 INFORMATION TECHNOLOGY	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS:</u>										
Salaries and Wages	7,455,322	5,932,927	7,448,310	129,065	-	7,577,375	7,757,666	8,444,897	8,172,694	8,367,396
Allocations	398,000	398,000	566,415	-	-	566,415	603,624	628,858	646,096	669,694
Consulting	116,830	83,000	48,470	-	-	48,470	49,440	50,430	51,440	52,470
Contract for Services	874,000	849,029	787,010	-	186,000	973,010	802,750	818,800	835,170	851,880
Software Licenses & Computer Mtce	2,311,820	1,967,995	2,363,140	23,000	21,500	2,407,640	2,557,870	2,594,550	2,642,130	2,742,080
Other Operating Expenses	737,780	675,681	529,440	4,700	2,800	536,940	545,160	556,450	567,970	565,340
TOTAL OPERATING COSTS	11,893,752	9,906,633	11,742,785	156,765	210,300	12,109,850	12,316,510	13,093,985	12,915,500	13,248,860
*Percentage Increase over prior year			-1.3%	1.3%	1.8%	1.8%	1.7%	6.3%	-1.4%	2.6%
<u>CAPITAL / RESERVE</u>										
Transfer to General Capital Fund	452,720	1,452,720	468,570	-	-	468,570	1,227,940	1,187,500	497,250	507,200
Transfer to Equipment Replacement Fund	115,240	115,240	119,270	-	-	119,270	121,660	124,100	126,580	129,110
TOTAL CAPITAL / RESERVES	567,960	1,567,960	587,840	-	-	587,840	1,349,600	1,311,600	623,830	636,310
TOTAL COSTS	12,461,712	11,474,593	12,330,625	156,765	210,300	12,697,690	13,666,110	14,405,585	13,539,330	13,885,170
*Percentage increase over prior year Total Costs			-1.1%	1.3%	1.7%	1.9%	7.6%	5.4%	-6.0%	2.6%
Funding from Capital Fund	(1,300,077)	(1,153,054)	(621,094)	-	(161,000)	(782,094)	(631,673)	(642,499)	(180,000)	(180,000)
Funding from Operating Reserve	(463,209)	(431,709)	(120,954)	-	(31,500)	(152,454)	-	-	-	-
TOTAL COSTS LESS INTERNAL RECOVERIES	10,698,426	9,889,830	11,588,576	156,765	17,800	11,763,142	13,034,437	13,763,086	13,359,330	13,705,170
Service Fees	(40,000)	(40,000)	(40,000)	-	-	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
Other Income	-	(2,500)	-	-	-	-	-	-	-	-
TOTAL REVENUES	(40,000)	(42,500)	(40,000)	-	-	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
NET COSTS	10,658,426	9,847,330	11,548,576	156,765	17,800	11,723,142	12,994,437	13,723,086	13,319,330	13,665,170
*Percentage increase over prior year Net Costs			8.4%	1.5%	0.2%	10.0%	10.8%	5.6%	-2.9%	2.6%
<u>AUTHORIZED POSITIONS:</u>										
Salaried	48.27	48.27	48.27	1.00		49.27	49.27	52.27	52.27	52.27
Term	4.0	4.0	4.0			4.0	3.0	3.0	-	-

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.022 Information Technology	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
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EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$1,047,946	\$3,976,600	\$2,320,702	\$1,484,893	\$355,000	\$69,000	\$8,206,195
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$100,000	\$0	\$0	\$0	\$100,000
	\$1,047,946	\$3,976,600	\$2,420,702	\$1,484,893	\$355,000	\$69,000	\$8,306,195

SOURCE OF FUNDS

Capital Funds on Hand	\$1,047,946	\$3,930,000	\$2,268,702	\$1,423,243	\$305,000	\$20,000	\$7,946,945
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$46,600	\$152,000	\$61,650	\$50,000	\$49,000	\$359,250
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$1,047,946	\$3,976,600	\$2,420,702	\$1,484,893	\$355,000	\$69,000	\$8,306,195

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:	1.022
Service Name:	Information Technology

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
17-01	Replacement	SAP	Business Warehouse	\$ 75,000	E	Cap	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ 25,000
18-06	Replacement	Data Centre Replacements	Replace Backup	\$ 350,000	E	Cap	\$ 100,000	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ 350,000
18-07	Replacement	Data Centre Replacements	Server Replacements	\$ 415,000	E	Cap	\$ -	\$ 100,000	\$ -	\$ 240,000	\$ -	\$ -	\$ 340,000
19-04	Replacement	Data Centre Replacements	Additional Storage	\$ 90,000	E	Cap	\$ -	\$ -	\$ -	\$ 70,000	\$ -	\$ -	\$ 70,000
19-05	Replacement	Data Centre Replacements	Router & Switch Network Data Centre	\$ 134,000	E	Cap	\$ -	\$ 20,000	\$ 15,000	\$ 25,000	\$ -	\$ -	\$ 60,000
19-06	Replacement	Data Centre Replacements	Wi-Fi Network System	\$ 170,000	E	Cap	\$ -	\$ 60,000	\$ -	\$ 30,000	\$ 30,000	\$ -	\$ 120,000
20-02	Replacement	Data Centre Replacements	Virtual Server Hosts	\$ 435,000	E	Cap	\$ -	\$ -	\$ -	\$ 245,000	\$ -		\$ 245,000
20-03	Replacement	Data Centre Replacements	Application Load Balancer	\$ 65,000	E	Cap	\$ -	\$ -	\$ -	\$ -	\$ 65,000		\$ 65,000
20-04	Replacement	Data Centre Replacements	Network Data/Voice Switches (Fisgard)	\$ 305,000	E	Cap	\$ -	\$ 190,000	\$ -	\$ -	\$ -		\$ 190,000
20-05	Replacement	Data Centre Replacements	Uninterruptible Power Supply	\$ 70,000	E	Cap	\$ -	\$ 20,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 20,000	\$ 70,000
20-06	Replacement	Data Centre Replacements	Fisgard Phone System	\$ 410,000	E	Cap	\$ -	\$ -	\$ 350,000	\$ 30,000	\$ -		\$ 380,000
20-07	Replacement	Meeting Room Equipment Replacement	Replacement of A/V technology components	\$ 116,250	E	ERF	\$ -	\$ 19,600	\$ 25,000	\$ 34,650	\$ 20,000	\$ 25,000	\$ 124,250
21-01	Replacement	Data Centre Replacements	Corporate Firewall	\$ 200,000	E	Cap	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000
23-01	Replacement	SAP	SAP Migration from ECC to S4	\$ 5,840,000	E	Cap	\$ 947,946	\$2,700,000	\$1,848,702	\$ 773,243	\$ -	\$ -	\$ 5,321,945
24-01	Replacement	Computer Equipment	Staff Computer Equipment Replacements	\$ 52,000	E	ERF	\$ -	\$ 27,000	\$ -	\$ -	\$ -	\$ -	\$ 27,000
24-02	Replacement	Data Centre Replacements	Fibre Channel Fabric Replacement	\$ 225,000	E	Cap	\$ -	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ 225,000
24-03	New	Truck	Expand Radio Technology in CRD vehicles to provide reliable and modern communications. We will rely on these trucks for 7 to 10 years	\$ 50,000	E	Cap	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
24-05	new	Physical Security	Card access for data facilities	\$ 80,000	E	Cap	\$ -	\$ 60,000	\$ 20,000	\$ -	\$ -	\$ -	\$ 80,000
25-01	Replacement	Computer Equipment	Staff Computer Equipment Replacements	\$ 27,000	E	ERF	\$ -	\$ -	\$ 27,000	\$ -	\$ -	\$ -	\$ 27,000
25-02	Replacement	Van	Replace IT Van (want this outfitted with proper shelving and bins)	\$ 100,000	V	ERF	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000
26-01	Replacement	Computer Equipment	Staff Computer Equipment Replacements	\$ 27,000	E	ERF	\$ -	\$ -	\$ -	\$ 27,000	\$ -	\$ -	\$ 27,000
27-01	Replacement	Computer Equipment	Staff Computer Equipment Replacements	\$ 30,000	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000

Service #:

1.022

Service Name:

Information Technology

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-06	Replacement	Brightsign replacements	Replace and upgrade systems to current standards	\$ 10,000	E	Cap	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000
24-07	Replacement	Teams Room Upgrades	2 larger rooms and 10 smaller room technology replacement	\$ 60,000	E	Cap	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
24-17	Replacement	SQL Server Replacement	Server Upgrade to provide capacity and performance - This is a thick replacement - far less if we virtualize	\$ 35,000	E	Cap	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ 35,000
24-18	Replacement	VDI system upgrades	Increase capacity to existing VDI infrastructure to improve the VDI environment and prepare for high perf loads	\$ 50,000	E	Cap	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
			Grand Total	\$ 9,445,250			\$1,047,946	\$ 3,976,600	\$ 2,420,702	\$ 1,484,893	\$ 355,000	\$ 69,000	\$ 8,306,195

Equipment Reserve Schedule

Equipment Reserve Fund: 1.022 Information Technology

Equipment Reserve Cash Flow

Fund: 1022 Fund Center: 101421
ERF Group: INFOTECH.ERF (ITG.ERF)

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	313,326	357,881	503,051	551,671	703,811	856,531
Actual Purchases	(137,042)					
Planned Purchases (Based on Capital Plan)		(27,000)	(127,000)	(27,000)	(30,000)	(24,000)
Transfer from Operating Budget	181,597	172,170	175,620	179,140	182,720	186,370
Interest Income	-	-	-	-	-	-
Ending Balance \$	357,881	503,051	551,671	703,811	856,531	1,018,901

Assumptions/Background:

Planned purchases include computer equipment replacements for staff (2024-2028) and replacement of one vehicle in 2025.

Equipment Reserve Schedule

Reserve Fund: 1.022 Fisgard Meeting Room ERF

Fisgard Meeting Room Technology - Funding for replacement of IT equipment and infrastructure in the various meeting rooms at the 625 Fisgard St location.

Equipment Reserve Cash Flow

Fund: 1022 Fund Center: 102217

ERF Group: ITMTGROOM.ERF (ITG.ERF)

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	80,011	83,011	83,411	78,411	63,761	63,761
Actual Purchases	-	-	-	-	-	-
Planned Purchases (Based on Capital Plan)	(17,000)	(19,600)	(25,000)	(34,650)	(20,000)	(25,000)
Transfer from Operating Budget	20,000	20,000	20,000	20,000	20,000	20,000
Interest Income	-	-	-	-	-	-
Ending Balance \$	83,011	83,411	78,411	63,761	63,761	58,761

Assumptions/Background:

Replacement of meeting room audio/video components.

CAPITAL REGIONAL DISTRICT

2024 BUDGET

GM - Planning & Protective Services

COMMITTEE REVIEW

Service: 1.024 GM - Planning & Protective Services

Committee: Governance Committee & Finance Committee

DEFINITION:

The oversight of planning and protective services for the Capital Regional District Board.

SERVICE DESCRIPTION:

The General Manager of Planning and Protective Services provides overall direction and supporting administrative oversight for 40 individual services and functions.

The department and its divisions report to the Board, Hospital District Board, Planning, Transportation and Protective Services Committee, Electoral Area Services Committee, Juan de Fuca Land Use Committee and also provide corporate administration for 17 commissions and the Capital Regional Housing Corporation.

Planning and Protective Services includes the administrative and operating responsibility for:

- Capital Regional Housing Corporation
- Capital Regional Hospital District
- Regional Planning and Information Services
- Emergency Management & Fire Protection
- Regional Housing
- Bylaw Services and Animal Control
- Building Inspection and Numbering
- Juan de Fuca Electoral Area Community Planning and Parks

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Bands.

MAXIMUM LEVY:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and Internal Recoveries

1.024 - GM - Planning & Protective Services

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	2024 ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Salaries & Wages	464,094	443,736	470,434	-	-	470,434	481,703	493,233	505,030	517,100
Contract for Services	7,310	-	2,500	-	-	2,500	3,050	4,610	6,200	7,320
Internal Allocations	92,268	92,268	101,438	-	-	101,438	105,151	108,152	110,688	113,642
Operating Other	20,930	11,377	21,370	-	-	21,370	21,800	22,250	22,710	23,170
TOTAL OPERATING COSTS	584,602	547,381	595,742	-	-	595,742	611,704	628,245	644,628	661,231
*Percentage Increase over prior year						1.9%	2.7%	2.7%	2.6%	2.6%
CAPITAL / RESERVE										
Transfer to Equipment Replacement Fund	1,000	1,000	1,000	-	-	1,000	1,000	1,000	1,000	1,000
TOTAL CAPITAL / RESERVES	1,000	1,000	1,000	-	-	1,000	1,000	1,000	1,000	1,000
TOTAL COSTS	585,602	548,381	596,742	-	-	596,742	612,704	629,245	645,628	662,231
<u>FUNDING SOURCES (REVENUE)</u>										
Internal Recoveries	(276,233)	(276,233)	(285,898)	-	-	(285,898)	(291,590)	(297,417)	(303,364)	(309,422)
TOTAL REVENUES	(276,233)	(276,233)	(285,898)	-	-	(285,898)	(291,590)	(297,417)	(303,364)	(309,422)
NET COSTS	309,369	272,148	310,844	-	-	310,844	321,114	331,828	342,264	352,810
*Percentage increase over prior year						0.5%	3.3%	3.3%	3.1%	3.1%
Net Costs										
AUTHORIZED POSITIONS:										
Salaried	2.5	2.5	2.5	-	-	2.5	2.5	2.5	2.5	2.5

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.024	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
	GM - Planning & Protective Services							

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$2,049	\$2,318	\$1,644	\$6,011	
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$2,049	\$2,318	\$1,644	\$6,011	

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$0	\$0	\$2,049	\$2,318	\$1,644	\$6,011	
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$2,049	\$2,318	\$1,644	\$6,011	

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.024

Service Name:

GM - Planning & Protective Services

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
26-01	Replacement	Computer	Computer Replacement	\$ 2,049	E	ERF		\$ -	\$ -	\$ 2,049	\$ -	\$ -	\$ 2,049
27-01	Replacement	Computer	Computer Replacement	\$ 2,318	E	ERF		\$ -	\$ -	\$ -	\$ 2,318	\$ -	\$ 2,318
28-01	Replacement	Computer	Computer Replacement	\$ 1,644	E	ERF		\$ -	\$ -	\$ -	\$ -	\$ 1,644	\$ 1,644
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 6,011				\$ -	\$ -	\$ 2,049	\$ 2,318	\$ 1,644	\$ 6,011

Reserve Schedule

Reserve Fund: 1.024 - GM Planning & Protective Services

Reserve Cash Flow

Fund: 1022 Fund Center: 101955
ERF Group: PLANPROT.ERF

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	7,894	6,193	7,193	8,193	7,144	5,826
Actual Purchases	-					
Planned Purchase (Based on Capital Plan)	(2,701)	-	-	(2,049)	(2,318)	(1,644)
Transfer from Operating Budget	1,000	1000	1000	1000	1000	1000
Interest Income	-	-	-	-	-	-
Ending Balance \$	6,193	7,193	8,193	7,144	5,826	5,182

Assumptions/Background:

2023 - replacement of 2 standard desktops
 2026 - replacement of 1 ultra-portable laptop
 2027 - replacement of 2 standard desktops
 2028 - replacement of 1 standard desktop

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Corporate Emergency

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.025 Corporate Emergency

Committee: Planning, Transportation & Protective Services

DEFINITION:

Planning and coordination for disasters or emergencies.

SERVICE DESCRIPTION:

Coordinate and administer the Corporate Emergency Plan in accordance with the *Emergency Program Act* as a local authority and regional service provider and ensure integration with the three Electoral Area Emergency Plans to provide business continuity and CRD divisional coordination in the case of an emergency.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Bands.

MAXIMUM LEVY:

N/A

COMMITTEE:

Planning, Transportation & Protective Services

FUNDING:

Requisition

Change in Budget 2023 to 2024
Service: 1.025

Total Expenditure

Comments

2023 Budget

406,282

Change in Salaries:

Base salary and benefit change

1,687

Inclusive of estimated collective agreement changes

Total Change in Salaries

1,687

Other Changes:

Safe Restart Grant carried forward into 2023

(71,842)

One-time Safe Restart Grant carried into 2023 for EM software and allowance 2020 EOC declined claim

Standard Overhead Allocation

(2,829)

Decrease in 2023 operating costs due to one-time surplus carryover in 2022

Building Occupancy Allocation

1,984

Increase primarily related to HQ building reserve contribution

Software License

2,980

Increase primarily related to new software Public Emergency Alert Service

Other Costs

4,688

Expenses such as travel, insurance, payment to 3rd parties, etc.

Total Other Changes

(65,019)

2024 Budget

342,950

Summary of % Expense Change

2024 Base salary and benefit change

0.4%

2022 surplus carryover to 2023

-17.7%

Balance of change

1.7%

% expense change from 2023:

-15.6%

% Requisition change from 2023 (if applicable):

3.0%

Requisition funding is 68.8% of service revenue

Overall 2023 Budget Performance

(expected variance to budget and surplus treatment)

There is a an estimated one-time favourable minor variance of \$870 (0.4%) mainly due to lower general repairs and maintenance expenses. This variance will be transferred into the Equipment Replacement Fund, which has an expected year end balance of \$59,309 before this transfer.

1.025 - Corporate Emergency

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Salaries and Wages	105,326	105,326	107,013	-	-	107,013	205,852	210,790	215,840	221,010
Allocations	178,363	178,363	180,567	-	-	180,567	184,910	189,396	194,005	198,625
Supplies	2,800	2,500	2,900	-	-	2,900	12,960	3,020	3,080	3,140
Licences and Fees	22,544	22,544	8,230	-	-	8,230	8,390	8,560	8,730	8,900
Other Operating Expenses	97,249	96,679	44,240	-	-	44,240	75,140	76,050	76,990	77,950
TOTAL OPERATING COSTS	406,282	405,412	342,950	-	-	342,950	487,252	487,816	498,645	509,625
*Percentage Increase over prior year			-15.6%			-15.6%	42.1%	0.1%	2.2%	2.2%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	-	870	-	-	-	-	-	-	-	-
TOTAL COSTS	406,282	406,282	342,950	-	-	342,950	487,252	487,816	498,645	509,625
Internal Recoveries	(105,326)	(105,326)	(107,013)	-	-	(107,013)	(109,580)	(112,210)	(114,900)	(117,650)
OPERATING COSTS LESS INTERNAL RECOVERIES	300,956	300,956	235,937	-	-	235,937	377,672	375,606	383,745	391,975
Balance c/fwd from 2022 to 2023	(71,842)	(71,842)	-	-	-	-	-	-	-	-
NET COSTS	229,114	229,114	235,937	-	-	235,937	377,672	375,606	383,745	391,975
*Percentage increase over prior year (Core Budget)			3.0%			3.0%	60.1%	-0.5%	2.2%	2.1%
AUTHORIZED POSITIONS										
Salaried FTE	1	1	1			1	2	2	2	2

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.025	Carry	2024	2025	2026	2027	2028	TOTAL
	Corporate Emergency	Forward						
		from 2023						

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$8,000	\$6,000	\$7,000	\$0	\$5,000	\$26,000
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\$0	\$8,000	\$6,000	\$7,000	\$0	\$5,000	\$26,000
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SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$8,000	\$6,000	\$7,000	\$0	\$5,000	\$26,000
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\$0	\$8,000	\$6,000	\$7,000	\$0	\$5,000	\$26,000
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CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.025

Service Name:

Corporate Emergency

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
17-01	Replacement	EOC Laptop	EOC Equipment	\$ 22,000	E	ERF	\$ -	\$ 6,000	\$ 6,000	\$ 5,000	\$ -	\$ 5,000	\$ 22,000
24-01	Replacement	Surface Pro	EOC Equipment	\$ 2,000	E	ERF	\$ -	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ -	\$ 4,000
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 24,000				\$ 8,000	\$ 6,000	\$ 7,000	\$ -	\$ 5,000	\$ 26,000

Reserve Schedule

Reserve Fund: 1.025 Corporate Emergency - Equipment Replacement Fund

- Capital Regional District Equipment Replacement Fund (ERF) was established in 1991 under Bylaw No. 945. This is a reserve fund pursuant to the provisions of Section 378(c) of the Municipal Act to be known as the "Equipment Replacement Fund"
- The monies in this reserve fund shall be expended only for the purchase of machinery and equipment.
- Monies set aside shall be deposited under separate account in the bank and until required to be used may be invested in the manner provided by Section 364(2) of the Municipal Act.
- User departments of the Capital Regional District vehicles and equipment may be charged for depreciation of their machinery and equipment and the amount of such depreciation shall be transferred to the equipment replacement fund.
- ERF Group: CRPEMERGE.ERF

Reserve Cash Flow

Fund: Fund Centre:	1022 101978	Estimated	Budget				
		2023	2024	2025	2026	2027	2028
Beginning Balance		65,309	59,309	51,309	45,309	38,309	38,309
Transfer from Op Budget		-	-	-	-	-	-
Expenditures		(6,000)	(8,000)	(6,000)	(7,000)	-	(5,000)
Interest Income		-					
Ending Balance \$		59,309	51,309	45,309	38,309	38,309	33,309

Assumptions/Background:

Maintain balance sufficient to meet lifecycle replacement needs and emergency needs.

CAPITAL REGIONAL DISTRICT

2024 BUDGET

First Nations Relations

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.027 First Nations Relations

Committee: First Nations Relations

DEFINITION:

To provide for the management of intergovernmental relations between the CRD and the First Nations.

SERVICE DESCRIPTION:

This service was created to provide for 1) the management of intergovernmental relations, primarily First Nations, through a process of consultation, and 2) the coordination of various CRD First Nations initiatives to ensure the alignment of interests and to build positive working relationships between the CRD and First Nations communities within the Region.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

First Nations Relations

FUNDING:

Requisition

1.027 First Nations Relations	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Salaries and Wages	511,287	503,560	556,029	64,533	-	620,562	792,650	811,623	831,046	850,919
Allocations	62,582	62,582	68,350	-	-	68,350	70,858	72,509	73,573	75,137
Meetings, Programs & Special Events	113,680	94,407	46,210	-	21,500	67,710	47,130	48,080	49,040	50,020
Contract for Services	597,670	554,649	109,190	250,000	64,000	423,190	366,370	373,700	381,170	388,790
Legal Expenses	1,230	-	1,270	-	-	1,270	1,300	1,330	1,360	1,390
Other Operating Expenses	24,550	24,361	28,780	4,200	12,400	45,380	33,690	34,412	35,145	35,890
TOTAL OPERATING COSTS	1,310,999	1,239,559	809,829	318,733	97,900	1,226,462	1,311,998	1,341,654	1,371,334	1,402,146
*Percentage Increase over prior year			-38.2%	24.3%	7.5%	-6.4%	7.0%	2.3%	2.2%	2.2%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Reserve	1,000	1,000	1,040	1,500	-	2,540	2,590	2,640	2,690	2,740
TOTAL COSTS	1,311,999	1,240,559	810,869	320,233	97,900	1,229,002	1,314,588	1,344,294	1,374,024	1,404,886
*Percentage Increase over prior year Total Costs			-38.2%	24.4%	7.5%	-6.3%	7.0%	2.3%	2.2%	2.2%
Internal Recoveries	-	-	-	-	-	-	-	-	-	-
TOTAL COSTS LESS INTERNAL RECOVERIES	1,311,999	1,240,559	810,869	320,233	97,900	1,229,002	1,314,588	1,344,294	1,374,024	1,404,886
<u>SOURCES OF FUNDING</u>										
Transfer from Internal Reserve Account	(309,000)	(213,500)	-	-	(85,500)	(85,500)	-	-	-	-
Other Income	-	(60,000)	-	-	-	-	-	-	-	-
TOTAL REVENUE	(309,000)	(273,500)	-	-	(85,500)	(85,500)	-	-	-	-
NET COSTS	1,002,999	967,059	810,869	320,233	12,400	1,143,502	1,314,588	1,344,294	1,374,024	1,404,886
*Percentage Increase over prior year Net Costs			-19.2%	31.9%	1.2%	14.0%	15.0%	2.3%	2.2%	2.2%
AUTHORIZED POSITIONS:										
Salaried	4.0	4.0	4.0	1.0	-	5.0	6.0	6.0	6.0	6.0

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.027	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
	First Nations Relations							

EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$1,644	\$0	\$3,693	\$4,932	\$1,644	\$11,913	
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$1,644	\$0	\$3,693	\$4,932	\$1,644	\$11,913	

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$1,644	\$0	\$3,693	\$4,932	\$1,644	\$11,913	
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$1,644	\$0	\$3,693	\$4,932	\$1,644	\$11,913	

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #:

1.027

Service Name:

First Nations Relations

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer Equipment Replacement	Computer Equipment Replacement	\$ 1,644	E	ERF	\$ -	\$ 1,644	\$ -	\$ -	\$ -	\$ -	\$ 1,644
26-01	Replacement	Computer Equipment Replacement	Computer Equipment Replacement	\$ 3,693	E	ERF	\$ -	\$ -	\$ -	\$ 3,693	\$ -	\$ -	\$ 3,693
27-01	Replacement	Computer Equipment Replacement	Computer Equipment Replacement	\$ 4,932	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ 4,932	\$ -	\$ 4,932
27-08	Replacement	Computer Equipment Replacement	Computer Equipment Replacement	\$ 1,644	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,644	\$ 1,644
													\$ -
													\$ -
													\$ -
													\$ -
			Grand Total	\$ 11,913				\$ 1,644	\$ -	\$ 3,693	\$ 4,932	\$ 1,644	\$ 11,913

Reserve Schedule

Reserve Fund: 1.027 FIRST NATIONS RELATIONS
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Reserve Cash Flow

Fund: 1022 Fund Center: 102157

ERF Group: INTGOV.ERF

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	4,489	1,698	2,594	5,184	4,131	1,889
Actual Purchases	-	-	-	-	-	-
Planned Purchases (Based on Capital Plan)	(3,791)	(1,644)	-	(3,693)	(4,932)	(1,644)
Transfer from Operating Budget	1,000	2,540	2,590	2,640	2,690	2,740
Interest Income	-	-	-	-	-	-
Ending Balance \$	1,698	2,594	5,184	4,131	1,889	2,985

<p>Assumptions/Background:</p> <p>2024 - 1 standard laptop</p> <p>2026 - 1 standard laptop & 1 ultra portable laptop</p> <p>2027 - 2 standard laptops</p> <p>2028 - 1 standard laptop</p>
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CAPITAL REGIONAL DISTRICT

2024 BUDGET

GM - Parks & Environmental Services

COMMITTEE REVIEW

OCTOBER 2023

Service: 1.028 GM - Environmental Services and Regional Parks

Committee: Governance Committee &
Finance Committee

DEFINITION:

The oversight of Environmental Services and Regional Parks for the Capital Regional District Board

SERVICE DESCRIPTION:

The General Manager provides overall direction and supporting administrative oversight for all Environmental Services as well as Regional Parks and 2 recreation centres. The department and its divisions report to the Board, Hospital District Board, the Environmental Services Committee and the Regional Parks Committee.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

N/A

MAXIMUM CAPITAL DEBT:

N/A

FUNDING:

Requisition

1.028 - GM - Environmental Services & Regional Parks

	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS</u>										
Salaries and Wages	418,658	410,000	425,233	-	-	425,233	435,410	445,825	456,482	467,387
Contract for Services	3,152	3,152	3,215	-	-	3,215	3,279	3,345	3,412	3,480
Allocation - Standard Overhead	46,568	46,568	50,058	-	-	50,058	51,059	52,080	53,122	54,184
Allocation - Human Resources	11,367	11,367	14,866	-	-	14,866	16,098	16,611	16,628	17,035
Allocation - Building Occupancy	20,009	20,009	21,861	-	-	21,861	22,988	24,176	25,426	26,632
Insurance	830	830	870	-	-	870	910	950	1,000	1,050
TOTAL OPERATING COSTS	500,584	491,926	516,103	-	-	516,103	529,745	542,987	556,069	569,767
*Percentage Increase over prior year		-1.7%	3.1%	0.0%	0.0%	3.1%	2.6%	2.5%	2.4%	2.5%
Recovery for First Aid Officer	(97)	(97)	(99)	-	-	(99)	(102)	(104)	(106)	(107)
NET COSTS	500,487	491,829	516,004	-	-	516,004	529,643	542,883	555,963	569,660
*Percentage increase over prior year Net Costs		-1.7%	3.1%	0.0%	0.0%	3.1%	2.6%	2.5%	2.4%	2.5%
AUTHORIZED POSITIONS: Salaried	2.0	2.0	2.0	-	-	2.0	2.0	2.0	2.0	2.0

CAPITAL REGIONAL DISTRICT

2024 BUDGET

Corporate Communications

COMMITTEE REVIEW

Service: 1.118 Corporate Communications

Committee: Governance Committee &
Finance Committee

DEFINITION:

Authorized by Letters Patent to provide administrative services to the Board of the Capital Regional District.

PARTICIPATION:

All municipalities and electoral areas and the Songhees and Tsawout Nations.

MAXIMUM LEVY:

No limit

MAXIMUM CAPITAL DEBT:

N/A

COMMITTEE:

Governance Committee and Finance Committee

FUNDING:

Requisition and internal recoveries

1.118 - CORPORATE COMMUNICATIONS	2023		BUDGET REQUEST				FUTURE PROJECTIONS			
	BOARD BUDGET	ESTIMATED ACTUAL	CORE BUDGET	2024 ONGOING	ONE-TIME	TOTAL	2025	2026	2027	2028
<u>OPERATING COSTS:</u>										
Salaries and Wages	1,106,716	1,037,326	1,148,637	-	108,000	1,256,637	1,176,164	1,204,330	1,233,149	1,262,635
Allocations	58,363	58,363	79,029	-	-	79,029	84,260	87,698	89,932	93,121
Contract for Services	202,650	152,650	21,370	-	75,000	96,370	21,800	22,240	22,680	23,130
Printing & Copying	7,860	4,060	8,140	-	-	8,140	8,300	8,460	8,630	8,800
Other Operating Expenses	73,100	57,547	68,170	-	-	68,170	69,550	70,150	71,560	73,030
TOTAL OPERATING COSTS	1,448,689	1,309,946	1,325,346	-	183,000	1,508,346	1,360,074	1,392,878	1,425,951	1,460,716
*Percentage Increase over prior year			-8.5%			4.1%	-9.8%	2.4%	2.4%	2.4%
<u>CAPITAL / RESERVE</u>										
Transfer to Equipment Replacement Fund	5,000	5,000	5,000	-	-	5,000	5,000	5,000	5,000	5,000
Transfer to General Capital Fund	-	-	-	-	-	-	-	-	-	-
TOTAL CAPITAL / RESERVES	5,000	5,000	5,000	-	-	5,000	5,000	5,000	5,000	5,000
TOTAL COSTS	1,453,689	1,314,946	1,330,346	-	183,000	1,513,346	1,365,074	1,397,878	1,430,951	1,465,716
*Percentage increase over prior year Total Costs			-8.5%			4.1%	-9.8%	2.4%	2.4%	2.4%
Funding from Internal Reserves	(185,000)	(135,000)	-	-	(108,000)	(108,000)	-	-	-	-
TOTAL COSTS LESS INTERNAL RECOVERIES	1,268,689	1,179,946	1,330,346	-	75,000	1,405,346	1,365,074	1,397,878	1,430,951	1,465,716
<u>REVENUE</u>										
Interest Income	(210)	-	-	-	-	-	-	-	-	-
TOTAL REVENUES	(210)	-	-	-	-	-	-	-	-	-
NET COSTS	1,268,479	1,179,946	1,330,346	-	75,000	1,405,346	1,365,074	1,397,878	1,430,951	1,465,716
*Percentage increase over prior year Net Costs			4.9%			10.8%	-2.9%	2.4%	2.4%	2.4%
<u>AUTHORIZED POSITIONS:</u>										
Salaried	8.0	8.0	8.0		-	8.0	8.0	8.0	8.0	8.0

Change in Budget 2023 to 2024
Service: 1.118 Corporate Communications

Total Expenditure

Comments

2023 Budget

1,453,689

Change in Salaries:

Auxiliary labour	108,000	2023 IBC: 15f-1.15 Website Project
Base salary and benefit change	23,420	Inclusive of estimated collective agreement changes
Annualization of 2023 position	18,241	Annualization of 2023 1.0 FTE IBC 15f-1.15 Digital Communications
Other	260	Inflationary increase auxiliary labour, overtime and standby pay

Total Change in Salaries

149,921

Other Changes:

Contract for Services	75,000	2024 IBCs 12b-1.1 \$25k and 12b-1.2 \$50k
	(181,280)	Reduction of 2023 one-time consultancy costs, partially deferred to 2024 capital budget
Human Resources Allocation	10,980	Contribution towards 2024 Human Resources & Corporate Safety initiatives
Building Occupancy	9,675	
Other Costs	(4,639)	Completion of 2023 one-time items, primarily new position equipment costs

Total Other Changes

(90,264)

2024 Budget

1,513,346

Summary of % Expense Increase

2024 Base salary and benefit change	1.6%
2023 and 2024 IBCs	0.1%
Human Resources and Building Occupancy Allocations	1.4%
Balance of increase	1.0%
% expense increase from 2023:	4.1%

% Requisition increase from 2023 (if applicable):

6%

Requisition funding is (43)% of service revenue

Overall 2023 Budget Performance

(expected variance to budget and surplus treatment)

Example (delete before entering):
There is an estimated one-time favourable variance of \$88,500 (7%) due mainly to vacant positions. This variance will be moved to the Legislative and General Operating Reserve.

CAPITAL REGIONAL DISTRICT
FIVE YEAR CAPITAL EXPENDITURE PLAN SUMMARY - 2024 to 2028

Service No.	1.118 Corporate Communications	Carry Forward from 2023	2024	2025	2026	2027	2028	TOTAL
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EXPENDITURE

Buildings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$50,000	\$278,288	\$4,932	\$7,464	\$3,288	\$3,288	\$297,260	
Land	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Engineered Structures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$50,000	\$278,288	\$4,932	\$7,464	\$3,288	\$3,288	\$297,260	

SOURCE OF FUNDS

Capital Funds on Hand	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debenture Debt (New Debt Only)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Replacement Fund	\$0	\$3,288	\$4,932	\$7,464	\$3,288	\$3,288	\$22,260	
Grants (Federal, Provincial)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations / Third Party Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reserve Fund	\$50,000	\$275,000	\$0	\$0	\$0	\$0	\$275,000	
	\$50,000	\$278,288	\$4,932	\$7,464	\$3,288	\$3,288	\$297,260	

CAPITAL REGIONAL DISTRICT

5 YEAR CAPITAL PLAN

2024 - 2028

Service #: 1.118

Service Name: Corporate Communications

				PROJECT BUDGET & SCHEDULE									
Project Number	Capital Expenditure Type	Capital Project Title	Capital Project Description	Total Project Budget	Asset Class	Funding Source	Carryforward from 2023	2024	2025	2026	2027	2028	5 - Year Total
24-01	Replacement	Computer	Computer Replacement	\$ 3,288	E	ERF	\$ -	\$ 3,288	\$ -	\$ -	\$ -	\$ -	\$ 3,288
25-01	Replacement	Computer	Computer Replacement	\$ 4,932	E	ERF	\$ -	\$ -	\$ 4,932	\$ -	\$ -	\$ -	\$ 4,932
26-01	Replacement	Computer	Computer Replacement	\$ 7,464	E	ERF	\$ -	\$ -	\$ -	\$ 7,464	\$ -	\$ -	\$ 7,464
27-01	Replacement	Computer	Computer Replacement	\$ 3,288	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ 3,288	\$ -	\$ 3,288
28-01	Replacement	Computer	Computer Replacement	\$ 3,288	E	ERF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,288	\$ 3,288
22-01	Replacement	CRD Public Website	CRD Public Website	\$ 400,000	E	Res	\$ 50,000	\$ 275,000	\$ -	\$ -	\$ -	\$ -	\$ 275,000
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
			GRAND TOTAL	\$ 422,260			\$ 50,000	\$ 278,288	\$ 4,932	\$ 7,464	\$ 3,288	\$ 3,288	\$ 297,260

Reserve Schedule

Reserve Fund: 1.118 Corporate Communications

Assets held by Corporate Communications consists of computers and equipment to support service delivery.

Reserve Cash Flow

Fund: 1022 Fund Center: 101518

ERF Group: COMREL.ERF

	Estimate	Budget				
	2023	2024	2025	2026	2027	2028
Beginning Balance	2,154	2,273	3,985	4,053	1,589	3,301
Actual Purchases	-	-	-	-		-
Planned Purchases (Based on Capital Plan)	(4,881)	(3,288)	(4,932)	(7,464)	(3,288)	(3,288)
Transfer from Operating Budget	5,000	5,000	5,000	5,000	5,000	5,000
Interest Income	-	-	-	-	-	-
Ending Balance \$	2,273	3,985	4,053	1,589	3,301	5,013

Assumptions/Background:

2024 - 2 standard laptops
 2025 - 3 standard laptops
 2026 - 6 standard laptops
 2027 - 2 standard laptops
 2028 - 2 standard laptops



Legislative & General Government > 2024 Operating & Capital Budget

**Presentation to Governance Committee
Wednesday October 4, 2023**

Community Needs



The Community Need Summaries related to the Legislative and General Government service are;

- Advocacy
- People
- Open Government
- First Nations
- Business Systems and Processes

These Community Need Summaries are being presented under separate reports and document the organization's service planning recommendations for 2024.





As the overarching administrative service for the CRD, all services rely on the support of Legislative & General Government to effectively execute and deliver their mandates. Functions included within this service include;

- Board Expenditures
- CAO & Executive Services
- Corporate Climate Action
- Corporate Communications
- Corporate Emergency Services
- Corporate Services
- Financial Services
- First Nations Relations
- Human Resources
- Information Technology



	2024 Prelim	2023		H/(L) \$	H/(L) %
CAO & Executive Services	1.1	0.9		0.2	16.6%
Human Resources	3.7	3.2		0.6	15.2%
Corporate Comms	1.5	1.4		0.1	3.9%
Corporate Services	2.8	2.9		(0.1)	(2.6%)
First Nations Relations	1.2	1.3		(0.1)	(6.8%)
Financial Services	8.7	8.4		0.3	3.5%
Information Technology	12.7	12.5		0.2	1.9%
Other *	4.5	4.5		(0.0)	(0.2%)
Total Expenditures	\$37.8M	\$36.5M		\$1.3M	3.5%
Allocations & Other Rev.	23.3	21.0		2.2	10.5%
Requisition	12.2	11.4		0.8	6.9%
Transfers from Reserve	2.3	4.1		(1.7)	(42.4%)
Total Revenue	\$37.8M	\$36.5M		\$1.3M	3.5%

* Includes the functions of Corporate Climate Action, Real Estate, Health Planning, GM Planning & Protective Services, Corporate Emergency and GM Regional Parks & Environmental Services



Key Initiatives

Executive Services	<ul style="list-style-type: none">▪ Incremental resourcing to plan and lead the implementation of projects initiated by the CAO and ELT▪ Develop and administer a more formal approach to corporate administration
Human Resources	<ul style="list-style-type: none">▪ Create and implement an indigenous employment strategy▪ Develop and implement the corporate accessibility plan▪ Enhance understanding and accountability for equity diversity & inclusion across decision making bodies
Corporate Comms	<ul style="list-style-type: none">▪ Build equity diversity & inclusion principles and toolkit into the public participation framework
Board Expenses	<ul style="list-style-type: none">▪ Meeting management improvements including audio-visual equipment, a voting dashboard, redesign of the boardroom to all for expansion
Corporate Services	<ul style="list-style-type: none">▪ Respond to legislative changes to the Freedom of Information and Protection of Privacy Act which now mandates Privacy Impact Assessments
First Nations	<ul style="list-style-type: none">▪ Ongoing funding of the Government-to-Government relationship building initiative to provide continued capacity funding to support relationship building and MOU development
Financial Services	<ul style="list-style-type: none">▪ Develop and support capital project cost controllership function for regional housing projects▪ Redesign of various financial processes in support of SAP migration project
Information Technology	<ul style="list-style-type: none">▪ SAP-ECC to SAP-S4/Hana migration project▪ Development of both an IT modernization strategy



	2024 Prelim	2024-2028
Board Expenditures	0.8	0.9
Corporate Communications	0.3	0.3
Financial Services	0.5	0.8
Information Technology	3.9	8.3
Other *	0.1	0.9
Total Expenditures	\$5.6M	\$11.2M

* Includes the functions of CAO & Executive Services, Corporate Services, Human Resources, First Nations, Corporate Climate Action, Real Estate, Health Planning, GM Planning & Protective Services, Corporate Emergency and GM Regional Parks & Environmental Services





Questions >

Presentation to Governance Committee
Wednesday October 4, 2023

**REPORT TO GOVERNANCE COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 04, 2023**

SUBJECT **Code of Conduct – Next Steps**

ISSUE SUMMARY

To provide the Board with resources to assist in the continued development of a Board Code of Conduct and obtain direction on key elements that will guide staff in developing the Code.

BACKGROUND

On February 8, 2023, the CRD Board endorsed the following motion:

1. That the CRD Board endorse development of a code of conduct to establish shared expectations of responsible conduct and behavior of CRD Directors; and
2. That staff be directed to report back to governance Committee with resources and examples to facilitate development of the code of conduct.

This motion was made in response to new legislative requirements that came into effect in June of 2022 which require local governments to consider adopting or revising an existing code of conduct within six months of the first Board or council meeting post-election.

To assist in the development of a code of conduct, the UBCM Working Group on Responsible Conduct (WGRC) has developed a series of guides and useful materials. Attached at Appendix A is an annotated Model Code of Conduct that can be used as a baseline code of conduct for consideration.

During the committee discussion on the previous report, staff heard that Directors were interested in learning about the approach taken by local member municipalities and having a comparative analysis of what other jurisdictions have done. Staff have undertaken a local review, and reviewed the approach taken by other mid-sized and large local governments in the province, and have summarized the results in Appendix B. Note that not all CRD member municipalities have updated their codes of conduct and some are still under development.

To date, the CRD Board has functioned without a code of conduct for Board Directors. In the past when minor concerns over conduct have arisen, they have been addressed by the Board Chair with support from the Corporate Officer and CAO. There is a good probability that enforcement provisions within a code of conduct will not need to be utilized, however, there are benefits in setting out a clear framework with standards for conduct which has a process to address potential breaches. Doing so will increase accountability for Director conduct and ensure certainty on the process by which Directors will be held to those standards.

ALTERNATIVES

Alternative 1

The Governance Committee recommends to the Capital Regional District Board:

1. That staff report back with a draft Code of Conduct bylaw that includes the following elements:
 - a. Standards of conduct will be applicable to Board Directors, Alternate Directors, and elected members of CRD Committees and Commissions;
 - b. Allows for complaints to be made by Directors, Alternate Directors, and elected members on CRD Committees and Commissions;
 - c. Includes a clear process for filing complaints;
 - d. Allows for complaints to be referred to and adjudicated by a third-party investigator;
 - e. Has a preliminary screening mechanism, an informal and formal resolution process;
 - f. Allows for the imposition of remedies and sanctions;
 - g. Includes guidelines for confidentiality in investigations and provides for the public release of investigative reports;
 - h. Provides for the discretionary reimbursement of legal expenses.

Alternative 2

The Governance Committee recommends to the Capital Regional District Board:

That the report be referred back to staff for additional information, as directed.

IMPLICATIONS

Format of the Code

Codes of conduct can take the form of a bylaw or a policy. There are pros and cons to both approaches and both formats have been utilized in the codes of conduct included in the appendices. Saanich, Langford and Esquimalt all have enacted their codes of conduct in a policy. Sidney, Nanaimo, Surrey and Vancouver have codes of conduct in a bylaw. City of Victoria Council has indicated its intention to proceed by way of bylaw, though the development of its code is still underway.

The benefit of a policy is that it allows more flexibility if the Board wishes to enact changes in the future. However, the perceived flexibility may also be a drawback, leading Directors to interpret provisions more as guidelines. A bylaw has a more robust process required for adoption and can only be amended through the adoption of an amending bylaw. Codes of conduct with more extensive and formal sanctions, including enforcement provisions and powers to appoint a third-party investigator, tend to be bylaws rather than policies, and for that reason, staff recommend adopting a code in the form of a bylaw.

Inclusion of Value Statements

The *Principles for Codes of Conduct Regulation* sets out foundational principles that must be considered when establishing standards of conduct:

- members must carry out their duties with integrity;
- members are accountable for the decisions that they make, and the actions that they take in the course of their duties;
- members must be respectful of others;
- members must demonstrate leadership and collaboration.

The value statement is a high-level expression of the foundational principles set out in the code. The WGRC Model Code of Conduct at Appendix A includes examples of how the foundational principles can be defined and how they can be expanded upon to form the basis for establishing the standards of conduct.

Standards of Conduct

The example codes in the appendices demonstrate a range of options that are typically included as standards of conduct. These include:

- Compliance with applicable laws;
- Interactions with staff;
- Respect for procedural requirements;
- Communication and advocacy;
- Use of social media;
- Collection and handling of confidential information;
- Conflict of interest;
- Receipt of Gifts;
- Use of public resources.

While there are a wide range of potential provisions, there is benefit in ensuring the code is clear, direct and concise and not overly long and detailed. Staff recommend that the code not include provisions that would duplicate or overlap with existing CRD policies that are applicable to Directors. For example, the CRD's Respectful Workplace Policy applies to both Directors and staff and includes a dispute resolution mechanism for the handling of complaints which would allow a staff member to make a complaint against a Director, and vice versa.

A key distinction in approach taken to standards of conduct is whether the code will simply require adherence with the provisions of the *Community Charter* and the *Local Government Act* that govern the conduct of elected officials (for example, conflict of interest; the receipt of gifts; reporting of related party transactions; financial disclosure statements) or, whether the code will expand on those requirements to include a more detailed description of the offending conduct. When assessing the spectrum of options, Esquimalt's code does not expand on legislated provisions; Langford and Comox Valley minimally expand on the requirements; Nanaimo and Sidney include more detail, particularly with respect to guideline on how to declare a conflict of interest; Surrey's code is very extensive; and, City of Vancouver has detailed provisions on receipt of gifts. Staff recommend CRD's approach fall somewhere in the middle and take an approach similar to Sidney, to provide enough detail to allow Directors or the public to easily understand the standard of behavior without having to refer to the source legislation.

Scope of Application

The Board has discretion to determine how broadly it wishes the code of conduct to apply. The CRD has an extensive governance system that includes the three CRD Boards; standing, select and advisory committees; and over 78 committees and commissions. Membership on these bodies varies from elected CRD Directors; Alternate Directors who are elected officials; Alternate Directors who are not elected officials (for Electoral Areas); elected officials from other jurisdictions (i.e. Municipal Councilors who sit on delegated bodies like Regional Water Supply Commission or Recreation Commissions); Elected Local Community Commissioners; and non-elected volunteer committee and commission members appointed by the Board (for some advisory committees and most local area committees and commissions).

A clear distinction can be made between elected and non-elected individuals. Elected officials have statutory responsibilities that they must comply with, for example to avoid a conflict of interest or to maintain confidentiality of *in camera* information, which do not apply by legislation to non-elected individuals. In addition, it is not within the Board's discretion to terminate an elected official's appointment, which is otherwise a potential option to resolve undesirable conduct by a non-elected appointed committee or commission member.

While it may be desirable to have one code of conduct for all individuals responsible for CRD governance, including non-elected committee and commission members may cast too wide a net, particularly if those individuals were included in the complaint and formal dispute resolution process. This would expand the class of potential complainants and subjects to several hundred individuals. Currently when members of the public are appointed to CRD governance bodies, they are asked to sign a confidentiality and non-disclosure agreement and are provided an orientation on acceptable conduct. With introduction of the code, staff could revise these agreements to include a more robust list of standards of conduct that mirror the provisions of the code of conduct.

Alternate EA Directors are unique in that they are appointed directly by the elected EA Director and can be terminated at will by the Director. Though they are not elected, Alternate EA Directors act in the place of a Director, swear an oath of office, and receive remuneration for their services making their position akin to an elected official.

To ensure there is a consistent standard of conduct at the CRD Boards, standing committee and delegated commissions, staff recommend that Directors and Alternate Directors (both municipal and EA) be included in the code's scope of application. This approach would be consistent with the definition of "Members" in the CRD Board Procedure Bylaw which includes municipal and electoral area directors and alternates when acting in the place of the director. Staff further recommend that elected Local Community Commissioners be included in the scope as well as elected officials that are members of delegated commissions.

In terms of the context for application, staff recommend that the code include a statement that clarifies it will apply to actions taken in the member's capacity as a CRD representative, but not apply to personal activities except in so far as it would bring the CRD into disrepute.

Enforcement Process

Codes are intended to be self-enforcing and to encourage voluntary compliance. The goal is not to penalize breaches but rather to ensure they do not happen in the first place due to mutual respect for shared expectations of behavior. Enforcement provisions in a code typically include the following provisions:

Complaint – Informal Resolution – Formal review – Investigation – Resolution – Release of Findings

Complaints

There are a wide range of approaches to defining the eligible class of complainants under a code of conduct. The default is that those subject to the code are permitted to file a complaint. Some jurisdictions also allow complaints from staff, volunteers, committee members, or any member of the public.

Allowing complaints from members of the public has the advantage of providing a way to address breaches that other Directors may not be aware of. It also potentially reduces any insider bias that might discourage Directors from filing a complaint against their colleagues. That said,

broadening the class of complainants also has drawbacks. It may increase the number of complaints, particularly with a 24-member Board, and it has the potential to be used for political purposes. A code can include non-obstruction provisions and confidentiality clauses that will ensure an investigation is carried out in a fair and confidential way, however, those provisions do not apply to members of the public which could disadvantage the subject of the complaint. Additionally, members of the public have other avenues they can pursue if they are concerned about a Director's conduct, including making a complaint to the B.C. Office of the Ombudsperson or expressing their views through voting. For these reasons, staff recommend that the CRD code of conduct restrict the class of complainants to those individuals subject to the Code.

Informal and Formal Dispute Resolution Provisions

The majority of codes of conduct reviewed by staff include provisions that allow for early and informal resolution of complaints either by staff or a third-party investigator, that advance to a formal investigation process if it cannot be resolved within a specified timeframe. Many codes also include provisions to summarily dismiss frivolous or vexatious complaints without merit. Staff recommend following this approach for CRD's code of conduct. Breaches may be committed accidentally or as a result of a momentary lapse of judgement and not all infractions will be serious enough in nature to merit a full investigation and report. Taking this approach will ensure resources are not wasted on trivial or insignificant breaches.

Note that codes of conduct are not meant to address behavior that is criminal in nature (i.e. fraud) or that would be best dealt with through the courts (i.e. disgorging financial gain obtained from not declaring a pecuniary conflict of interest).

Adjudication of Complaints

There are two main approaches taken to adjudication of complaints: ad hoc appointment of a third-party investigator or retaining an Integrity Commissioner. Both approaches have the benefit of not involving staff in the investigation and adjudication of the complaints, which is key to avoiding any perception of bias and to preserve the relationship between staff and elected officials.

City of Vancouver and Surrey are two jurisdictions that have a standing integrity commissioner. Under this model, a commissioner serves in a standing role to administer the code of conduct. In some cases, the commissioner will provide pro-active, code-related training. Integrity commissioners are usually appointed for a term by the Board or Council and fully manage all code-related administration including receiving complaints and early screening, through to investigation and reporting out on findings.

Appointment of a third-party investigator is a more common approach and the preference of staff for CRD's code of conduct. Rather than this being a standing position, an investigator would be retained on receipt of a complaint. Under this model, the CAO or Corporate officer would be designated to receive complaints, then have the power to retain an investigator. The advantages of this approach are that it's more cost-effective than having a commissioner on retainer, particularly when it's uncertain whether any complaints will come forward. A potential drawback is that it requires the involvement of staff in choosing and retaining an investigator which could give rise to a perception of bias or create conflict with the subject of a complaint. To mitigate this risk, the Board could endorse a pre-approved list of potential investigators that may be called upon if a complaint is filed.

Resolution Provisions

One of the main benefits of a code of conduct is that it allows for the imposition of sanctions against elected officials that are otherwise not available in legislation. The process set out in most newer codes of conduct provides that at the conclusion of an investigation, the investigator will report out to the Board or council on their findings and recommend a potential resolution. Sanctions should not be pre-determined, rather the sanction imposed should be proportionate to the nature and degree of the breach. It will be a decision of the Board or council whether it wishes to impose a recommended sanction, which should be done by resolution. Potential sanctions (with some exceptions) do not need to be listed in the code of conduct, however listing them increases transparency and may help to refine the scope of possible options. Possible sanctions may include:

- Issuing a formal warning or written reprimand;
- Impose a requirement for training;
- Requesting a written apology;
- Restricting benefits or revoking appointments;
- Imposing a reducing on compensation;

The codes attached as appendices demonstrate the full range of potential options. It must be noted that there are legal requirements and limits to the types of sanctions that can be imposed. A sanction imposed under a code of conduct cannot prohibit an elected official from fulfilling their statutory obligations, like attending Board meetings or communicating with constituents. If the Board wished to impose a reduction on compensation, that must be done by bylaw. Subjects of a complaint also have a right to procedural fairness before sanctions are imposed, which includes advance notice prior to the meeting where sanctions will be discussed, and the right to be heard prior to a decision being made.

Transparency and Release of Findings

The trend in newer codes of conduct is to allow for the public release of investigation reports, after the Board has received the report in closed session and determined any applicable remedies. Release of reports is an important feature of transparency to the public and should be included in the CRD code of conduct. Note however that not all information considered in an investigation should be released to the public and there are some limitations under the *Freedom of Information and Protection of Privacy Act* on what can be disclosed, for example, the substance of *in camera* deliberations or personal information of third parties should not be made public. It may be advisable to only release a summary of the findings and any remedies imposed.

Reimbursement of Legal Fees

Most codes of conduct allow the subject of a complaint to request reimbursement of any legal fees they incur in the investigation process. Including such a provision would allow the Board to make a decision based on the circumstances of each individual case. Some codes of conduct include a cap on the amount that may be reimbursed (Sidney and Comox Valley), while others only allow reimbursement in cases where the complaint is unsubstantiated (Langford).

Many codes of conduct reference indemnification under section 740 of the *Local Government Act* or their own indemnification bylaws as a possible means to recover legal fees. Note that this is not an available option as it only applies to costs of “defending an action or prosecution” neither of which is applicable to a code of conduct investigation, which is an administrative process not a legal proceeding.

CONCLUSION

To advance next steps in drafting a CRD code of conduct, Board input is required on which provisions it would like to include in its code. Staff have undertaken a survey of the approaches taken by other jurisdictions and provide an analysis of pros and cons of the possible provisions. With additional direction from the Board, staff will have sufficient information to progress with a draft code of conduct that will be brought back to Governance Committee and the Board for further review and discussion.

RECOMMENDATION

The Governance Committee recommends to the Capital Regional District Board:

1. That staff report back with a draft Code of Conduct bylaw that includes the following elements:
 - a. Standards of conduct will be applicable to Board Directors, Alternate Directors, and elected members of CRD Committees and Commissions;
 - b. Allows for complaints to be made by Directors, Alternate Directors, and elected members on CRD Committees and Commissions;
 - c. Includes a clear process for filing complaints;
 - d. Allows for complaints to be referred to and adjudicated by a third-party investigator;
 - e. Has a preliminary screening mechanism, an informal and formal resolution process;
 - f. Allows for the imposition of remedies and sanctions;
 - g. Includes guidelines for confidentiality in investigations and provides for the public release of investigative reports;
 - h. Provides for the discretionary reimbursement of legal expenses.

Submitted by:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: UCBM Model Code of Conduct
Appendix B: Code of Conduct Comparison Tables (CRD & BC Local Governments)
Appendix C: Esquimalt Policy: Council Code of Conduct
Appendix D: Langford Policy: Council Code of Conduct Policy
Appendix E: Saanich Policy: Code of Conduct
Appendix F: Sidney Bylaw: Council Code of Conduct Bylaw No. 2249, 2023
Appendix G: Comox Valley Regional District Policy: Board Code of Conduct
Appendix H: Nanaimo Bylaw: City of Nanaimo Bylaw No. 7348
Appendix I: Surrey Bylaw: Council Code of Conduct Bylaw 2020, No. 20020
Appendix J: Vancouver Bylaw: Code of Conduct No. 12886

MODEL CODE OF CONDUCT

Getting Started on a Code of Conduct for Your Council / Board

Produced by the Working Group on Responsible Conduct

Updated in October 2022



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The *Working Group on Responsible Conduct* is a joint initiative between the Union of BC Municipalities, the Local Government Management Association, and the Ministry of Municipal Affairs. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.

INTRODUCTION & EXPLANATORY NOTES

What is a code of conduct?

- A code of conduct is a written document that sets shared expectations for conduct or behaviour. A local government council or board can adopt a code of conduct to establish shared expectations for how members should conduct themselves while carrying out their responsibilities and in their work as a collective decision-making body for their community.
- Responsible conduct of elected officials is not optional; it is essential to good governance. Responsible conduct refers to how government elected officials conduct themselves with their elected colleagues, with staff, and with the public. It is grounded in conducting oneself according to principles such as integrity, accountability, respect, and leadership and collaboration.
- A code of conduct is one tool that can be used by a local government council or board to promote or further responsible conduct. See the [Forging the Path to Responsible Conduct in Your Local Government](#) guide for complementary tools.

What is the purpose of this document?

- The purpose of this document is to provide local government council or board members with a model code of conduct which establishes a set of principles and general standards of conduct that can be used as a starting point to develop their own code of conduct.
- This model code of conduct may also be useful for councils or boards who already have a code of conduct in place but are required to consider updating their code following the 2022 general local elections.
- The Working Group on Responsible Conduct has also developed a “Companion Guide” to accompany this document that provides discussion questions, things to keep in mind, and other tips to facilitate a council or board’s conversation in developing a code of conduct.
- The general standards of conduct set out in this model code of conduct reflect the foundational principles of integrity, respect, accountability, and leadership and collaboration. Local governments are required to reflect on these principles when considering whether to establish or update a code of conduct.
- Councils or boards may choose to customize and expand on the general standards of conduct provided in this model code of conduct by:
 - Adding examples of specific behaviours or other details to further elaborate on the standards of conduct that are provided;
 - Including additional standards of conduct that address topics of importance to the council or board and which are not directly dealt with by the standards of conduct already provided;
 - Including additional provisions in the code of conduct to support compliance or to cover informal resolution processes, formal enforcement processes such as complaints investigation and final resolution, and sanctions; and/or

- Incorporating, referencing or attaching other policies that are generally related to responsible conduct (such as social media policies), where a council or board feels it is appropriate.

What are some considerations in developing and using a code of conduct?

- In developing a code of conduct, council or board members should consider not just the content of the code of conduct, but also how to make it meaningful for members, both as individuals and as a collective decision-making body. While there is no ‘right’ way to develop and use a code of conduct, councils or boards should consider the following to maximize the effectiveness of their code of conduct:

- *Don’t overlook the importance of the process when developing and adopting a code of conduct:* How a code of conduct is developed and adopted matters; providing opportunities for council or board members to discuss not just the “what” but also the “why” of a code of conduct will help ensure its effectiveness.

To start with, understanding the context for developing and adopting a code of conduct is important – is the council or board being proactive or have there been particular incidents of concern; does the council or board need to consider its collective “blind spots”, such as identifying and airing subconscious assumptions or systemic barriers? Discussing the language and content of the code of conduct and how it can best be customized to meet the needs of the council or board and individual members is also important. Discussing shared expectations as a part of the orientation process for newly elected officials or including the code of conduct as an outcome of a strategic planning process (with dedicated follow-up opportunities for development) could be good ways of ensuring a code of conduct is adopted in a meaningful way.

- *Make the code of conduct meaningful:* Finding ways to integrate the code of conduct into the council or board’s ongoing governance will help ensure that it remains a relevant and effective living document. For instance, some councils or boards may choose to refer to the code of conduct at every meeting; others may have a copy included in every agenda package or framed on the wall in the meeting room or placed on the desk of each elected official as a regular point of reference.
- *Make sure the code of conduct is consistent with existing laws and policies:* Council or board members may include a variety of topics in their code of conduct. Where existing laws or policies deal with topics they choose to include in their code of conduct (i.e., privacy legislation; Human Resources policies; etc.), they must ensure that their code of conduct is consistent with those laws and policies.
- *Offer ongoing advice, education, and support:* A council or board will also want to consider how members can best be supported in working with their code of conduct. This could include, for example, general education around the purpose of codes of conduct, opportunities for members to receive specific advice on how the code of conduct should be interpreted and applied, as well as other ongoing opportunities for support and education – for example, orientation when new members join the council or board or regular debriefings following council or board meetings to discuss how effectively the code of conduct guided the discussion.
- *Revisit it regularly:* Council or board members should approach their code of conduct as a living document to be reviewed and amended from time to time, to ensure that it remains a relevant and

effective tool. At a minimum, councils and boards are required to consider updating their code of conduct following a general local election; however, it is encouraged that councils and board review it more often than once per term.

MODEL CODE OF CONDUCT ¹

A. INTRODUCTION

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the [city / municipality / regional district / district] of [name of local government].

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT

This code of conduct applies to the members of [city / municipality / regional district / district] of [name of local government]. It is each member’s individual responsibility to uphold both the letter and the spirit of this code of conduct in their dealings with other members, staff, and the public.

Elected officials must conduct themselves in accordance with the law. This code of conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable federal and provincial laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually or as a collective council or board.

¹ Some sections of this code of conduct include additional information in a shaded box. This information is for guidance and context only and is not intended to be included in a local government’s code of conduct.

C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT

Information about the Foundational Principles:

The foundational principles of integrity, respect, accountability and leadership and collaboration have been identified by the Working Group on Responsible Conduct as being important to promoting and furthering responsible conduct and should be incorporated into every code of conduct.

A high-level definition of each foundational principle, along with a general description of the type of conduct that upholds each principle, is provided below. These principles are intended to provide members with a shared understanding of responsible conduct and guide them in fulfilling their roles and responsibilities both as individual elected officials and as a collective council or board. Key standards of conduct are set out in subsequent sections of this model code of conduct to provide specific examples of the types of conduct that demonstrate the foundational principles.

These four principles, in conjunction with the key standards of conduct, can be used as a guide for elected officials against which to assess their own conduct.

1. **Integrity** – means conducting oneself honestly and ethically.
2. **Respect** – means valuing the perspectives, wishes, and rights of others.
3. **Accountability** – means an obligation and willingness to accept responsibility or to account for one's actions.
4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts.

D. OPTIONAL: VALUE STATEMENTS

Information about including Value Statements:

A council or board may wish to customize their code of conduct to include 'value statements'. These are high-level statements that identify the values that the council or board consider important and feels should be included for context in their code of conduct.

A council or board may find the "Companion Guide" to this code of conduct useful as they consider how 'value statements' may be incorporated into their own code of conduct.

E. STANDARDS OF CONDUCT

Information about the Standards of Conduct:

The following section provides general standards of conduct that reflect the foundational principles identified above. A council or board can customize their code of conduct by including additional standards of conduct, or by expanding on existing standards of conduct to more clearly demonstrate how a member can exemplify responsible conduct.

A council or board may find the “Companion Guide” to this code of conduct useful as they consider how these general standards of conduct may be customized to best fit their needs.

Integrity: Integrity is demonstrated by the following conduct:

- Members will be open and truthful in all local government dealings, while protecting confidentiality where necessary.
- Members will behave in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct.
- Members will act in the best interest of the public and community.
- Members will ensure actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by the council or board.
- Members will demonstrate the same ethical principles during both meetings that are open and closed to the public.
- Members will express sincerity when correcting or apologizing for any errors or mistakes made while carrying out official duties.

Respect: Respect is demonstrated through the following conduct:

- Members will treat elected officials, staff, and the public with dignity, understanding, and respect.
- Members will acknowledge that people’s beliefs, values, ideas, and contributions add diverse perspectives.
- Members will create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.

- Members will refrain from any form of discriminatory conduct against another elected official, staff, or the public.
- Members will honour the offices of local government and fulfill the obligations of Mayor/Chair and Councillor/Director dutifully.
- Members will recognize and value the distinct roles and responsibilities of local government staff.
- Members will call for and expect respect from the community towards elected officials and staff.
- Members will ensure that public statements and social media posts that concern other elected officials, staff, and the public are respectful.

Accountability: Accountability is demonstrated through the following conduct:

- Members will be transparent about how elected officials carry out their duties and how council conducts business.
- Members will ensure any information and decision-making processes are accessible to the public while protecting confidentiality where necessary.
- Members will correct any mistakes or errors in a timely and transparent manner.
- Members will accept and uphold that the council/board is collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for their behaviour and individual decisions.
- Members will listen to and consider the opinions and needs of the community in all decision-making and allow for public discourse and feedback.
- Members will act in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern local government.

Leadership and Collaboration: Leadership and collaboration is demonstrated through the following conduct:

- Members will demonstrate behaviour that builds public confidence and trust in local government.

- Members will provide considered direction on municipal policies and support colleagues and staff to do the same.
- Members will educate colleagues and staff on the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary
- Members will create space for open expression by others, take responsibility for one's own actions and reactions, and accept the decisions of the majority.
- Members will advocate for shared decision-making and actively work with other elected officials, staff, the public, and other stakeholders to achieve common goals.
- Members will foster positive working relationships between elected officials, staff, and the public.
- Members will commit to building mutually beneficial working relationships with neighbouring First Nations to further advance reconciliation efforts.
- Members will positively influence others to adhere to the foundational principles of responsible conduct in all local government dealings.

F. ENCOURAGED: ENFORCEMENT MECHANISMS

Information about including Enforcement Mechanisms:

A council or board may want to include enforcement mechanisms to support compliance of their code of conduct. These mechanisms may include informal resolution, administratively fair and formal complaint processes, third-party investigators, and sanctions. Local governments are always first encouraged to focus on continuous improvement to foster responsible conduct, maintain good governance, and resolve conduct issues informally. A council or board may want to consult the "Companion Guide" and the "Forging the Path to Responsible Conduct in Your Local Government" guide for tips and resources that support the development of practical enforcement mechanisms.

G. OPTIONAL: ADDITIONAL POLICIES

Information about including Additional Policies:

A council or board may choose to include additional policies as part of their code of conduct. These additional policies may be useful in addressing matters of importance that require deeper attention or that are connected to the four foundational principles. Some examples of the types of policies that a council or board could include are provided below.

A council or board may want to consult the “Companion Guide” for tips and resources for including additional policies.

Policies About Communications

- *Use of social media by members.*
- *How members communicate as representatives of the local government.*

Policies About Personal Interaction

- *Interactions between members and others, such as the public, staff, bodies appointed by the local government, and other governments and agencies (e.g., respectful workplace policies).*
- *Roles and responsibilities of staff and elected officials.*

Policies About How Information is Handled

- *Proper handling and use of information, including information which is confidential or otherwise protected and is made available to members in the conduct of their responsibilities.*
- *Retention and destruction of records.*
- *How and when information that was relevant to the decision making process is made publicly available.*

Policies About Other Matters

- *Creation, use, and retention of the local government’s intellectual property.*
- *Personal use of local government resources.*
- *Receipt of gifts and personal benefits by members.*
- *Provision of remuneration, expenses, or benefits to members in relation to their duties as members.*

TABLE 1: Code of Conduct Comparison Table - CRD Municipalities

Code of Conduct Criteria	CRD Municipalities			
	Esquimalt	Langford	Saanich	Sidney
Bylaw/Policy	Policy: "Council Code of Conduct" (Appendix C)	Policy: "Council Code of Conduct Policy" (Appendix D)	Policy: "Code of Conduct" (Appendix E)	Bylaw: "Council Code of Conduct Bylaw No. 2249, 2023" (Appendix F)
Complainant	Council Member, Advisory Body Member, or Staff.	Council Members	Council Members and Staff.	Council Members and Staff.
Code applies to...	Members of Council and Advisory bodies	Council Members	Council Members Staff	Mayor and Council
Report of Findings	Confidential, unless it is determined by Council resolution to be a public matter.	Public. Council shall rise and report on the resolution at the next available Council meeting.	Confidential. The Mayor and the CAO or designates shall consider whether the Report or an executive summary of the Report should be presented to Council.	Public. Within 30 days of Council's final decision about an investigation, it must, subject to the Town's obligations under FIPPA, release publicly the investigation report or a summary and release a summary of Council's decision.
Investigator	< 30 days CAO and Mayor will try to resolve. After 30 days if issue not resolved, a third party investigator will be agreed to by both parties	Mayor and CAO may attempt to facilitate and seek a mutually beneficial resolution between parties but may identify multiple independent third-party investigators	< 30 days CAO and Mayor will try to resolve. After 30 days if issue not resolved, a third party investigator will be appointed.	Third party investigator selected by CAO, CO or Solicitor.
Preliminary Assessment	Yes, within 30 days.	Yes, within 30 days.	Yes, no timeline identified.	Yes, by the Towns solicitor. No timeline identified.

Note: Table is provided for convenience only and does not include every local government that has an adopted policy or bylaw.

TABLE 1: Code of Conduct Comparison Table - CRD Municipalities

Appendix B

Code of Conduct Criteria	CRD Municipalities			
	Esquimalt	Langford	Saanich	Sidney
Election Period Moratorium	Yes Will not be received in the period from the first day of the nomination period to the general voting day. Complaint is closed if Member is not re-elected.	No	No	Yes Complaints accepted and held in abeyance when submitted from the first day of the nomination period to the general voting day. At that time, complaints shall only proceed if they relate to a Council Member who was re-elected in that election year. For certainty, if the Council Member who is the subject of the complaint is not re-elected, the complaint must be rejected.
Penalties	Yes "Accountability"	Yes "Remedies"	Not specifically listed, policy includes two templates for Letters of Apologies	Yes "Remedies"
Obstruction Clause	Yes	Yes	No	Yes
Legal Fees	Yes, shall indemnify Council Members, Staff, or Advisory Body Members to reimburse reasonable costs.	Yes, shall reimburse reasonable legal fees when there is no breach found.	Yes, may reimburse for Council (indemnify) and Staff.	Yes, Council may reimburse if Council Member has not previously been found to breach the Code, and does exceed \$10,000.

Note: Table is provided for convenience only and does not include every local government that has an adopted policy or bylaw.

TABLE 2: Code of Conduct Comparison Table - Other BC Local Governments

Code of Conduct Criteria	Other Local Governments			
	Comox Valley RD	City of Nanaimo	Surrey	Vancouver
Bylaw/Policy	Policy: "Board Code of Conduct" (Appendix G)	Bylaw: "City of Nanaimo Bylaw No. 7348" (Appendix H)	Bylaw: "Council Code of Conduct Bylaw 2020, No. 20020" (Appendix I)	Bylaw: "Code of Conduct No. 12886" (Appendix J)
Complainant	Any Board Member or Staff.	Council Member, Committee Member, or Staff	Any person who has witnessed or experienced conduct by a Council Member.	Any person may submit a complaint to the Integrity Commissioner.
Code applies to...	All elected and appointed CVRD Directors, Alternate Directors and the Chief Administrative Officer	Council Members and Committee Members	Council Members	Council Members and Advisory Board Members
Report of Findings	Public. When the Board 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.	Public	Confidential, provided within 10 working days of the closed meeting.	Public, Council deliberates and votes on the investigation report in a public meeting and the investigation report must be made available to the public.
Investigator	CAO and the Chair shall review the material information provided. Where appropriate, may engage the [Ethics] Commissioner or appoint another third party to assist in resolving the complaint or at their discretion.	Ethics Commissioner	Ethics Commissioner (formal resolution) Advisor is City Manager or designate (informal resolution)	Integrity Commissioner
Preliminary Assessment	Yes, by the Ethics Commissioner	Yes. On receipt of a Complaint, the Commissioner must conduct a preliminary assessment.	No. Mutual resolution (i.e. informal) is recommended as a first step if possible. Commissioner will have 10 working days to help resolve the matter informally and if not will begin investigation.	Yes, no timeline identified.

Note: Table is provided for convenience only and does not include every local government that has an adopted policy or bylaw.

TABLE 2: Code of Conduct Comparison Table - Other BC Local Governments **Appendix B**

Code of Conduct Criteria	Other Local Governments			
	Comox Valley RD	City of Nanaimo	Surrey	Vancouver
Election Period Moratorium	Yes Any formal complaint against a Board member received after August 1 in a general election year shall be held in abeyance until the new Board has been sworn in following the election. If the respondent is not re-elected in that election, the CAO must notify the complainant and respondent in writing that the complaint is closed on this basis.	Yes The Commissioner must reject a Complaint received regarding a Council Member seeking re-election in the period from the first day of the nomination period to the general voting day.	No	Yes 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. In the period 90 days prior to general voting day, may suspend any investigation underway until the day after the general voting day.
Penalties	Yes "Remedies"	Yes "Remedies"	Yes "Council Determination of Measures"	Yes "Remedies"
Obstruction Clause	Yes	Yes	Yes	Yes (also applies to staff as part of investigation)
Legal Fees	Yes, Council may reimburse when first formal complaint in 4-year term and do not exceed \$10,000.	Yes, Council may reimburse	Yes, for Council Member (and staff when complainant)	Yes, Council may reimburse

Note: Table is provided for convenience only and does not include every local government that has an adopted policy or bylaw.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Council Code of Conduct	NO. ADMIN – 80
<p><u>1. POLICY:</u></p> <p>The purpose of this Policy is to identify standards for responsible conduct by Elected Officials, establish the complaint submission and dispute resolution processes, and provide options for sanctions for any breaches of the Code of Conduct for those situations not provided for in other enactments such as, but not limited to, the <i>Community Charter</i> and <i>Local Government Act</i>.</p> <p>To fulfill obligations and discharge the duties of Elected Officials, Council members are required to conduct themselves to the highest ethical standards by being active participants in ensuring that these foundational principles, and the standards of conduct detailed in this policy, are followed in all dealings with every person, including those with other Council members, Staff, and the public.</p> <p><u>2. SCOPE:</u></p> <p>This Code of Conduct applies to all Council members of the Township of Esquimalt and all Members of the Township's Advisory Bodies. It is each member's individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other Council members, Staff, and the public.</p> <p>Elected Officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by Council members in a manner that is consistent with all applicable federal and provincial laws, as well as the bylaws and policies of the Township of Esquimalt, the common law and any other legal obligations which apply to Council members individually or as a collective Council.</p> <p><u>3. DEFINITIONS:</u></p> <p>In this Policy:</p> <p>Acting Mayor means the acting Mayor, as established under Council Procedure Bylaw, 2022, No. 3081, as amended or replaced from time to time.</p> <p>Advisory Body means a Township committee, commission, board, or other advisory body established by Council.</p> <p>Advisory Body Member means a Council appointed member of an Advisory Body.</p> <p>Chair means the chair of an Advisory Body.</p> <p>Complaint means a formal allegation that a member has breached this Code of Conduct.</p>	

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Complainant means a person who has submitted a complaint under this Policy.

Council means the Municipal Council of the Township of Esquimalt.

Elected Officials means those individuals elected to the office of Mayor or Councillor for the Township.

Investigator means the third-party appointed to investigate and report on the findings through the complaint resolution process established under this Policy.

Member means a member of Council or an Advisory Body.

Personal Information means recorded information about an identifiable individual other than contact information as defined in the *Freedom of Information and Protection of Privacy Act*.

Respondent means a Council or Advisory Body Member whose conduct is the subject of a complaint.

Staff means an employee of the Township of Esquimalt.

Township means the Corporation of the Township of Esquimalt.

4. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT:

- 4.1 There are four foundational principles established under this Code of Conduct:
1. Integrity means conducting oneself honestly and ethically.
 2. Respect means valuing the perspectives, wishes, and rights of others.
 3. Accountability means an obligation and willingness to accept responsibility or to account for one's actions.
 4. Leadership and Collaboration means an ability to lead, listen to, and positively influence others: it also means coming together to create or meet a common goal through collective efforts.

5. STANDARDS OF CONDUCT:

- 5.1 Integrity is demonstrated by Members through:
- Being open and truthful in all local government dealings, while protecting confidentiality where necessary.
 - Behaving in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct.
 - Acting in the best interest of the public and the community.
 - Ensuring actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by Council.
 - Employing the same ethical principles during both meetings that are open and closed to the public.
 - Expressing sincerity when correcting or apologizing for an errors or mistakes made while carrying out official duties.

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5.2 Respect is demonstrated by Members through:

- Treating Elected Officials, Staff, and the public with dignity, understanding, and respect.
- Acknowledging that people's beliefs, values, ideas, and contributions add diverse perspectives.
- Creating an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- Refraining from any form of discriminatory conduct against another Member(s), Staff, or the public.
- Honouring the offices of local government and fulfilling the obligations of Mayor/Chair and Councillor dutifully.
- Recognizing and valuing the distinct roles and responsibilities of Township Staff.
- Calling for and expecting respect from the community towards Elected Officials and Staff.
- Ensuring that public statements and social media posts that concern other Members, Staff, and the public are respectful.

5.3 Accountability is demonstrated by Members through:

- Being transparent about how Elected Officials carry out their duties, and how Council conducts business.
- Ensuring any information and decision-making processes are accessible to the public while protecting confidentiality and Personal Information where necessary.
- Correcting any mistakes or errors in a timely and transparent manner.
- Accepting and upholding that Council is collectively accountable for Township decisions, and that individual Members are responsible and accountable for their behaviour and individual decisions.
- Listening and considering the opinions and need of the community in all decision-making and allowing for public discourse and feedback.
- Acting in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern local government.

5.4 Leadership and Collaboration is demonstrated by Members through:

- Demonstrating behaviour that builds public confidence and trust in local government.
- Providing considered direction on municipal policies and supporting Members and Staff to do the same.
- Educating colleagues and Staff in the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary.
- Creating space for open expression by others, taking responsibility for one's own actions and reactions, and accepting the decisions of the majority.
- Advocating for shared decision-making and actively working with other Elected Officials, Staff, Advisory Body Members, and other stakeholders to achieve common goals.
- Fostering positive working relationships between Elected Officials, Staff, Advisory Body Members, and the public.
- Committing to building mutually beneficial working relationships with neighbouring First Nations to further advance reconciliation efforts.
- Positively influencing others and adhering to the foundational principles of responsible conduct in all Township dealings.

6. COMPLAINT PROCEDURES:

- 6.1 Complaints in good faith concerning a breach of the Code of Conduct may be submitted by a Council Member, Advisory Body Member, or Staff.
- 6.2 Complaints must be submitted in writing to both the Mayor and the Chief Administrative Officer within 90 days of the last alleged breach. Either the Mayor or the Chief Administrative Officer may authorize an extension to this timeframe if, in their opinion, the circumstances warrant an extension.
- 6.3 If the Mayor is the subject of, or implicated in the complaint, the complaint shall be addressed to the Acting Mayor and the Chief Administrative Officer, unless that individual is also the subject of, or implicated in the complaint.

In the event that the Chief Administrative Officer is the subject of, is in conflict of interest related to the complaint or is implicated in the complaint, the complaint shall be addressed to the Director of Human Resources and Community Relations unless that individual is the subject of or implicated in the complaint.

In the event that each of the Mayor, Acting Mayor, Chief Administrative Officer and Director of Human Resources and Community Relations are the subject of or implicated in the complaint, the Mayor and the Chief Administrative Officer shall appoint a Council Member and a Staff member to serve as designates for the purposes of the complaint.

- 6.4 Upon receipt of a complaint submitted under section 6.1, the Mayor and the Chief Administrative Officer or one or both of their designates if section 6.3 applies shall review the Policy and the complaint and shall attempt to resolve the matter informally. The role of the Mayor and CAO, or designates, is to be the keeper of the process, not to adjudicate the complaint. Their role is to facilitate and seek a mutually beneficial resolution between the parties. Information from both parties should be obtained, reviewed, and options for resolution canvassed.
- 6.5 Complaints regarding a Council Member seeking re-election will not be received in the period from the first day of the nomination period to the general voting day.
- 6.6 Where a complaint is made against a Member who, during the course of the investigation, ceases to hold office, the Mayor and Chief Administrative Officer, or designates, shall close the complaint and notify the Complainant(s) and the Respondent(s) of this decision.
- 6.7 Where a complaint is made against a Council Member and the complaint procedure overlaps with a municipal election and the Member is not re-elected in that election, the CAO must notify the Complainant(s) and the Respondent(s) in writing that the investigation has stopped on this basis and that the complaint is closed.

- 6.8 Any individual covered by this Code of Conduct who makes an allegation or complaint under this Policy that is subsequently found to have been made in a deliberately vexatious or malicious manner, or otherwise to have been made in bad faith, will be subject to appropriate disciplinary action, which action may include, but is not limited to, in the case of Council members, sanctions described in section 8.1, in the case of Advisory Body Members, termination of the respective appointment(s), and in the case of Staff, the CAO may consider appropriate measures in respect of the complaint.

7.0 RESOLUTION PROCESS

7.1 General

- 7.1.1 Members must abide by the requirements of the Code of Conduct and agree to resolve disputes in good faith.
- 7.1.2 Members and Staff shall not obstruct the investigation process.
- 7.1.3 No Members or Staff will tamper with or destroy documents or electronic records related to any matter under investigation or refuse to respond when questioned regarding an investigation.
- 7.1.4 Throughout the informal or formal investigation, either party can have legal counsel present to assist them. This legal counsel will be required to maintain the confidentiality of all aspects of the investigation process.
- 7.1.5 In the 90 days prior to General Voting Day, Council may, by majority vote, suspend any investigation underway.

7.2 Informal Complaint Resolution Process

- 7.2.1 Members are encouraged to use the Informal Complaint Process specified in 7.2.2 as a first step in resolving a complaint.
- 7.2.2 Any member who has identified or witnessed conduct by another Member that they reasonably believe, in good faith, is in contravention of this Code of Conduct may address the prohibited conduct by requesting the Mayor and CAO to assist in informal discussion of the alleged complaint with the other Member(s) in a mediated attempt to resolve the issue. If the Mayor or CAO is the subject of, or implicated in a complaint, the appropriate designates under section 6.3 will be asked to assist.
- 7.2.3 A Member who is unsatisfied with the outcome of the Informal Complaint Process may escalate the complaint to the Formal Complaint Process.
- 7.2.4 Despite subsection 7.2.1, a Member may refer a complaint directly to the Formal Complaint Process without undertaking the Informal Complaint Process.

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7.3 Formal Complaint Resolution Process

- 7.3.1 Complaints of breaches under the Code of Conduct may be submitted, in writing, to both the Mayor and the CAO within 90 days of the last alleged breach. If the Mayor or CAO is the subject of, or implicated in a complaint, the complaint shall be submitted to the appropriate designates specified in 6.3. The Mayor or the CAO, or their designates, are authorized to extend this 90 day deadline if circumstances are deemed to warrant an extension.
- 7.3.2 Within 30 days of receipt of a complaint, the Mayor and CAO, or their designates, will attempt to resolve the matter informally. If the matter is not resolved after 30 days, an independent Third-Party Investigator shall be agreed to by the parties. The investigator will possess the necessary professional skills, knowledge, and experience to investigate the complaint and be acceptable to all parties.
- 7.3.3 If the parties cannot agree on the choice of investigator, a nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third-Party Investigator.
- 7.3.4 If the Complainant(s) or the Respondent(s) refuse to participate in a formal investigation, the investigation may continue without the individuals' participation. The Third-Party Investigator will make their determination based on the information they are provided. Not participating in the process as outlined in sections 7.1, 7.2 and 7.3 may also be considered grounds for a complaint under this Policy.

7.4 Third-Party Investigator

- 7.4.1 The appointed Third-Party Investigator shall conduct an independent and impartial investigation that is fair, timely, and confidential.
- 7.4.2 Within 30 days of appointment, the third-party investigator shall provide a preliminary assessment of the complaint and determine whether to continue investigating or make written recommendation regarding the dismissal of the complaint on the grounds that it is either unfounded, beyond the jurisdiction of the Township, or unlikely to succeed and the Complainant(s), Respondent(s), and Council shall be so advised with reasons provided therefore.
- 7.4.3 Notwithstanding subsection 7.4.2, the Third-Party Investigator may request further information from the Complainant(s) before determining whether or not there are sufficient grounds for determining whether a breach of this Policy occurred.
- 7.4.4 Investigation updates will be provided to all involved parties at least every 30 days.
- 7.4.5 Within 90 days of the appointment the Third-Party Investigator shall conclude the investigation and provide a written, confidential report of the findings of the investigation to the Mayor and CAO, or their designates, including their findings as to whether there has been a breach of this Policy. If the Third-Party Investigator determines that concluding the investigation and providing the report within 90 days is not practicable, in which case the Third-Party Investigator must notify the Complainant(s) and Respondent(s) 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(s) and Respondents(s).

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

7.5 Council Deliberation

7.5.1 The CAO, or designate, shall include the report received under subsection 7.4.5 to the next closed meeting of Council and shall not discuss the contents of the report with any Members prior to the closed meeting.

7.5.2 After receiving the confidential report, Council members must not discuss the contents of the report with anyone, except for their legal counsel, prior to the closed Council meeting at which the report is to be discussed.

7.5.3 Members who are subject to the complaint and investigation must be afforded procedural fairness, including an opportunity to respond to the conclusions of the investigation before Council makes the decision on culpability or remedies.

7.5.5 If Council determines that any member(s) has not complied with this Code of Conduct, any of the remedies outlined in section 8.1 may be imposed by a majority vote of Council.

7.5.6 Any recommendations arising from the investigator's report and any actions taken in response will remain confidential, unless it is determined by Council resolution to be a public matter.

8.0 ACCOUNTABILITY MEASURES

8.1 If any Member(s) are found to be in contravention of this Code of Conduct, Council may choose by 2/3 majority to impose any of the following sanctions, providing they do not prevent the Member(s) from fulfilling their legislated duties of elected office:

- a) Written declaration from the Member(s) in contravention of the Code of Conduct promising immediate and ongoing compliance with the Code of Conduct;
- b) A letter of reprimand to the Member(s) in contravention of the Code of Conduct;
- c) Request that a letter of apology be issued from the Member(s) found to be in contravention to the affected individual;
- d) Publication of a letter of reprimand or request for apology, and the Member's response;
- e) Recommend that the Member(s) in contravention of the Code of Conduct attend counselling or training;
- f) Suspension or removal of the appointment of the Member(s) as Acting Mayor, including the loss of related remuneration if applicable;
- g) Suspension or removal from some or all internal and external Committees and Bodies to which Council or the Mayor has the right to appoint Members, including the loss of related remuneration if applicable;
- h) Restricting the Council member(s) from attending events as a representative of Council;
- i) Imposing further limits on Township-funded travel and expenses beyond those set out in Township policies;
- j) Limiting access to certain municipal facilities or portions thereof;
- k) Restricting how and when documents are provided to the Member(s); and
- l) Any other sanctions deemed reasonable and appropriate by Council.

EFFECTIVE DATE:
April 24, 2023

APPROVED BY:
Council

REFERENCE:
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9.0 REPRISALS AND OBSTRUCTION

- 9.1 Members or Staff must not threaten or undertake any active reprisal against any Complainant(s) or against a person who provides information in the context of an investigation.
- 9.2 Any individual covered by this Policy who is found to have engaged in any reprisal or retaliation in violation of this Policy will be subject to the appropriate disciplinary action, which may include, and is not limited to, the sanctions outlined in section 8.4 of this Policy, or in the case of Staff, the CAO may consider appropriate measures in respect of the complaint.

10. REIMBURSEMENT

- 10.1 Council members, Staff, or Advisory Body Members who retain legal counsel to represent them in proceedings under this Policy may request in writing that the Township indemnify them for their reasonable costs of representation, in accordance with section 740 of the *Local Government Act* and the Officers, Employees and Members of Council Indemnification Authorization Bylaw, 1988, No. 1878.

11. REVIEW

- 11.1 This Code of Conduct shall be brought forward for review at the beginning of each year and at any other time at the direction of Council to ensure that it remains current and continues to accurately reflect the standards of responsible conduct expected of Members.

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City of Langford

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Policy Name: Council Code of Conduct Policy <input checked="" type="checkbox"/> New <input type="checkbox"/> Amendment	DEPARTMENT: Administration SP Governance/Corporate Policy and Planning/Policies and Procedures POLICY NO: POL-0169-ADMIN
<p>Purpose</p> <ol style="list-style-type: none"> The Council Code of Conduct Policy (the Policy) establishes a minimum set of standards and expectations with respect to the conduct, decorum, and behaviour of Council members. <p>Application</p> <ol style="list-style-type: none"> The Policy applies to all Council members. <p>Statutory provisions</p> <ol style="list-style-type: none"> Council members shall act and comport themselves in accordance with the law including, but not limited to: <ol style="list-style-type: none"> <i>Local Government Act;</i> <i>Community Charter;</i> <i>Freedom of Information and Protection of Privacy Act; and</i> <i>Human Rights Code of British Columbia;</i> <p>Guiding principles</p> <ol style="list-style-type: none"> Council members must carry out their duties with integrity, demonstrating honesty and high ethical standards that promotes public confidence in local government. Council members must be accountable, accepting responsibility for their behaviours, words, actions, and decisions. Council members must be respectful of others, conducting themselves with politeness and care shown toward others by demonstrating due regard, deference, and consideration for different perspectives. Council members must demonstrate leadership and collaboration by actively listening and encouraging people to come together to meet and work around a common goal or objective, or to resolve conflict through collective means and efforts. Council members must strive to represent all City businesses and residents equally and without bias, acting in the best interest of the City. <p>General conduct</p> <ol style="list-style-type: none"> Council members shall not contravene any City bylaw or policy. Council members shall not deliberately mislead staff, other Council members, or the public about any issue of City concern. <p>Conduct at meetings</p> <ol style="list-style-type: none"> Council members must act with decorum at Council and Committee meetings and in accordance with the Council Procedure Bylaw. Council members shall not interrupt other speakers or disturb the conduct of a meeting, except to make a point of order. 	

Conflict of interest

13. Council members shall comply with the conflict of interest provisions as set out in the *Community Charter*.
14. Council members must 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.

Gifts

15. Council members must comply with the provisions regarding gifts as set out in the *Community Charter*.
16. Council members must not accept a fee, gift, or personal benefit that is connected with the performance of the duties of office, unless of they are of nominal values, are received as a matter of protocol or common business hospitality, or otherwise authorized by law.

Information management

17. Council members must collect, use, and disclose information acquired in the course of their duties, in accordance with the *Freedom of Information and Protection of Privacy Act*.
18. Council members must keep the following confidential:
 - a. Third-party personal information;
 - b. Information that constitutes the proprietary information of a third party, individual, or group;
 - c. Information that might reasonably be regarded as having been disclosed to a Council member in confidence; and
 - d. Information from in-camera Council or Committee meetings, including specific detail on whether an individual voted for or against an issue, unless Council has authorized the release of such information.
19. Council members shall not send emails or messages pertaining to City businesses from personal accounts or devices.

Use of public resources

20. Council members must not make unauthorized use of City resources.
21. Council members must not use City resources for election campaign purposes.
22. Council members must ensure that any City property in their care is properly secured and protected at all times.

Communication with the public

23. When interacting with the public, Council members shall accurately communicate Council decisions, even if they disagree with the majority decision, and by so doing, affirm the respect for and integrity in Council decision-making process.
24. Council members who disagreed with the majority decision shall refrain from making disparaging comments about other Council members or about Council's decisions.
25. When presenting their individual opinions and positions, members shall make it clear that they do not represent Council or the City.

Interactions with staff

26. Council members shall direct questions to the Chief Administrative Officer (CAO) or the Director of the appropriate department and refrain from directing staff.
27. Council members shall not instruct the City's contractors or service providers regarding City business.
28. Council members must treat staff professionally and with respect and must not publicly attack or disparage staff.
29. Comments about staff performance shall be made to the CAO through private correspondence or conversation.

30. Council members shall not attempt to influence human resources decisions regarding the decision to hire, transfer, promote, demote, discipline, or terminate staff.

Informal complaint procedure

31. Council members are encouraged to follow the informal complaint procedure under section 32 as the first means of remedying conduct that is believed to violate this Policy; however, Council members are not required to complete the informal complaint procedure prior to pursuing the formal complaint procedures.
32. A Council member who reasonably believes, in good faith, that another Council member's conduct is in violation of this Policy may:
 - a. Advise the Council member that the conduct violates this Policy and encourage the Council member to stop;
 - b. Request the Mayor (or Acting Mayor if the issue pertains to the Mayor) to assist in informal discussion with the Council member to resolve the issue.

Formal complaint procedure

33. A Council member who reasonably believes, in good faith, that another Council member's conduct is in violation of this Policy may submit a written complaint to the Mayor and CAO within six months of the alleged breach, or in the event that the Mayor or the CAO is implicated in the complaint, the Acting Mayor or the Director of Corporate Services, respectively.
34. Upon receipt of a complaint under section 33, the Mayor (or Acting Mayor) and the CAO (or Director of Corporate Services) may attempt to facilitate and seek a mutually beneficial resolution between the parties.
35. Upon receipt of a complaint under section 33 and if a resolution has not been achieved pursuant to section 34, the Mayor (or Acting Mayor) and the CAO (or Director of Corporate Services) shall identify multiple independent third-party investigators.
36. The complainant(s) and respondent(s) shall review the skills, background, and qualifications of the independent third-party investigators under section 35 and agree to appoint an investigator.
37. If the complainant(s) and respondent(s) cannot agree on the choice of an investigator, the complainants(s) and respondent(s) shall agree on a nominee who will appoint an investigator.
38. If the complainant(s) or respondent(s) refuses to participate in a formal complaint process, the process may continue without that individual's participation.
39. Council members shall not comment on the allegations until Council resolve to make information on the investigation public.

Third-party investigator

40. The third-party investigator appointed under sections 36 or 37 shall conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential, and accords with the principles of due process and natural justice.
41. The third-party investigator shall provide an initial update of the investigation within 30 days of his or her appointment to the Mayor (or Acting Mayor) and the CAO (or Director of Corporate Services) and to the complainant(s) and respondent(s).
42. Within 90 days of the appointment and as expeditiously as possible, the third-party investigator shall conclude the investigation and provide a written, confidential report of the findings of the investigation to the CAO (or Director of Corporate Services), including findings as to whether there has been a breach of this Policy.
43. The confidential report under section 42 shall include recommendations on the appropriate resolution of the complaint, which may include dismissal of the complaint or remedies under section 48.

44. Within 30 days after the conclusion of the investigation process, the third-party investigator shall destroy all notes that were taken or documents that were provided throughout the process of the investigation.

Council deliberation

45. The CAO (or Director of Corporate Services) shall include the report received under section 42 to an agenda of the earliest closed Council meeting that can be practicably scheduled and shall not discuss the contents of the report with any Council members prior to the closed Council meeting.
46. After receiving the confidential report, Council members must not discuss the contents of the confidential report with anyone, except for their legal counsel, prior to the closed Council meeting at which the confidential report will be discussed.
47. Council members who are subject to the complaint and investigation must be afforded procedural fairness, including an opportunity to respond to the conclusions of the investigation before Council makes the decision on culpability or remedies.

Remedies

48. Upon a finding by a third-party investigator that a Council member has breached this Policy, Council may resolve to:
- a. Issue a letter of reprimand addressed to the Council member;
 - b. Issue a motion of censure;
 - c. Request that the Council member issue a letter of apology to the affected individuals or that the letter of apology be made public;
 - d. Require the Council member to attend remedial education and training;
 - e. Rescind the Council member's appointment as the Acting Mayor;
 - f. Remove the Council member from internal and external Council committees and bodies to which Council has the right to appoint Council members;
 - g. Refer the issue to a prosecutor or police; and
 - h. Impose any other sanction Council deems reasonable and appropriate, provided that the sanction does not prevent the Council member from fulfilling the legislated duties of a Council member and the sanction is not contrary to legislation.
49. Council shall rise and report on the resolution made under section 48 at the next available Council meeting.

Legal counsel


50. Throughout the complaint process under the Policy, the complainant(s) and respondent(s) may have legal counsel present to assist.
51. Council shall reimburse reasonable legal fees of the respondent(s) where there is a finding that there has not been a breach of the Policy.

No reprisal or retaliation

52. Council members shall not retaliate against any complainant, witness, respondent, or employee responsible for implementing and carrying out the objectives or requirements of this Policy.
53. Any Council members who are found to have engaged in any reprisal or retaliation in violation of this Policy will be subject to appropriate disciplinary action, which may include remedies under section 48.

Adopted by Council
Meeting Date: February 6, 2023

CERTIFIED CORRECT



Administrator

Date: February 6, 2023

Marie Watmough
Corporate Officer

COUNCIL POLICY

NAME: CODE OF CONDUCT		
ISSUED:	November, 2016	INDEX REFERENCE:
AMENDED:	May 27, 2019 June 1, 2020	COUNCIL REFERENCE: 16/CNCL

PURPOSE:

To set minimum expectations for the behaviour of Council officials in carrying out their functions.

SCOPE:

All Council officials and the Chief Administrative Officer.

DEFINITIONS:

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

Confidential Information: Confidential Information includes information that could reasonably harm the interests of individuals or organizations, including the District of Saanich, if disclosed to persons who are not authorized to access the information, as well as information to which section 117 of the *Community Charter* applies.

Council official: the Mayor and members of Council

Personal Information: has the same meaning as in the *Freedom of Information and Protection of Privacy Act*

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

Municipal Officer: a member of staff designated as an officer under section 146 of the *Community Charter* or a bylaw under that section.

INTERPRETATION:

- (a) In this policy, a reference to a person who holds an office includes a reference to the persons appointed as deputy or appointed to act for that person from time to time.
- (b) This Code of Conduct applies to the use of social media by Council officials in relation to District related matters.

POLICY STATEMENTS:**1. Key Principles**

- 1.1. **Integrity:** Council officials are keepers of the public trust and must uphold the highest standards of ethical behaviour. Council officials are expected to:
 - make decisions that benefit the community;
 - act lawfully and within the authorities of the *Community Charter*, *Local Government Act* and other applicable enactments; 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 are obligated to answer for the responsibility that has been entrusted to them. They are responsible for 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; proper records must be kept.
- 1.3. **Leadership:** Council officials 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. Council officials will provide leadership to District staff through the Chief Administrative Officer.
- 1.4. **Respect:** Council officials must conduct public business efficiently and with decorum. 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 recognition of the different roles others play in local government decision making.
- 1.5. **Openness:** Council officials 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 must adhere to the key principles and provisions of the Code of Conduct.
- 2.2. Council officials must act lawfully and within the authorities of the *Community Charter, Local Government Act* and other applicable enactments and exercise a reasonable degree of care and diligence in carrying out their functions.
- 2.3. Council officials have an obligation to consider issues and exercise powers, duties and functions in a manner that avoids arbitrary and unreasonable decisions.
- 2.4. Council officials must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials must avoid conduct that:
 - contravenes this policy;
 - contravenes the law, including the *BC Human Rights Code*, and other enactments, and District Bylaws; and
 - is an abuse of power or otherwise amounts to improper discrimination, intimidation, harassment or verbal abuse of others.

3. Collection and Handling of Information

- 3.1. Council officials must:
 - Collect and use personal information in accordance with *Freedom of Information and Protection of Privacy Act* legislation and the Protection of Privacy Policy and guidelines as established in Saanich;
 - Protect information that is specifically marked confidential, that is Personal Information and other material identified or understood to be confidential in nature;
 - Refrain from discussing or disclosing any Confidential Information with or to Staff, or with persons outside the organization except as authorized;
 - Refrain from discussing or disclosing any Personal Information with or to other Council Officials, Staff, or with persons outside the organization except in a manner consistent with the duty to protect Personal Information under the *Freedom of Information and Protection of Privacy Act*.

- Take reasonable care to prevent the examination of confidential material or access to Personal Information by unauthorized individuals;
 - Not use Confidential Information except for the purpose for which it is intended to be used;
 - Only release information in accordance with established District policies and procedures and in compliance with the *Freedom of Information and Protection of Privacy Act* (British Columbia);
 - Not disclose decisions, resolutions or report contents forming part of the agenda for or from an in-camera meeting of Council until a corporate decision has been made for the information to become public; and
 - Not disclose details 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 must not in any way change or alter District records or documents.
- 3.3. When dealing with Personal Information, Council officials 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 includes 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 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. Council officials must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties in accordance with statutory requirements of the *Community Charter*.

5. Interactions of Council officials with Staff and Advisory Body Members

- 5.1. Council is the governing body of the District of Saanich. It has the responsibility to govern the District in accordance with the *Community Charter* and other legislation.

- 5.2. The Mayor is the head and chief executive officer of the District and has a statutory responsibility to provide leadership to the Council and to provide general direction to municipal officers respecting the municipal policies, programs and other directions of the council as set out in the *Community Charter*.
- 5.3. Council officials are to contact staff including Municipal Officers, according to the procedures authorized by Council and the District Chief Administrative Officer regarding the interaction of Council officials and staff. As a general principle, the District adopts the one employee model where Council's point of contact with staff is the Chief Administrative Officer.
- 5.4. Council officials are to direct inquiries regarding departmental issues or questions to the District's Chief Administrative Officer or the Department Head (Director) of the appropriate department and refrain from contacting other staff without first discussing the issue with the Department Head.
- 5.5. Advice to Council from staff will be vetted, approved and signed by the Chief Administrative Officer.
- 5.6. Council officials will invite the Chief Administrative Officer to be present at any meeting between a Council official and a member of staff where such attendance is requested by the staff member.
- 5.7. Council officials are not to issue instructions to any of the District's contractors, tenderers, consultants or other service providers.
- 5.8. Council officials must not make public statements attacking or disparaging staff or Advisory Body Members and shall show respect for the professional capacities of staff. Council officials must not involve staff in matters for political purposes.
- 5.9. Council officials must not publish or report information or make statements attacking or reflecting negatively on staff or Advisory Body Members except to the Chief Administrative Officer as appropriate to bring a complaint to the attention of the Chief Administrative Officer for follow up.
- 5.10. 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 officials, and to the Chief Administrative Officer.
- 5.11. Council officials must treat members of the public, other Council officials, Advisory Body Members and staff appropriately, and without bullying, abuse or intimidation in order to preserve a workplace free from harassment.

6. Council Officials Use of Social Media

- 6.1. It is not the role of individual Council officials to report directly on District related business. Council officials will use caution in reporting decision-making by way of their social media profiles and websites ensuring that any material they publish is accurate, precise and communicates the intent of Council
- 6.2. Council officials will include an "in my opinion", or similar disclaimer, either within the banner of their individual social media site(s) or separately when making follow up posts to the District's social media postings and when creating original posts pertaining to District related business.

(Sample Disclaimer – "Opinions expressed are my own and do not reflect the view or opinions of the District of Saanich")

- 6.3. Council officials will refrain from using or permitting use of their social media accounts for purposes that include generating or recirculating:
- defamatory remarks, obscenities, profane language or sexual content;
 - negative statements disparaging other members of council;
 - negative statements disparaging staff or calling into question the professional capabilities of staff;
 - content that endorses, promotes, or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
 - statements that indicate an actual attitudinal bias in relation to a matter that is to be the subject of a statutory or other public hearing;
 - promotion of illegal activity;
 - information that may compromise the safety or security of the public or public systems.
- 6.4. Council officials must regularly monitor their social media accounts and immediately take measures to remove messages or postings by others that violate this Code of Conduct.

7. Interactions with the Public and the Media

- 7.1. Council officials will accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council, and by so doing affirm the respect for and integrity in the decision-making processes of Council.
- 7.2. When discussing the fact that he/she did not support a decision, or voted against the decision, or that another Council official did not support a decision or voted against a decision, a Council official will refrain from making disparaging comments about other Council officials or about Council's processes and decisions.

8. Gifts and Personal Benefits

The receipt and reporting of gifts and personal benefits is dealt with under sections 105 and 106 of the *Community Charter*. Ultimately, the interpretation of those sections is a matter for the courts. However, the general language used in those sections creates some level of uncertainty and this Code of Conduct is intended to provide some guidance to Council officials.

8.1. What are Gifts and Personal Benefits?

- 8.1.1. Gifts and personal benefits are items or services of value that are received by Council officials for personal use. These would include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewellery, pens, food or beverages, discounts or rebates on purchases, free or subsidized drinks or meals, entertainment, invitations to social functions, etc.
- 8.1.2. The following are not to be considered gifts or personal benefits:
 - Compensation authorized by law (see section 105(2)(b) of the *Community Charter*).
 - Reimbursement for out of pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event or in connection with an authorized travel.
 - A lawful contribution made to a Council official who is a candidate for election conducted under the *Local Government Act*.

8.2. What Gifts and Personal Benefits may be Accepted?

- 8.2.1. Section 105(1) of the *Community Charter* prohibits Council officials from directly or indirectly accepting a fee, gift or personal benefit connected with the official's performance of the duties of office.
- 8.2.2. In accordance with section 105(2), a Council official may accept gifts and personal benefits received as an incident of the protocol or social obligations that normally accompany the responsibilities of elected office.
- 8.2.3. Gifts and personal benefits received in accordance with section 105(2)(a) of the *Community Charter* as referenced in section 8.2.2 must be reported and disclosed in accordance with section 106 to the Corporate Officer.
- 8.2.4. Where a gift or personal benefit that may be accepted under the *Community Charter* has a value in excess of \$100.00, the Council official who receives the gift will do so on behalf of the District and turn over the gift to the District, except as otherwise permitted by Council.
- 8.2.5. Council officials must not accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest, and to assist in avoiding that situation, Council officials will not accept gifts or personal benefits from business or commercial enterprises having a value that exceeds \$50.00 or, where the total value of such gifts and benefits, received directly or indirectly from one source in any twelve (12) month period, would exceed \$250.00.

8.3. How Must Gifts and Personal Benefits be Reported?

- 8.3.1. Council officials must disclose to the Corporate Officer gifts and personal benefits in accordance with section 106 of the *Community Charter*.
- 8.3.2. If a Council official receives a gift or personal benefit that they do not wish to accept, regardless of value, they may immediately relinquish the gift or personal benefit to the District, in which case a disclosure form would not be required. If the gift or personal benefit is not immediately relinquished to the District, then the Council official must file a disclosure form.
- 8.3.3. The content of the disclosure must comply with section 106(2) of the *Community Charter* and must be filed "as soon as reasonably practicable".

- 8.3.4. It is the responsibility of Council officials to be familiar with the provisions in the *Community Charter* relating to acceptance and disclosure of gifts and to ensure that they comply with these requirements as contemplated by the statute.

8.4. How are Gifts and Personal Benefits Valued?

- 8.4.1. 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?

8.5. Procedure for Dealing with Relinquished Gifts and Personal Benefits

- 8.5.1. Where a gift or personal benefit is relinquished to the District, the Corporate Officer will record the receipt of the item, nature of the gift or personal benefit, source (including the addresses of at least two individuals who are directors, in the case of a corporation), when the gift was received, and the circumstances under which it was given and accepted.

9. Breaches, Complaint Handling and Disciplinary Action

General

- 9.1. This section, Breaches, Complaint Handling and Disciplinary Action, is for internal use only. Council officials and staff within the District of Saanich can use this section to lodge a complaint against a member of Council in relation to their own interactions with that Council official.
- 9.2. Council officials are to abide by the requirements of the *Community Charter* and this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith, recognizing that interpersonal rancour does not facilitate good governance.

Council Officials

- 9.3. Alleged breaches of this Code of Conduct by Council Officials shall be submitted in a written complaint (as per the Breach Template (Template1)) addressed to the Mayor and the Chief Administrative Officer within six (6) months of the last alleged breach

In the event that the Mayor is the subject of, is in a conflict of interest related to the complaint or is implicated in the complaint, the complaint shall be addressed

to the current Acting Mayor unless that individual is the subject of, or implicated in the complaint.

In the event that the Chief Administrative Officer is the subject of, is in a conflict of interest related to the complaint or is implicated in the complaint, the complaint shall be addressed to the Director of Corporate Services unless that individual is the subject of or implicated in the complaint.

- 9.4. Upon receipt of a complaint under section 9.3, the Mayor or designated Councillor, and the Chief Administrative Officer or designate (Director, Corporate Services) shall review the Policy and the details of the alleged breach.

The role of the Mayor and CAO (or designates) is to be the keeper of the process, not to adjudicate the complaint. Their role is to facilitate and seek a mutually beneficial resolution between the parties. Information from both parties should be obtained, reviewed and options for resolution canvassed. There is no ability for the Mayor / CAO or designates to give advice about the processing or quality of resolution of the complaint.

- 9.5. If the situation is not able to be resolved through the informal process within thirty (30) days, the Mayor and the Chief Administrative Officer or designates will work to appoint an independent third party. Numerous third party investigators will be identified. The Complainant(s) and Respondent(s) will be provided with the resumes of the identified parties. The Complainant(s) and Respondent(s) have the ability to agree or disagree that the proposed parties have the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator").

The Complainant(s) and Respondent(s) will notify the Mayor and CAO or designated if they have a conflict of interest with any of the proposed Third Party Investigators.

The Third Party Investigators will then be contacted and the individual with the next available opening in their schedule will be appointed to the matter.

- 9.6. If the parties cannot agree on the choice of investigator, a nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third Party Investigator.
- 9.7. If the Complainant(s) or Respondent(s) refuse to participate in a formal investigation, the investigation may continue without that individuals' participation. The Third Party Investigator will make their determination based on the information they are provided.

Not participating in the processes as outlined in sections 9.3 and 9.5 may also be considered grounds for a complaint under the policy.

9.8. Throughout both the informal or formal investigation, either party can have legal counsel present to assist them. This legal counsel will be required to follow any rules of in-camera or procedural bylaw process that are applicable.

9.9. As confidentiality is key, information provided to the Respondent(s) will be limited to the Breach Template completed by the Complainant.

9.10. The Third Party Investigator:

9.10.1. 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 recommendation 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:

9.10.2. 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;

9.10.3. Provide an investigation update within ninety (90) days of his or her appointment to the Mayor and the Chief Administrative Officer or designates, as applicable, and to the Complainant and the Respondent;

9.10.4. 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 and the Chief Administrative Officer or designates, as applicable;

9.10.5. Provide recommendations regarding if a copy of or selected sections of the final Report should be provided to the Complainant and the Respondent; and

9.10.6. Provide recommendations in the Report as to the appropriate resolution of the complaint, which recommendations may include:

- dismissal of the complaint; or
- public censure of the Council Official or Officials for misbehaviour or a breach of this Code of Conduct;¹

- a recommendation that a Council Official or Officials apologize to any person adversely affected by a breach of this Code of Conduct;
- counselling of a Council Official or Officials; and/or
- such other recommendations as are deemed appropriate in the professional judgment of the Third Party Investigator.

9.11. The Mayor and the Chief Administrative Officer or designates shall consider whether the Report or an executive summary of the Report should be presented to Council.

9.12. The Director of Corporate Services will receive and retain all reports prepared related to the complaint.

9.13. At the conclusion of the process the Third Party Investigator will destroy all notes that were taken or documents that were provided throughout the process of the investigation.

9.14. 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 open meetings of Council pending the conclusion of the Report and any decision of Council on the Report.

9.15. Council Officials who retain legal counsel to represent them in proceedings under this section may request in writing that the District indemnify them for their reasonable costs of representation, in accordance with section 740 of the *Local Government Act*.

9.16. Staff who retain legal counsel to represent themselves in proceedings under this section may request, in writing, reimbursement of reasonable costs from the District.

1. There is no defined or prescribed process related to public censure. The common law rules of natural justice would apply, meaning the right to a fair hearing, which includes the right to know the case against oneself, the right to be heard, the right to have an impartial adjudicator, and sometimes (but not always) the right to be represented by legal counsel.

10. Attachments

10.1. Attached to this document are two templates that could be utilized as part of the information resolution process:

- Proactive Apology by Council Member (Template 2)
- Apology by Council Member if held by Council to have violated the Code of Conduct (Template 3)

10.2. Please note: British Columbia's Apology Act provides that an "apology" made by or on behalf of a person in connection with any matter does not constitute an express or implied admission or acknowledgement of fault or liability. "Apology" is defined as "an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault." The Act further provides that an apology does not void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be available to the person in connection with the matter. Evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any court as evidence of the fault or liability of the person in connection with that matter and must not be taken into account in any determination of fault or liability.

TEMPLATE 1 – Complaint

DATE OF COMPLAINT: _____

NAME OF COUNCIL OFFICIAL MAKING THE COMPLAINT: _____

NAME OF COUNCIL OFFICIAL WHO THE COMPLAINT IS AGAINST: _____

DATE OF THE BREACH: _____

SECTIONS OF THE COUNCIL CODE OF CONDUCT THAT HAVE BEEN BREACHED:

DETAILED DESCRIPTION OF INCIDENT AND HOW THE CODE OF CONDUCT WAS BREACHED

HAVE YOU APPROACHED THE OTHER COUNCIL OFFICIAL TO LET THEM KNOW ABOUT YOUR CONCERNS?

Y____ N____

WHAT IS THE RESOLUTION THAT YOU ARE SEEKING?

TEMPLATE 2 – Proactive Apology by Council Member

[DATE]

PERSONAL AND CONFIDENTIAL

[Name of Recipient]

[Title]

District of Saanich

[Address]

[City, Province Postal Code]

Dear [title] [last name]:

Re: Apology [subject]

As you know, on **[date]**, I **[briefly set out the nature of the offending conduct. It is recommended you provide dates, times and a description of the conduct at issue as you understand it]**.

On **[date]**, you confronted me about my behaviour/conduct and expressed **[describe briefly the conduct complained of and how it affected the offended person]**. I acknowledge that my conduct / actions made you feel **[describe how it affected the offended person]** and I admit that my **[actions / conduct]** were **[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.]**.

Having reflected on **[your complaint / our conversation]**, I take full responsibility for my **[actions / conduct]** and wish to apologize for the harm that I have caused you. My behaviour was not in keeping with the key principles of our Council's Code of Conduct. In particular, I acknowledge that my conduct was in violation of **[identify the section(s) of the Code of Conduct breached]**.

Going forward, I commit to being more careful in my **[words / actions]** and to making better efforts to respect and abide by my obligations set out in the Code of Conduct. Please accept my heartfelt apology.

Sincerely,

[name]**[title]**

TEMPLATE 3 - If held by Council to have violated the Code of Conduct

[DATE]

PERSONAL AND CONFIDENTIAL

[Name of Recipient]

[Title]

District of Saanich

[Address]

[City, Province Postal Code]

Dear [title] [last name]:

Re: Apology [subject]

As you know, on **[date]**, I **[briefly set out the nature of the offending conduct. It is recommended you provide dates, times and a description of the conduct at issue as you understand it]**.

On **[date]**, you confronted me about my behaviour/conduct and expressed **[describe briefly the conduct complained of and how it affected the offended person]**. In light of Council having concluded that my conduct constituted a violation of the District's Council Code of Conduct, I acknowledge that my conduct / actions made you feel **[describe how it affected the offended person]** and I admit that my **[actions / conduct]** were **[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.]**

Having reflected on **[the decision of Council]**, I take full responsibility for my **[actions / conduct]** and wish to apologize for the harm that I have caused you. My behaviour was not in keeping with the key principles of our Council's Code of Conduct. In particular, I acknowledge that my conduct was in violation of **[identify the section(s) of the Code of Conduct breached]**.

Going forward, I commit to being more careful in my **[words / actions]** and to making better efforts to respect and abide by my obligations set out in the Code of Conduct. Please accept my heartfelt apology.

Sincerely,

[name]**[title]**

TOWN OF SIDNEY

BYLAW NO. 2249

A BYLAW TO REGULATE THE CONDUCT FOR ELECTED OFFICIALS.

The Council of the Town of Sidney, in open meeting assembled, enacts as follows:

Title

This bylaw may be cited as “**Town of Sidney Council Code of Conduct Bylaw No. 2249, 2023**”.

PART 1 – COUNCIL CONDUCT

Purpose and Interpretation

- (1) This Bylaw sets out the rules Council Members must follow in fulfilling their duties and responsibilities as elected officials.
- (2) The residents of the Town of Sidney are entitled to have a fair, ethical and accountable municipal Council that acts in the public interest, conducting its business with integrity and in a fair, honest and open manner.
- (3) The public expects that Council Members will adhere to the highest standards of professional conduct. Honesty, integrity, respect, transparency, leadership, collaboration, and accountability are the core ethical values reflected in this Code. Council Members are expected to perform their functions of office faithfully and to the best of their knowledge and ability, in accordance with these core ethical values.
- (4) The provisions of this Bylaw are to be interpreted broadly and in a manner that is consistent with the *Community Charter*.
- (5) The intention of Council in enacting this Code is not to stifle Council Members or to limit their ability to fully perform the governmental and advocacy functions that their position entails, with all the vigour, flair and freedom that is typical of a well-functioning democratic institution, but instead to guide Council Members to undertake those functions in a manner that accords with sound ethical principles.

Definitions

- (6) In this Bylaw:

“**Council Member**” means the Mayor and Councillors for the Town of Sidney;

“**FIPPA**” means the *Freedom of Information and Protection of Privacy Act* (British Columbia); and

“**Staff**” means an officer or employee of the Town of Sidney, but does not include contractors.

Application

- (7) This Code applies to all Council Members, inclusive of their actions in their capacity as members of various boards, committees, and other discretionary appointments.
- (8) For clarity, the provisions of this Code apply without limitation to a Council Member's use of personal and professional social media accounts.

Comply with all Laws

- (9) Council Members shall comply with all applicable federal, provincial and municipal laws in the performance of their public duties, including but not limited to:
 - (a) the *Local Government Act*;
 - (b) the *Community Charter*;
 - (c) FIPPA;
 - (d) the *Financial Disclosure Act*; and
 - (e) all bylaws and policies of the Town.

General Conduct

- (10) Council Members shall not engage with others, including residents, Staff, committee members or other Council Members, in a manner that is abusive, bullying, intimidating or derogatory.
- (11) Council Members shall not use their office to attempt to gain personal benefits for themselves, their family members or their friends.

Respect for Process

- (12) Council Members shall perform their duties in accordance with the policies, procedures and rules of order established by Council from time to time.

Interactions with Staff

- (13) Council Members shall direct questions and inquiries regarding departmental issues to the Chief Administrative Officer ("CAO") and shall refrain from contacting Staff directly, unless the communication is minor and for the purpose of seeking administrative clarity.
- (14) Council Members shall not interfere with, hinder, or obstruct Staff in the exercise or performance of their roles, responsibilities, powers, duties, or functions, nor shall they impair the ability of municipal officers or Staff to implement Council policy decisions in accordance with section 153 of the *Community Charter*.
- (15) Council Members shall not request or require that Staff undertake personal or private work for or on behalf of a Council Member.

- (16) Council Members shall not request or require that Staff engage in political activities, or subject them to reprisal of any kind for refusing to engage in such activities.

Interactions with the Public and Media

- (17) In an effort to promote respect and integrity for Council decision-making, Council Members will accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council.
- (18) Council Members shall refrain from making any disparaging comments about other Council Members.

Advocacy

- (19) Council Members shall represent the official policies or positions of Council to the best of their ability when designated as a delegate for this purpose. When presenting their individual opinions and positions, Council Members shall explicitly state that it is their own personal view and that they do not represent Council or the Town in those views.

Conduct of Meetings

- (20) Council Members shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. Council Members shall not interrupt other speakers, make personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of a meeting.

Handling of Confidential Information

- (21) Council Members shall keep information and records prohibited from release under section 117 of the *Community Charter* in strict confidence.
- (22) Without limiting the generality of section (21), Council Members shall not disclose:
 - (a) information or records concerning the property, personnel, legal affairs, or other information of the Town distributed for the purposes of, or considered in, a closed Council meeting;
 - (b) resolutions or Staff report contents from a closed meeting of Council unless and until a Council decision has been made for the information to become public; or
 - (c) details on Council's closed meeting deliberations or how individual Council Members voted on a question in a closed meeting.
- (23) Council Members shall not use confidential information to advance, directly or indirectly, their own personal, financial or other private interests.

Conflict of Interest

- (24) Council Members shall not participate in discussion of a matter, or vote on a question in respect of that matter, if the Council Member has a conflict of interest.

- (25) In respect of each matter before Council, Council Members shall:
- (a) assess whether they have a conflict of interest; and
 - (b) determine whether it is necessary to seek independent legal advice at their own cost, except where the CAO approves the cost, with respect to any situation that may result in a conflict of interest.
- (26) If a Council Member believes that they have a conflict of interest in respect of a matter in a Council or committee meeting, the Council Member shall:
- (a) prior to the matter's consideration, notify the Mayor or Chair of the meeting that they have a conflict of interest, stating in general terms why they consider that to be the case;
 - (b) leave any meeting if the matter is discussed and not return until the discussion has ended or voting has been concluded;
 - (c) refrain from discussing the matter with any other Council Member publicly or privately; and
 - (d) refrain from attempting in any way to influence the voting on any question in respect of the matter.

Gifts

- (27) Council Members shall not accept a gift or personal benefit, except in accordance with section 105 of the *Community Charter*.
- (28) Council Members shall disclose a gift or personal benefit, received in accordance with section 105 of the *Community Charter*, as per section 106 of the *Community Charter*.

Use of Public Resources

- (29) Council Members shall not use Town public resources such as Staff time, equipment, technology, supplies, facilities or other property for private gain, personal purposes, or election-related purposes.
- (30) Council Members shall not undertake municipal election campaign related activities at the Town Office or on other premises owned by the Town during regular working hours, unless such activities are organized by the Town.

PART 2 – INVESTIGATION, COMPLIANCE AND ENFORCEMENT

Implementation

- (31) As an expression of the standards of conduct for Council Members expected by the Town, this Code is intended to be self-enforcing. This Code therefore becomes most effective when Council Members are thoroughly familiar with it and embrace its provisions. For this reason, this Code shall be provided as information to all candidates for Council.

Staff Requests

- (32) If a Staff member believes that they have observed a Council Member engaging in conduct that would breach this Bylaw, and they wish to file a complaint, they must approach the CAO on a confidential basis and inform the CAO of the alleged breach.
- (33) Upon receipt of the confidential information in section (32), the CAO may:
 - (a) determine that no breach has occurred and inform the Staff member of that determination;
 - (b) attempt to address the alleged breach with the Council Member and, if the circumstances warrant, the Staff member; or
 - (c) request that the Staff member file a complaint in accordance with sections (42) and (43).

Council Requests

- (34) If a Council Member believes that they have observed another Council Member engaging in conduct that would breach this Bylaw, they must attempt to resolve the complaint directly with the other Council Member, if possible.
- (35) If the Council Member is unable to resolve the issue pursuant to section (34), they must bring the matter to the attention of the CAO.
- (36) The CAO or, if the CAO refers the matter to the Solicitor, the Solicitor may:
 - (a) with the agreement of the parties, engage a Mediator of their choosing to assist in the resolution of the matter;
 - (b) determine that no breach has occurred and inform the Council Member of that determination; or
 - (c) request that the Council Member file a complaint in accordance with sections (42) and (43).

Mediation

- (37) The Mediator must attempt to resolve the matter and in doing so may employ whatever methods they consider appropriate, including culturally appropriate and transformative or restorative justice approaches.
- (38) The parties can decline to participate in the mediation at any time.
- (39) The Mediator will assess the suitability of the matter for settlement or resolution on an on-going basis and may decline to assist at any point.

- (40) If the parties reach a mediated resolution, the Mediator must notify the CAO or Solicitor in writing of the terms of the resolution, upon receipt of which the CAO or Solicitor shall close the matter.
- (41) If the parties cannot reach a mediated resolution within 60 days of the commencement of mediation, the Mediator must refer the complaint back to the CAO or Solicitor to make a determination under section (36)(b) or (c). The Mediator may request that the CAO or Solicitor extend the mediation by periods of 30 days, if the circumstances warrant.

Complaint Procedure

- (42) Subject to compliance with sections (32) to (41), a Council Member or Staff member may submit a complaint to the CAO. Alternatively, if the complainant is the CAO or the complaint involves the CAO, then complaints may be submitted to the Corporate Officer.
- (43) A complaint must be in writing, must be submitted within 60 days of: the alleged breach, the notification to the CAO under section (33), or the failure to resolve the matter by mediation under section (41), as applicable, and must include, with sufficient detail:
 - (a) the name of the complainant;
 - (b) the name of the respondent Council Member(s);
 - (c) the conduct that the complainant alleges was in breach of the Code;
 - (d) the date of the alleged conduct;
 - (e) the parts of the Code the alleged conduct breached;
 - (f) the basis for the complainant's knowledge of the conduct; and
 - (g) if a complaint is submitted by a Council Member, whether the Council Member attempted to resolve the complaint informally under section (34).
- (44) A complaint may be accepted notwithstanding that it does not comply with all of the requirements of section (43), if the CAO or the Corporate Officer determines that there has been substantial compliance or if the circumstances otherwise warrant acceptance.
- (45) A complaint submitted outside the time limits set out in section (36) must be rejected, except that the CAO or Corporate Officer may grant an extension of no more than 30 further days if the circumstances of the complaint are sufficiently serious.
- (46) In an election year, complaints submitted from the first day of the nomination period to the general voting day must be accepted and held in abeyance until after the new Council has taken office. At that time, complaints shall only proceed if they relate to a Council Member who was re-elected in that election year. For certainty, if the Council Member who is the subject of the complaint is not re-elected, the complaint must be rejected.

Preliminary Assessment

- (47) On receipt of a complaint, the CAO or Corporate Officer shall conduct a preliminary assessment of the complaint or forward the complaint to the Town's Solicitor to conduct a preliminary assessment. If the CAO, Corporate Officer, or Solicitor determines that any of the following circumstances apply, then they must notify the complainant and respondent Council Member in writing that the complaint will be closed, stating the reasons for the closure:
- (a) the complaint is not with respect to a breach of this Bylaw;
 - (b) the complaint is frivolous, vexatious, or not made in good faith;
 - (c) the complaint would be more appropriately addressed through another process;
 - (d) the complaint was not in compliance with sections (35) and (36), and the respondent Council Member will be prejudiced by the complainant's failure to comply;
 - (e) the complainant wishes to withdraw the complaint, and it would be appropriate to allow the complaint to be withdrawn;
 - (h) the complaint was submitted by a Council Member, and the Council Member ought to have first attempted to resolve the complaint informally under section (32); or
 - (f) there are no possible grounds on which to conclude that a violation of this Bylaw has occurred.

Referral to Third-Party Investigator

- (48) If the CAO, Corporate Officer or Solicitor determines, after conducting a preliminary assessment, that the complaint should be accepted for investigation, they shall refer the complaint to a neutral and independent third-party Investigator of their choosing to conduct an investigation and notify the complainant and respondent Council Member of the referral.
- (49) The Investigator shall, at all times during an investigation, have all of the same powers to dismiss a complaint on a preliminary basis as set out in section (40).
- (50) An Investigator, once retained, may only be dismissed for cause.

Criminal Conduct

- (51) If, at any stage in the complaint procedure, the CAO, Corporate Officer, Solicitor or Investigator determines that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code*, or learns that there is an ongoing police investigation into the conduct that gave rise to the complaint, then they must immediately refer the matter to the appropriate authorities and suspend any investigation into the complaint until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to Council, the complainant, and the respondent Council Member.

- (52) For certainty, a complaint must be suspended while the respondent is on a mandatory leave of absence under section 109.3(1) of the *Community Charter*, and may be recommenced only once the mandatory leave of absence ends pursuant to section 109.3(1)(b) of the *Community Charter*.

Formal Resolution

- (53) Once retained, the Investigator shall deliver the complaint to the respondent Council Member, along with a request that the respondent Council Member provide a written response to the complaint, together with any submissions that the respondent Council Member chooses to make, within 10 days, subject to the Investigator's discretion to reasonably extend the timeline.
- (54) The Investigator may, at their discretion, deliver the respondent Council Member's written response and submissions to the complainant and request a reply in writing within 10 days, subject to the Investigator's discretion to reasonably extend the timeline.
- (55) The Investigator may:
- (a) speak to anyone relevant to the complaint;
 - (b) request disclosure of documents relevant to the complaint; and
 - (c) access any record in the custody or control of the Town, within the meaning of FIPPA, with the exception of records subject to solicitor-client privilege.
- (56) The Investigator has discretion to conduct the investigation as they see fit, but must ensure that the investigation complies with the rules of procedural fairness and natural justice required in the circumstances of the complaint.

Adjudication and Reporting

- (57) The Investigator must conclude the investigation and make a determination regarding the alleged breach within 90 days of referral under section (41), unless the Investigator determines that doing so is not practicable, in which case the Investigator must notify the complainant and respondent Council Member of the delay and provide a revised decision date. The revised decision date may be extended by periods of up to 30 days at a time on provision of written notice to the complainant and respondent Council Member.
- (58) If, after reviewing all the material information, the Investigator determines that a Council Member did not violate this Bylaw, then the Investigator shall:
- (a) prepare a written investigation report providing reasons for their determination, which shall include a determination of whether the complaint was submitted frivolously, vexatiously or in bad faith; and
 - (b) deliver a copy of the investigation report to the complainant, respondent Council Member, and Council.

- (59) If, after reviewing all the material information, the Investigator determines that a Council Member did violate this Bylaw, then the Investigator shall:
- (a) prepare a written investigation report providing reasons for their determination, which must include:
 - i. a summary of the factual findings of the Investigator;
 - ii. an application of the Bylaw, and any other applicable law, to the facts;
 - iii. a recommendation of the appropriate sanction, subject to subsection (iv); and
 - iv. if applicable, a determination of whether the respondent Council Member took all reasonable steps to avoid the breach or whether the breach was trivial, inadvertent or due to an error in judgment made in good faith, in which case the Investigator may recommend that no sanction be imposed;
 - (b) deliver a copy of the investigation report to the respondent Council Member; and
 - (c) 48 hours after the delivery of the investigation report to the respondent Council Member, deliver a copy of the investigation report to Council.

Final Determination by Council

- (60) Council must, within 45 days of the Investigator's delivery of the investigation report, decide on the appropriate measures, if any, that are warranted by a breach of this Bylaw;
- (61) Prior to making any decision regarding the findings and recommendations set out in the investigation report, the respondent Council Member must be provided with an opportunity, either in person or in writing, to comment to Council on the Investigator's determinations and recommendations.
- (62) Investigation reports may, subject to section 90 of the *Community Charter*, be considered in a closed meeting.
- (63) Within 30 days of Council's final decision about an investigation, it must, subject to the Town's obligations under FIPPA:
- (a) advise the complainant of the outcome of the complaint;
 - (b) to the extent possible, release publicly the investigation report or a summary thereof; and
 - (c) release a summary of Council's decision.

Remedies

- (64) Remedies that may be imposed by Council for a violation of this Bylaw include the following:
- (a) a letter of reprimand from Council, addressed to the respondent Council Member;
 - (b) a recommendation from the Council that the respondent Council Member issue a letter of apology;
 - (c) the publication of the letters contemplated in subsections (a) and (b), along with the respondent Council Member's response, if any;
 - (d) directions to the CAO regarding the method of providing documents that contain confidential information to the respondent Council Member;
 - (e) a recommendation that the respondent Council Member attend specific training or counselling;
 - (f) limitations on access to certain Town facilities;
 - (g) prohibition from representing the Town at events and/or attending conferences;
 - (h) suspension or removal of the respondent Council Member from the Acting Mayor rotation;
 - (i) public censure of the respondent Council Member; or
 - (j) any other sanction recommended by the Investigator, so long as that sanction is within the authority of Council.
- (65) Council must consider the following factors when determining whether to impose a sanction on a Council Member:
- (a) the degree and nature of the conduct;
 - (b) whether the contravention was a single or repeated act;
 - (c) whether the Council Member knowingly contravened the Code;
 - (d) whether the Council Member took steps to mitigate or remedy the contravention;
 - (e) the Council Member's history of other contraventions; and
 - (f) if applicable, the Investigator's finding that the respondent Council Member took all reasonable steps to avoid the breach, or that the breach was trivial or done inadvertently or because of an error in judgment.

Confidentiality of Investigation

- (66) The CAO, Corporate Officer, Solicitor and Investigator must make all reasonable efforts to process and investigate complaints in a confidential manner.
- (67) The Investigator and every person acting under the Investigator's instructions must preserve confidentiality with respect to all matters that come into the Investigator's knowledge in the course of any investigation or complaint, except as otherwise required by law.

Obstruction

- (68) No Council Member or Staff member will obstruct the Investigator, Solicitor, CAO or Corporate Officer in relation to the administration of this Bylaw or the investigation of a complaint. Without limitation, the following shall constitute obstruction:
 - (a) uttering of threats against any person involved in the complaint;
 - (b) destruction of relevant records or documents; and
 - (c) refusal to cooperate with the Investigator.
- (69) A person who is found to have obstructed the Investigator, CAO, Solicitor or Corporate Officer will be subject to appropriate disciplinary action, which may include, but is not limited to:
 - (a) in the case of Council Members, sanctions and remedies as described in this Bylaw;
 - (b) in the case of Staff, disciplinary action or termination of employment for just cause, as applicable; or
 - (c) in the case of any complainant, prohibition from filing complaints under this Code for a specified period of time.

Reimbursement of Costs

- (70) A Council Member may make a request to Council for reimbursement of the costs of legal advice and representation in responding to the formal complaint process outlined in this Bylaw. If appropriate, after considering all of the circumstances, Council may resolve to reimburse legal fees reasonably incurred by a Council Member, provided that all of the following are met:
 - (a) the Council Member's has not previously been found to have breached the Code; and
 - (b) the amount claimed does not exceed \$10,000.

Frivolous and Vexatious Complaints

- (71) A person covered by this Bylaw who makes a complaint that is subsequently found to have been made in a deliberately frivolous, vexatious or malicious manner, or otherwise

made in bad faith, will be subject to appropriate disciplinary action, which may include, but is not limited to:

- (a) in the case of Council Members, sanctions and remedies as described in this Bylaw;
- (b) in the case of Staff, disciplinary action or termination of employment for just cause, as applicable; or
- (c) in the case of any complainant, prohibition from filing complaints under this Code for a specified period of time.

Read a first time the _____ day of _____, 2023.

Read a second time the _____ day of _____, 2023.

Read a third time the _____ day of _____, 2023.

Adopted the _____ day of _____, 2023.

MAYOR

CORPORATE OFFICER

Policy Title: Board Code of Conduct		Policy Number: P78
Policy Category: Administration		
Approval Date: August 25, 2020		Policy Owner: Corporate Services
Approved by: CVRD Board		File Reference: 0340-50

PREAMBLE

1. As local elected representatives the Board recognizes that responsible conduct is essential to providing good governance for the Comox Valley Regional District.
2. Board members are required to conduct themselves to the highest ethical standards by being an active participant in ensuring that the foundational principles, and the standards of conduct set out below, are followed in all dealings with every person, including those with other members, staff, and the public.

PRINCIPLES

3. The Board recognizes that responsible conduct is based on the foundational principles of integrity, accountability, leadership, responsibility, respect, openness and collaboration.
 - Integrity – Board members must carry out their responsibilities to the highest standard of integrity and are expected to:
 - make decisions that benefit the community;
 - act lawfully and within the authorities of the Comox Valley Regional District;
 - 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.
 - Accountability – Board members are obligated to answer for a responsibility that has been entrusted to them. They are responsible for the decisions they make.
 - Leadership – Board 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 the Regional District.
 - Responsibility – Board members must act responsibly, within the law and within the authorities of the *Local Government Act*. They must follow the letter and spirit of policies and procedures, and exercise all conferred power strictly for the purpose for which the powers have been conferred.
 - Respect – Board members must conduct public business efficiently, with decorum and with proper attention to the Comox Valley Regional District'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;

- Openness – Board members have a duty to be as open as possible about their decisions and actions while respecting the need to keep confidential matters confidential; and
- Collaboration – The social fabric of communities and the health and wellbeing of citizens depend on solid and sustainable community partnerships. Board members shall seek to collaborate whenever possible and appropriate and shall utilize this principle to guide their work and conduct.

PURPOSE

4. The purpose of this Policy is to:
 - i. establish standards for the ethical conduct of elected officials relating to their roles and obligations as representatives of the Comox Valley Regional District; and
 - ii. provide clarity to the public as to the behaviour they can expect from CVRD elected officials.

SCOPE

5. All elected and appointed CVRD Directors, Alternate Directors and the Chief Administrative Officer.

DEFINITIONS

Board members: all Directors and Alternate Directors of the Comox Valley Regional District

CAO: Means the Chief Administrative Officer for the Comox Valley Regional District.

Commissioner: Means the person appointed as the Ethics Commissioner by the Board to fulfill the duties and responsibilities assigned to that position as set out in this Policy or an ad hoc Commissioner appointed by the CAO to administer this Policy in respect of an individual complaint.

POLICY

General Conduct

6. All Board members must adhere to the key principles and provisions of the Code of Conduct.
7. Board members must act lawfully and within the authorities of the Local Government Act and Community Charter, and exercise a reasonable degree of care and diligence in carrying

out their functions.

8. Board members have an obligation to consider issues consistently and fairly.
9. Board members must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Board members must avoid conduct that:
 - (1) Contravenes the law, including the BC Human Rights Code, the Local Government Act, the Community Charter, CVRD Bylaws, associated regulations, and CVRD Policies;
 - (2) Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others;
 - (3) Prejudices the provision of a service or services to the community.
10. Board members are obliged to question any request to act or make a decision that they think may be unethical or unlawful.

Conflict of Interest

11. Board 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.
12. Board members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties in accordance with statutory requirements of the Community Charter.

Meetings

13. Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.
14. Board members shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the issues and the facts.
15. The diverse perspectives of each director, as they reflect the interests of their own communities, will be respected.
16. When making decisions, Board members must consider all relevant facts, opinions and analyses of which they should be reasonably aware.
17. Strong disagreements and conflicts will be seen as a natural part of board and committee work. Such disagreements will not be taken personally, nor made personal.

18. Board members can expect courteous behaviour from each other. Directors shall not interrupt other speakers, make personal comments or comments not germane to the business of the body, or otherwise disturb a meeting. Meetings shall provide an environment for transparent and healthy debate on matters requiring deliberation by the Board.
19. Board members, when speaking publicly and at board and committee meetings, will avoid inflammatory language. They are expected to speak in an objective manner.

Policy Role of the Board

20. Members shall respect and adhere to the Board-CAO structure of government as practiced at the Comox Valley Regional District. In this structure, the Board determines the policies of the CVRD with the advice, information and analysis provided by the public, committees, and CVRD staff. Members, therefore, shall not interfere with the administrative functions of the CVRD or with the professional duties of staff; nor shall they impair the ability of staff to implement Board policy decisions.

Use of Public Resources

21. Members shall not use public resources, which are not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

Communication and Media Relations

22. The Regional District Board Chair is the spokesperson for the Regional District on Board matters.
23. Board members will accurately communicate the decisions of the Board, even if they disagree with the majority decision of the Board. Board members will refrain from making disparaging comments about other Directors, the Board's decision itself or individual staff and by doing so will affirm the respect for and integrity of the decision making process of the Regional District Board.

Gifts and Personal Benefits

24. Board members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the CVRD, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member.

Informal Complaint Procedure

25. If disputes arise under this Policy, Board members shall endeavour to resolve them promptly and in good faith.
26. Any Board member or member of staff who considers that they have been subjected to or has identified or witnessed behavior or an activity by a Board member that they believe, in good faith, is in contravention of this Policy may address the prohibited conduct by:
 - (1) advising the Board member that the conduct violates this Policy and request that the contravention cease immediately; or
 - (2) requesting the CAO and Board Chair to assist in discussion of the alleged complaint with the Board member in an attempt to resolve the matter.
27. Where appropriate, the informal complaint process described in section 26 is encouraged as the first means of remedying conduct that may be violation this Policy, however, it is not a prerequisite to pursuing a formal complaint.

Formal Complaint Procedure

28. Any Board member or member of staff who considers that they have been subjected to or has identified or witnessed behavior or an activity by a Board member that they believe, in good faith, is in contravention of this Policy may file a formal complaint and seek resolution in accordance with the following procedure:
 - (1) All complaints must be delivered in writing to the CAO, be dated and signed and contain the particulars of the complaint, including the date on which the conduct that is the subject of the complaint occurred and the part or parts of this Policy that the complainant alleges has or have been breached;
 - (2) The CAO must not accept multiple complaints concerning the same matter. In the event that the CAO receives multiple complaints concerning the same matter, the CAO must proceed with the first complaint accepted, but may expand the complaint and/or add complainants for the purpose of seeking resolution of the complaint and where required, the conduct of the preliminary assessment and formal investigation by the Commissioner.
 - (3) Upon receipt of a complaint the CAO shall inform the respondent, share a copy of the complaint and request a written response within 10 days to assist in the initial review of the complaint.
 - (4) The CAO and the Chair shall review the material information provided and meet with the complainant and the respondent to seek resolution of the complaint. Where appropriate, the CAO or the Chair may engage the Commissioner or appoint another third party to assist in resolving the complaint or at their discretion.
 - (5) If the complaint cannot be resolved, the Commissioner shall conduct a preliminary assessment;

- (6) As part of the preliminary assessment of the matter the Commissioner may request further information from the complainant and respondent.
- (7) Based on the preliminary assessment the Commissioner must determine whether the complaint should be pursued further through a formal investigation. The following are some of the potential reasons why a complaint may not be pursued:
 - (a) the allegations are not within jurisdiction of the Policy;
 - (b) the complaint is deemed to be frivolous or vexatious or not made in good faith;
 - (c) the complaint would be more appropriately addressed through another process;
 - (d) there is insufficient evidence or information for concluding that a violation of this Policy has occurred;
 - (e) an extensive delay or unreasonable delay (i.e. more than six months) has occurred;
- (8) If a complaint is not rejected or closed the Commissioner must proceed with a formal investigation.
- (9) The Commissioner must notify the complainant, the respondent and the Chair and CAO in writing of the findings of the preliminary assessment and set out the reasons therefore.
- (10) If a formal investigation is determined appropriate, the Commissioner shall take all such steps as may be considered appropriate, including:
 - (a) speaking to anyone relevant to the complaint;
 - (b) seeking legal advice;
 - (c) requesting disclosure of documents relevant to the complaint; or
 - (d) accessing any record in the possession or control of the CVRD, except a record that is subject to privilege.
- (11) All proceedings of the investigation shall be confidential and comply with the rules of procedural fairness and natural justice required in the circumstances.
- (12) Within 30 days of making a decision to proceed with a formal investigation, the Commissioner shall provide the complainant, respondent and the Board a written report containing the results of the investigation and a determination of whether a contravention occurred. The report may also include considerations respecting the imposition of a sanction if contravention has been found;
- (13) A Board member who is the subject of an investigation shall be afforded an opportunity to respond to the allegations at the time of receipt by the Board of the Commissioner's report and is entitled to be represented by legal counsel;
- (14) The Commissioner's report provided to the Board may be considered in a closed meeting for the purpose of receiving legal advice, or other valid reason, however, when the Board 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.
- (15) The Commissioner must ensure that the investigation report as drafted complies with the CVRD'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.

29. For clarity, if the CAO or the Commissioner, at any stage in the complaint procedure, determines that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code*, the CAO or Commissioner must immediately refer the matter to the appropriate authorities and suspend the complaint process until any resulting police investigation and charge have been finally disposed of.
30. In the event that Board Chair or CAO is a direct party to a complaint under this Policy, they shall remove themselves from any role other than that of complainant or responder. In cases involving the CAO, all references to CAO contained within this Policy shall be deemed to be the Deputy CAO. In the case of a complaint against the Chair, all references to Chair contained within this Policy shall be deemed to be the Vice-Chair.
31. Nothing in this Policy precludes the complainant from taking measures that the complainant is entitled to take under law, including but not limited to filing a human rights complaint, a grievance or other applicable process under a collective agreement, a complaint with WorkSafe BC, or other proceedings, as applicable.

Election Period

32. Any formal complaint against a Board member received after August 1 in a general election year shall be held in abeyance until the new Board has been sworn in following the election. If the respondent is not re-elected in that election, the CAO must notify the complainant and respondent in writing that the complaint is closed on this basis.

Remedies

33. The Board shall decide on which appropriate measures, if any, are warranted by a contravention of this Policy. In determining the appropriate measure, the Board shall consider the following factors:
 - (a) the degree and nature of the conduct;
 - (b) whether the contravention was a single or repeated act;
 - (c) whether the Board member was told that the conduct was unwelcome or offensive, and nonetheless continued the conduct;
 - (d) the nature of the work relationship of the complainant and the respondent, and whether the Board member was in a position of authority over the complainant, such that the degree and nature of the conduct was thereby exacerbated by an abuse of power;
 - (e) the impact of the contravention on the complainant;
 - (f) the Board member's acknowledgment of wrongdoing; and
 - (g) the Board member's history of other contraventions.

34. After considering the prescribed factors and upon the finding that the Board member has breached this Policy, the Board may impose sanctions including the following:
- (a) letter of reprimand addressed to the Member;
 - (b) motion of censure;
 - (c) a request that the Member issue a letter of apology;
 - (d) publication of a letter of reprimand or request for apology and the elected official's response;
 - (e) recommendation to attend training;
 - (f) suspension or removal from some or all internal and external Board committees and bodies to which the Board has the right to appoint members;
 - (g) restricting the Member from attending events as a representative of the Board;
 - (h) imposing further limits on Board-related travel or expenses beyond those set out in CVRD bylaws or policies;
 - (i) requiring the return of regional district property provided for convenience;
 - (j) limiting access to certain regional district facilities;
 - (k) restricting how documents are provided to the member;
 - (l) referral to a prosecutor or police; and
 - (m) any other sanction the Board deems reasonable and appropriate in the circumstances, provided that the sanction does not prevent a Board member from fulfilling the legislated duties of an elected official and the sanction is not contrary to provincial legislation.
35. For clarity, failure or refusal to comply with a Board imposed sanction(s) shall be considered a contravention of this Policy.

Reprisals and Obstruction

36. No Board Member or staff will threaten or undertake any active reprisal against a complainant or against a person who provides information in the context of an investigation under this policy.
37. No Board Member or staff will tamper with or destroy documents or electronic records related to any matter under investigation under this Policy or refuse to respond to the Commissioner when questioned regarding an investigation.
38. Any individual covered by this Policy who is found to have engaged in any reprisal or retaliation in violation of this Policy will be subject to appropriate disciplinary action, which action may include, and is not limited to, the sanctions and remedies described above, or in the case of staff, disciplinary action up to and including the termination of employment for just cause, as applicable.

Reimbursement of Costs

39. For clarity, actions by Board Members as outlined in Bylaw No. 237 being “Comox Valley Regional District Elected Officials, Directors, Officers and Employees Indemnification Bylaw No. 237”, as replaced or amended from time to time, do not apply to this policy.
40. A Board Member may make a request to the Board for reimbursement for the costs of legal advice and representation in responding to the formal complaint process outlined in this Policy. If appropriate after considering all circumstances, the Board may resolve to reimburse legal fees reasonably incurred by a Board Member, provided that all of the following are met:
- (a) the Commissioner ultimately does not determine that the Board member acted with dishonesty, gross negligence, or malicious or willful misconduct;
 - (b) it is the Board member’s first formal complaint process within a given four-year term of office; and
 - (c) such legal costs do not exceed \$10,000.

Vexatious Allegations and Complaints

41. Any individual covered by this Policy who makes an allegation or complaint under this Policy that is subsequently found to have been made in a deliberately vexatious or malicious manner, or otherwise to have been made in bad faith, will be subject to appropriate disciplinary action, which action may include, but is not limited to:
- (a) in the case of Board Members, sanctions and remedies described in Section 34.
 - (b) in the case of staff, the termination of employment for just cause, as applicable.

ROLES AND RESPONSIBILITIES

Implementation and Review

42. The Board Code of Conduct is intended to be self-enforcing. Members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when Members are thoroughly familiar with the Code and embrace its provisions. For this reason, the Code of Conduct shall be reviewed on an annual basis at the inaugural meeting or at another duly convened meeting at the discretion of the Board Chair. The Code of Conduct shall also be reviewed in detail at orientation sessions for new and returning directors following each general local election.

REVISION HISTORY

Approval Date	Approved By	Description of Change
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January 24, 2023	Board	Inclusion of complaints and enforcement process

CITY OF NANAIMO

BYLAW NO. 7348

A BYLAW TO REGULATE THE CONDUCT FOR COUNCIL AND COMMITTEE MEMBERS

WHEREAS Council and Committee Members are keepers of the public trust and must uphold the highest standards of ethical behaviour in order to build and inspire the public's trust and confidence in local government;

AND WHEREAS Council and Committee Members are expected to:

- (a) make decisions that benefit the community;
- (b) act lawfully and within the authorities of the *Community Charter, Local Government Act* and other applicable enactments; and
- (c) be free from undue influence and not act to gain financial or other benefits for themselves, family, friends or business interests;

AND WHEREAS Council and Committee Members wish to conduct its business in a transparent, efficient, accountable and respectful fashion;

AND WHEREAS it is to the benefit of the community for Council and Committee Members to conduct their business in accordance with the City's guiding principles of integrity, accountability, respect, leadership and collaboration;

AND WHEREAS Council and Committee Members intend to demonstrate their leadership in ethical behaviour and to promote the principles of transparency, accountability and civility through their decisions, actions and behaviour;

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

PART I – GENERAL

1.1 Title

This Bylaw may be cited as "Code of Conduct Bylaw 2022 No. 7348".

1.2 Definitions

In this bylaw:

"CAO"	Means the Chief Administrative Officer for the City of Nanaimo.
"Bully and Harass"	Includes, without limitation, any unwelcome or objectionable conduct or comment by a Council or Committee Member that causes that individual to be humiliated or intimidated, including verbal aggression or insults, making derogatory comments, including questioning the professional competence of a Committee Member, Volunteer, Municipal Officer, or Staff, calling someone derogatory names, hazing

	or intimidation practices, vandalizing personal belongings or spreading malicious and untrue rumours.
"Committee Member"	Means a person appointed to a committee, sub-committee, task force, commission, board, or other Council established body under the <i>Community Charter</i> – Division 4 – Committees, Commissions and Other Bodies or the <i>Local Government Act</i> .
"Complaint"	Means a formal allegation that a Member has breached this Bylaw in accordance with the complaint procedure set out in Part 4 of this Bylaw.
"Complainant"	Means a person who has submitted a complaint under Part 4 of this Bylaw.
"Confidential Information"	Means information or records held in confidence by the City, including to which Section 117 of the <i>Community Charter</i> applies. For clarity, this includes all information and records from closed meetings of Council until publicly released.
"Conflict of Interest"	Refers to pecuniary and non-pecuniary conflicts of interest governed by the <i>Community Charter</i> , S.B.C., 2003, c. 36 and the common law.
"Council Member"	Means the Mayor and Councillors for the City of Nanaimo.
"Commissioner"	Means the person appointed as the Ethics Commissioner by Council to fulfill the duties and responsibilities assigned to that position as set out in this Bylaw or an <i>ad hoc</i> Commissioner appointed by the CAO to administer this Bylaw in respect of an individual complaint.
"Gifts and Personal Benefits"	Means an item or service of value that is received by Council and Committee Members for personal use. This would include, but is not limited to, cash, gift cards, tickets to events, items of clothing, jewellery, pens, food or beverages, discounts or rebates on purchases, free or subsidized drinks or meals, entertainment and admission fees to social functions.
"Member"	Means a Council Member or a Committee Member.
"Municipal Officer"	Means a member of Staff designated as an officer under Section 146 of the <i>Community Charter</i> .
"Personal Information"	As defined in the <i>Freedom of Information & Protection of Privacy Act</i> .
"Respondent"	Means a Council or Committee Member whose conduct is the subject of a complaint.
"Staff"	Means an employee of the City.
"Volunteer"	Means a person serving the City who is not a Council Member, Committee Member.

1.3 Purpose and Interpretation:

- 1.3.1 This Bylaw 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 Commissioner in exercising oversight over Council Members.
- 1.3.2 The provisions of this Bylaw are to be interpreted broadly and in a manner that is consistent with the *Community Charter* S.B.C. 2003, c. 36.
- 1.3.3 For clarity, the provisions of this bylaw that reference Committee Members only are intended to apply also to Council Members.

1.4 Application:

- (a) This Bylaw applies to Council Members and Committee Members.
- (b) This Bylaw does not apply to a Member's conduct in their personal life, except to the extent that such conduct reasonably undermines public confidence in City governance.
- (c) This Bylaw does not apply to Staff.
- (d) In the event of a conflict between this Bylaw and another City bylaw or Council policy governing Member conduct, this Bylaw prevails.
- (e) In this Bylaw, a reference to a person who holds an office includes a reference to the persons appointed to act for that person from time to time.

1.5 Severability:

If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this Bylaw is held invalid by a Court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

PART 2 – STANDARDS AND VALUES

2.1 Foundational Principles

These guiding principles provide a basis for how Members fulfill their roles and responsibilities, including in their relationships with each other, Staff and with the public.

- (a) Integrity: being honest and demonstrating strong ethical principles.

Members are expected to act with integrity by:

- i. Behaving in a manner that promotes public confidence in the City, including actively avoiding any Conflicts of Interest, improper use of office or unethical conduct.
- ii. Being truthful, honest and open in all dealings.
- iii. Upholding the public interest and making decisions in the best interests of the community.
- iv. Following through on commitments, engaging in positive communication with the community and correcting errors in a timely and transparent manner.

- v. Acting lawfully and within the authority of the *Community Charter, Local Government Act, Workers Compensation Act of B.C. and B.C. Human Rights Code*.

- (b) Accountability: an obligation and willingness to accept responsibility or to account for one's actions.

Members are expected to act with accountability by:

- i. Being transparent in how they individually and collectively conduct business and carry out their duties.
- ii. Ensuring information is accessible, and that citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.
- iii. Accepting that they are collectively accountable for local government decisions, and that individual Members are responsible and accountable for the decisions they make in fulfilling their roles.
- iv. Listening to and considering the opinions and needs of the community in all decision making, and allowing for respectful discourse and feedback.

- (c) Respect: having due regard for others' perspectives, wishes and rights; displaying deference to the offices of local government, and the role of local government in community decision-making.

Members are expected to act with respect by:

- i. Treating every person, including other Members, Staff and the public with dignity.
- ii. Showing consideration for colleagues and Staff.
- iii. Creating an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as derogatory.
- iv. Valuing the role of diverse perspectives and debate in decision-making.
- v. Acting in a way that is respectful of the roles and responsibilities of the office of Mayor and Council.
- vi. Valuing the distinct roles and responsibilities of local government Staff and the community in local government considerations and operations, and committing to fostering a positive working relationship between Staff, the public and elected officials.

- (d) Leadership and Collaboration: an ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts.

Members are expected to demonstrate leadership and collaboration by:

- i. Demonstrating behaviour that builds and inspires public trust and confidence in local government.
- ii. Calmly facing challenges and providing considered direction of the issues of the day, and enabling colleagues and Staff to do the same.
- iii. Creating space for open expression by others, taking responsibility for one's own actions and reactions and accepting the decisions of the majority.
- iv. Accepting that it is the equal responsibility of the Council and Committee Members individually and collectively to work together to achieve common goals.
- v. Being an active participant in ensuring these Foundational Principles and the standards of conduct are followed.

2.1.1 Interpretation

The standards and values above are to inform the interpretation of the substantive provisions of this Bylaw and are not to be standalone bases for Complaints.

2.2 Roles and Responsibilities

- (a) Council is the governing body of the City. It has the responsibility to govern the City in accordance with Part 5 of the *Community Charter* and other applicable legislation.
- (b) The Mayor is the head and chief executive officer of the City and has a statutory responsibility to provide leadership to the Council and to provide general direction to Municipal Officers respecting City policies, programs and other directions of the Council as set out in Part 5 of the *Community Charter*.
- (c) Staff provide professional advice to the Council and carry out decisions in an effective, efficient and non-partisan manner. The CAO is Council's one employee.



PART 3 – CONDUCT OF ELECTED OFFICIALS

3.1 General Conduct

3.1.1 A Member shall not:

- (a) contravene this Bylaw, as amended or replaced from time to time;
- (b) contravene any other City bylaw or policy, as amended or replaced from time to time;

- (c) contravene a law of British Columbia or Canada, including the British Columbia *Human Rights Code* or the *Freedom of Information and Protection of Privacy Act*;
- (d) Bully or Harass a Member, Staff, or Volunteer;
- (e) defame a Member, Staff, or Volunteer.

3.1.2 A Member shall treat other Council Members, Committee Members, Staff, and Volunteers with respect and dignity.

3.1.3 A Council Member shall not:

- (a) breach their oath sworn upon taking office as a Council Member; or
- (b) abuse their office.

3.2 Interactions with Staff, Volunteers and Committee Members

3.2.1 A Member must direct inquiries regarding departmental issues or questions to the CAO, General Manager, or department Director of the appropriate department and refrain from contacting Staff directly unless the communication is minor and of a day-to-day operational nature.

3.2.2 Members must not interfere with, hinder or obstruct Staff, Volunteers or Committee Members in the exercise or performance of their roles, responsibilities, powers, duties or functions, nor shall they impair the ability of Municipal Officers and Staff to implement Council policy decisions in accordance with Section 153 of the *Community Charter*.

3.2.3 Members must not request or require Staff to undertake personal or private work on behalf of a Member.

3.2.4 If a Council Member has information about Staff or a Volunteer that the Council Member wishes to bring to the attention of the City for the purposes of a review or investigation into the conduct or an omission of the individual, the Council Member may only do so by delivering the information in writing to the CAO. On receipt of such information, the CAO shall conduct a review or investigation and address the matter in accordance with the City's employment agreements, bylaws and policies and with the applicable employment law or professional responsibility enactments.

3.2.5 Members must not publish statements attacking Members, Staff, or Volunteers.

3.2.6 Information obtained by any Council Member, which is likely to be used in a Council or political debate, must be provided to all other Council Members, and to the CAO.

3.3 Interactions with the Public and Media

3.3.1 Members 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.

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

- (a) ensure that their 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
- (b) ensure that all communications by, and on behalf of a Member, including communications made via social media, are respectful and do not discriminate against, harass, or defame any Member, Staff, or Volunteer.

3.3.3 Members are not to issue instructions to any of the City's contractors, tenderers, consultants or other service providers unless expressly authorized to do so.

3.3.4 Outside of a Council or committee meeting, a Member shall not communicate with a tenderer or proponent regarding the subject matter of the procurement.

3.4 Public Meetings

3.4.1 A Member must act with decorum at Council and Committee meetings in accordance with the Council Procedure Bylaw 2018 No. 7272, as amended or replaced from time to time.

3.5 Collection and Handling of Information

3.5.1 A Member must:

- (a) comply with the provisions of the *Freedom of Information and Protection of Privacy Act* and the policies and guidelines as established by the City;
- (b) comply with section 117 of the *Community Charter*, including by protecting, and not disclosing publicly, Confidential Information;
- (c) only access information held by the City for City business, and not for personal purposes; and
- (d) not alter City records unless expressly authorized to do so.

3.6 Use of Social Media

3.6.1 The provisions of this Bylaw apply, without limitation, to the use of a Member's personal and official social media accounts.

3.6.2 Members must regularly monitor their social media accounts and immediately take measures to deal with the publication of messages or postings made by others on their behalf that violate the terms of this Code of Conduct Bylaw.

3.7 Conflict of Interest

3.7.1 A Member shall not participate in discussion of a matter, or vote on a question in respect of that matter, where the Member has a Conflict of Interest.

3.7.2 In respect of each matter before Council, a Council Member shall:

- (a) assess whether they have a Conflict of Interest, if necessary, with the advice of the Commissioner; and
- (b) determine whether it is necessary to seek independent legal advice, at their own cost except where the CAO approves the cost, with respect to any situation which may result in a Conflict of Interest.

3.7.3 If a Member believes they have a Conflict of Interest in respect of a matter in a Council or Committee meeting, the Member shall:

- (a) notify the Mayor or the Chair of the meeting that the Member has a Conflict of Interest prior to the matter being considered, and the Member shall restate the Conflict of Interest each time the matter arises before Council;
- (b) refrain from discussing the matter with any other Member publicly or privately; and
- (c) leave the meeting room if the matter is discussed and not return until the discussion has ended or voting on the matter has been concluded.

3.8 Use of Influence

3.8.1 A Member must not attempt to influence a decision of Council, a Committee, Municipal Officer, or Staff if the Member has a pecuniary Conflict of Interest in relation to that decision.

3.8.2 A Member must not use their office to provide preferential treatment to any person or organization except as warranted by the ordinary and lawful discharge of their duties.

3.8.3 A Member must not intimidate, improperly influence, threaten, or coerce Staff.

3.9 Gifts and Personal Benefits

3.9.1 A Council Member must not accept a Gift or Personal Benefit, unless accepted in accordance with section 105 of the *Community Charter*.

3.9.2 A Council Member must disclose a Gift or Personal Benefit, received in accordance with section 105 of the *Community Charter*, as per section 106 of the *Community Charter*.

3.9.3 Committee Members must comply with 3.9.1 and 3.9.2 as though they were Council Members.

PART 4 – COMPLAINT AND RESOLUTION PROCEDURES

4.1 Council Members

4.1.1 Confidential Requests

- (a) If a Council Member, Committee Member, or Staff believes that they have been subject to conduct by a Council Member in breach of this Bylaw, that person may approach the Commissioner on a confidential basis, without the need to file a Complaint, to request that the Commissioner inform the Council Member of the alleged breach. Upon receipt of the confidential request, the Commissioner may attempt to address the conduct with the Council Member.
- (b) The Commissioner must protect the confidentiality of a person making a request under 4.1.1(a) unless the person making the request consents to disclosure.

4.1.2 Complaint Procedure:

- (a) Any Council Member, Committee Member, or Staff may submit a Complaint to the Commissioner.
- (b) A Complaint must be in writing and describe with sufficient detail:
 - i. the name of the Complainant;
 - ii. the name of the Respondent;
 - iii. the conduct that the Complainant alleges to have breached the Code;
 - iv. the date of the alleged conduct;
 - v. the part or parts of this Bylaw that the Complainant alleges has or have been breached; and
 - vi. the basis for the Complainant's knowledge about the conduct.
- (c) A Complainant may specify in the Complaint if they are willing to participate in an informal resolution of the Complaint.
- (d) The Commissioner may accept a Complaint notwithstanding that the form of the Complaint does not comply with all of the requirements set out in Section 4.1.2 (b) if, in the Commissioner's opinion, the circumstances warrant.
- (e) The Commissioner must not accept multiple Complaints concerning the same matter. In the event that the 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.
- (f) The Commissioner must reject a Complaint received more than 90 days after the Complainant knew or reasonably ought to have known of the alleged breach of this Bylaw. The Commissioner is authorized to extend this 90 day deadline up to a further 90 days if circumstances warrant an extension.
- (g) The Commissioner must reject a Complaint received regarding a Council Member seeking re-election in the period from the first day of the nomination period to the general voting day.
- (h) In the 90 days prior to general voting day, the Commissioner may suspend any investigation underway.

4.1.3 Dismissal or Suspension of Complaint

- (a) If a Complaint is submitted that, on its face, is not made with respect to a breach of this Bylaw, or if a Complaint would be more appropriately addressed through another process, including if the Complaint is:
- i. with respect to non-compliance with the *Freedom of Information and Protection of Privacy Act*;
 - ii. with respect to non-compliance with a more specific Council policy or bylaw with a separate Complaint procedure; or
 - iii. with respect to a matter that is subject to another outstanding process, such as a court proceeding or human rights complaint,

the Commissioner may 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 Bylaw, 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 Commissioner thinks appropriate.

- (b) If the Commissioner, at any stage in the Complaint procedure, determines that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code* (Canada), the Commissioner must immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to Council.
- (c) Where a Complaint is made against a Council Member who, during the course of the Complaint procedure, ceases to hold office, the Commissioner may close the Complaint and notify the Complainant and Respondent of this decision.

4.1.4 Preliminary Assessment

- (a) On receipt of a Complaint, the Commissioner must conduct a preliminary assessment and if at that time, or any time thereafter, the Commissioner is of the opinion that:
- i. the statement is not with respect to a breach of this Bylaw;
 - ii. the Complaint is frivolous, vexatious, or not made in good faith;
 - iii. the investigation is, or might be, hampered, or the Council Member might be prejudiced by the Complainant's failure to provide a Complaint in compliance with Section 4.1.2(b), or otherwise cooperate with the investigation;
 - iv. the Complainant wishes to withdraw the Complaint, and it would be appropriate in the circumstances to allow the withdrawal; or
 - v. there are no grounds or insufficient grounds for concluding that a violation of this Bylaw has occurred,

the Commissioner must notify the Complainant and the Respondent in writing that the Commissioner is closing the Complaint, set out the reasons therefore, and close the Complaint.

- (b) Notwithstanding Section 4.1.4 (a), the Commissioner may request further information from the Complainant before determining whether or not there are sufficient grounds for believing that a breach of this Bylaw may have occurred.

4.1.5 Informal Resolution:

- (a) When the Commissioner has decided to proceed with a Complaint, the Commissioner must determine whether the Complaint requires a formal investigation, or whether the Complaint may be resolved informally. In the latter case, the Commissioner may either attempt to resolve the Complaint directly, or refer the Complaint to the CAO.
- (b) When determining whether the Complaint may be resolved informally, the Commissioner may consider culturally appropriate, or transformative or restorative justice approaches, and may engage a third party to assist the Commissioner for this purpose.
- (c) Where the Commissioner refers the Complaint in accordance with Section 4.1.5(a) the CAO may agree to assist in resolving the Complaint directly, or may appoint a third party to assist in resolving the Complaint at their discretion.
- (d) The person assisting in the informal resolution of a Complaint will assess the suitability of the Complaint for settlement or resolution on an on-going basis and may decline to assist at any point.
- (e) The Complainant, or the Respondent, can decline to participate in an informal resolution at any time.
- (f) If a Complaint is resolved informally, the person assisting in resolving the Complaint must notify the Commissioner in writing of the terms of the resolution, upon receipt of which, the Commissioner must close the Complaint.
- (g) If a Complaint cannot be resolved informally, the person assisting in resolving the Complaint must refer the Complaint back to the Commissioner for a formal investigation.

4.1.6 Formal Resolution:

- (a) If a Complaint is not rejected, closed, or resolved informally, the Commissioner must proceed with a formal investigation.
- (b) The 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 Commissioner's discretion to extend the timeline.
- (c) The 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 Commissioner's discretion to extend the timeline.

- (d) The Commissioner may:
 - i. speak to anyone relevant to the Complaint;
 - ii. request disclosure of documents relevant to the Complaint; or
 - iii. access any record in the possession or control of the City, except a record that is subject to privilege.
- (e) The Commissioner must ensure that the formal investigation complies with the rules of procedural fairness and natural justice required in the circumstances.
- (f) Notwithstanding 4.1.6(a), nothing prohibits the Commissioner from summarily dismissing a Complaint where it becomes apparent, after some investigation, that the Complaint has no chance of success.
- (g) If the Commissioner summarily dismisses a Complaint at the Formal Resolution stage, the Commissioner shall report to the Complainant and Respondent in the manner set out in 4.1.4(a).

4.1.7 Adjudication and Reporting:

- (a) The Commissioner must make a decision within 90 days of making the determination to proceed with a formal investigation, unless the Commissioner determines that doing so is not practicable, in which case the 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.
- (b) A notification issued pursuant to sections 4.1.3(a), 4.1.3(b), 4.1.4(a), or 4.1.7(a) is confidential and must not be disclosed except in the following circumstances:
 - i. to Council for the purpose of considering a resolution for reimbursement of legal fees pursuant to section 4.4.2; and
 - ii. 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 Bylaw.
- (c) If after reviewing all material information, the Commissioner determines that the Respondent did not violate this Bylaw, then:
 - i. the Commissioner must prepare a written investigation report providing reasons for their determination that the Council Member did not breach the Bylaw;
 - ii. the Commissioner must deliver a copy of the investigation report or, where appropriate, a summary thereof, to the Complainant, Respondent and Council; and
 - iii. in consultation with Staff, the Commissioner shall produce and make publicly available a summary of the investigation report, in compliance with the *Freedom of Information and Protection of Privacy Act*.

- (d) If after reviewing all the material information, the Commissioner determines that a Council Member did violate this Bylaw, then:
 - i. the Commissioner must prepare a written investigation report providing reasons for their determination that the Council Member breached this Bylaw;
 - ii. the investigation report must make recommendations as to the appropriate sanction for the breach;
 - iii. if the Commissioner determines that a Council Member did breach this Bylaw, but that the Council 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 Commissioner will so state in the investigation report and may recommend that no sanction be imposed;
 - iv. the Commissioner must deliver, on a strictly confidential basis, a copy of the investigation report to the Respondent; and
 - v. the 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.

4.1.8 Report to be Public

- (a) Where the Commissioner has determined that a Council Member did violate this Bylaw, after the Commissioner has delivered a copy of the investigation report to the Complainant and Council, the City must make the investigation report available to the public.
- (b) The City will ensure that the investigation report complies with the City's obligations regarding disclosure of personal information set out in the *Freedom of Information and Protection of Privacy Act*, and ensure that appropriate redactions are applied prior to release to the public.

4.1.9 Final Determination by Council

- (a) Council must, within 30 days of delivery of the investigation report pursuant to Section 4.1.7(d)(v), or a longer period if approved by a 2/3 vote of Council, decide on the appropriate measures, if any, that are warranted by the breach of this Bylaw, and will take such actions as Council considers appropriate in the circumstances.
- (b) Prior to Council making any decision regarding the findings and recommendations set out in the investigation 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.
- (c) 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 4.1.8 (b).

- (d) Notwithstanding section 4.1.9(c), Council may deliberate on and vote on a report in a closed meeting where there is a valid reason to close the meeting under section 90 of the *Community Charter*.

4.1.10 Remedies

Sanctions that may be imposed for a violation of this Bylaw include the following:

- (a) a letter of reprimand from Council addressed to the Council Member;
- (b) a request from Council that the Council Member issue a letter of apology;
- (c) the publication of the letters contemplated in subsections (a) and (b), along with the Council Member's written response, if any;
- (d) directions to the CAO regarding the provision of documents, including documents containing Confidential Information, to the Council Member;
- (e) a recommendation that the Council Member attend specific training or counselling;
- (f) limitations on access to certain City facilities;
- (g) suspension or removal of the Council Member from some or all Council committees and bodies to which the Council Member was appointed by Council;
- (h) prohibition from representing the City at events and/or attending conferences and seminars;
- (i) suspension or removal of the appointment of a Council Member as the Acting Mayor;
- (j) public censure of a Council Member;
- (k) reduction in compensation in accordance with the Council Spending and Amenities Policy; and
- (l) any other sanction recommended by the Commissioner, so long as that sanction is within the authority of Council.

4.1.11 Confidentiality of the Investigation

The Commissioner must make all reasonable efforts to investigate Complaints in confidence.

- (a) The Commissioner and every person acting under the Commissioners' instructions must preserve confidentiality with respect to all matters that come into the Commissioner's knowledge in the course of any investigation or Complaint except as required by law.
- (b) An investigation report must only disclose such matters as, in the Commissioner's opinion, are necessary for the purpose of the investigation report.
- (c) At the conclusion of the process, the Commissioner will destroy all the notes that were taken throughout the process of the investigation.

4.1.12 Interpretation

For clarity, and despite section 4.2, the procedure in section 4.1 is to apply to all allegations against Council Members including in their capacity as Committee Members.

4.2 Committee Members

4.2.1 Alleged breaches of this Bylaw by Committee Members shall be submitted simultaneously in writing addressed to the Mayor and CAO within 90 days of the last alleged breach.

4.2.2 A Complaint must comply with the standards set out at section 4.1.1.

4.2.3 The Mayor shall consider alleged breaches of this Code by Committee Members, direct that any enquiries they consider appropriate or desirable be undertaken, including a referral to the Commissioner, and recommend appropriate disciplinary action to Council.

- (a) The Mayor may recommend that Council take any actions provided for in the Code that the Mayor considers reasonable in the circumstances.
- (b) Where Council finds that a Committee Member has breached this Code, Council may decide by resolution to:
 - i) Require the Committee Member to apologize to any person adversely affected by the breach;
 - ii) Counsel the Committee Member;
 - iii) Terminate the Committee Member's appointment; or
 - iv) Implement such other measures as Council deems appropriate.

4.3 Reprisals and Obstruction

4.3.1 No Council Member, Committee Member, or Staff will obstruct the Commissioner in the carrying out of their duties or responsibilities.

4.3.2 No Council Member, Committee Member, or Staff will threaten or undertake any active reprisal against a Complainant or against a person who provides information to the Commissioner in the context of an investigation.

4.3.3 No Council Member, Committee Member, or Staff will tamper with or destroy documents or electronic records related to any matter under investigation under this Bylaw or refuse to respond to the Commissioner when questioned regarding an investigation.

4.3.4 Any individual covered by this Bylaw who is found to have engaged in any reprisal or retaliation in violation of this Bylaw will be subject to appropriate disciplinary action, which action may include, and is not limited to, the sanctions and remedies described above, or in the case of Staff, disciplinary action up to and including the termination of employment for just cause, as applicable.

4.4 Reimbursement of Costs

4.4.1 For clarity, actions by Council Members as outlined in Indemnification Bylaw 2005 No. 7002, as replaced or amended from time to time, do not apply to this Bylaw.

4.4.2 A Council Member may make a request to Council for reimbursement for the costs of legal advice and representation in responding to the formal complaint process outlined in this Bylaw. If appropriate after considering all circumstances, Council may resolve to reimburse legal fees reasonably incurred by a Council Member, provided that all of the following are met:

- (a) It is the Council Member's first formal complaint process; and
- (b) The amount does not exceed \$10,000.

4.5 Vexatious Allegations and Complaints

4.5.1 Any individual covered by this Bylaw who makes an allegation or Complaint under this Bylaw that is subsequently found to have been made in a deliberately vexatious or malicious manner, or otherwise to have been made in bad faith, will be subject to appropriate disciplinary action, which action may include, but is not limited to:

- (a) in the case of Council Members, sanctions and remedies described in Section 4.1.7.
- (b) in the case of Committee Members, termination of the Committee Member's appointment.
- (c) in the case of Staff, the termination of employment for just cause, as applicable.

PART 5 – ENACTMENT

Effective Date

This bylaw comes into force and effect on 2022-OCT-15.

PASSED FIRST READING: 2022-MAY-16
PASSED SECOND READING: 2022-MAY-16
PASSED THIRD READING: 2022-MAY-16
ADOPTED: 2022-MAY-30

L. E. KROG

MAYOR

K. ROBERTSON

DEPUTY CITY CLERK

SCHEDULE A

COMMITTEE MEMBER STATEMENT

As a City of Nanaimo Committee Member, I agree to uphold the Code of Ethics adopted by the City of Nanaimo and conduct myself by the following model of excellence. I will:

- Recognize the diversity of backgrounds, interests and views in our community;
- Help create an atmosphere of open and responsive government;
- Conduct public affairs with integrity, in a fair, honest and open manner;
- Respect one another and the unique role and contribution each of us has in making the City of Nanaimo a better place to work, live, and play;
- Strive to keep the decision making processes open, accessible, participatory, understandable, timely, just and fair;
- Avoid and discourage conduct which is not in the best interests of the City of Nanaimo;
- Avoid any real or perceived Conflict of Interest and declare at the earliest opportunity, any interest that is or may be in conflict with the business of the body of the City of Nanaimo in which I am participating;
- Respect and uphold confidentiality requirements; and
- Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read and understand the City of Nanaimo Code of Conduct Bylaw.

Signature: _____

Date: _____

Name (please print): _____

Committee: _____

CITY OF SURREY



Council Code of Conduct Bylaw,
2020, No. 20020

Council Code of Conduct Bylaw, 2020, No. 20020

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CITY OF SURREY

BYLAW NO. 20020

A bylaw to regulate the conduct of Council members

.....

WHEREAS Council Members are keepers of the public trust and must uphold the highest standards of ethical behaviour in order to build and inspire the public's trust and confidence in local government;

AND WHEREAS Council Members are expected to:

- (a) make decisions that benefit the community;
- (b) act lawfully and within the authorities of the Community Charter, Local Government Act and other applicable enactments; and
- (c) be free from undue influence and not act, or appear to act, to gain financial or other benefits for themselves, family, friends or business interests;

AND WHEREAS Council wishes to conduct its business in a transparent, efficient, accountable and respectful fashion;

AND WHEREAS it is to the benefit of the community for Council to conduct its business in accordance with the City's values of community, innovation, integrity, service and teamwork;

AND WHEREAS Council Members intend to demonstrate their leadership in ethical behaviour and to promote the principles of transparency, accountability and civility through their decisions, actions and behaviour;

NOW THEREFORE The Council of the City of Surrey ENACTS AS FOLLOWS:

Definitions

1. In this Bylaw

"Advisory Body" means a committee, task force, commission, board or other body established or appointed by Council or by the Mayor;

"Advisory Body Member" means a person sitting on an Advisory Board, and includes a Council Member appointed to the body;

"Bully and Harass" includes:

- (a) any conduct that would be contrary to the City's Respectful Workplace Policy;

(b) any unwelcome or objectionable conduct or comment that would be considered discriminatory under the *Human Rights Code* if the conduct or comment was in respect of any of the following prohibited grounds:

- (i) race,
- (ii) conviction for an offence,
- (iii) colour,
- (iv) ancestry,
- (v) physical disability,
- (vi) place of origin,
- (vii) mental disability,
- (viii) political belief,
- (ix) sex,
- (x) religion,
- (xi) age,
- (xii) marital status,
- (xiii) sexual orientation,
- (xiv) family status;

(c) Sexual Harassment;

(d) any other unwelcome or objectionable conduct or comment by a Council Member toward another Council Member, an Advisory Board Member, Volunteer or Staff that causes that individual to be humiliated or intimidated, including verbal aggression or insults, making derogatory comments, including questioning the professional competence of an Advisory Board Member, Volunteer or Staff, calling someone derogatory names, hazing or initiation practices, vandalizing personal belongings or spreading malicious and untrue rumours;

"Campaign Period" means the period commencing the first of October immediately preceding a general election and ending on the day of the general election;

"Child" means a person toward whom a Responsible Adult has demonstrated a settled intention to treat as a child of his or her family and includes a child born within or outside marriage, an adopted child, step-child or grandchild;

"City" means the City of Surrey;

"City Business" means any City program, activity, policy, process, project or undertaking;

"City Manager" means the Municipal Officer position of the City manager;

"City Solicitor" means the Municipal Officer position of the City solicitor;

"City Record" includes anything on which information is recorded or stored by graphic, electronic, mechanical or other means in any format, but does not include a computer program or any other mechanism that produces records;

"City Record System" means a system used by the City of Surrey to manage City Records from creation through to disposal or long-term preservation;

"Commissioner" means the City of Surrey Ethics Commissioner;

"Confidential Information" means information or a record that is marked confidential by Council or Staff, that is Personal Information, that could reasonably harm the interests of individuals or organizations including the City if disclosed to persons who are not authorized to access the information, or information or a record to which section 117 of the *Community Charter* applies, including, without limitation, any:

- (a) decisions, resolutions or report contents forming part of the agenda for or from an *in-camera* meeting of Council until a Council decision has been made for the information to become public or otherwise released; and
- (b) details on Council's in camera deliberations or specific detail on whether an individual Council Member voted for or against a matter;

"Corporate Officer" means the Municipal Officer position of City Clerk that has been designated the corporate officer under section 148 of the *Community Charter*;

"Council Member" means the Mayor or a Councillor;

"Family Member" means a Spouse, a Child, a Responsible Adult, and siblings;

"Lobbying" means any communication with a Council Member by an individual who is paid or who represents a business or financial interest with the goal of trying to influence any legislative action including development decisions, business licence decisions, introduction, passage, defeat, amendment or repeal of a bylaw, motion, resolution, or development approval, zoning bylaw amendment, or termination of a City policy, program, directive, guideline, or the outcome of a decision on any matter before Council, an Advisory Body, or Staff;

"Municipal Officer" means a member of staff designated as an officer under section 146 of the *Community Charter* or a bylaw under that section;

"Personal Information" has the same meaning as in the *Freedom of Information and Protection of Privacy Act*;

"Responsible Adult" means a person who has demonstrated a settled intention to treat a Child as a member of his or her family whether or not that person is the biological parent of the Child;

"Sexual Harassment" is any verbal, written or physical conduct, comment, gesture or contact of a sexual nature that may cause offence or humiliation to a Council Member, Staff, Advisory Body Member, Volunteer or a member of the public or that might reasonably be perceived by Staff, an Advisory Body Member or Volunteer as placing a condition of a sexual nature on employment or on any opportunity for training or promotion, and examples of sexual harassment may include but are not limited to:

- (a) unwelcome remarks, questions, jokes, innuendo or taunting, about a person's body or sex, including sexist comments or sexual invitations;
- (b) verbal abuse and threats of a sexual nature;
- (c) leering, staring or making sexual gestures;
- (d) display of pornographic or other sexual materials in the form of degrading pictures, graffiti, cartoons or sayings;
- (e) unwanted physical contact such as touching, patting, pinching, hugging;
- (f) intimidation, threat or actual physical assault of a sexual nature;
- (g) sexual advances with actual or implied work-related consequences;

"Spouse" means a person to whom the person is married or with whom the person is living in a marriage-like relationship, and includes a former spouse;

"Staff" means a Municipal Officer or employee, a contractor, consultant or other service provider;

"Volunteer" means a person serving the City who is not a Council Member, member of Staff or an Advisory Board Member;

"Workplace" includes, but is not limited to, work sites owned, operated or controlled by the City, including the municipal hall, operations centres, fire hall, parks locations and buildings, construction or maintenance sites, business related social functions, work locations away from the foregoing venues, work related conferences and training sessions, work related travel, telephone conversations, voice mail or electronic messaging.

Interpretation

2. In this Bylaw, a reference to the Mayor, a chair, or Staff includes, in the absence of the Mayor, chair or Staff member, a reference to the person appointed as deputy or appointed to act in the place of that person from time to time.
3. Without limitation, this Bylaw applies in respect of the Workplace and elsewhere, and without limitation applies to the use of social media by a Council Member.

PART 1 – CONDUCT OF ELECTED OFFICIALS

General Conduct

4. A Council Member shall not:
 - (a) contravene this Bylaw, as amended or replaced;
 - (b) contravene any other City bylaw or policy, as amended or replaced;
 - (c) breach their oath sworn upon taking office as a Council Member;
 - (d) contravene a law of British Columbia or Canada, including the *British Columbia Human Rights Code* or the *Freedom of Information and Protection of Privacy Act*;
 - (e) Bully or Harass another person;
 - (f) defame another person;
 - (g) abuse their office.
5. A Council Member shall treat other Council Members, Staff, Advisory Body Members, Volunteers, and the public with respect and dignity.
6. A Council Member shall align their conduct with the City's values of integrity, innovation, service, teamwork and community.

Interactions of Council Members with Staff, Volunteers and Advisory Body Members

7. A Council Member shall not issue instructions or directions to Staff regarding City Business except through the City Manager or the appropriate department manager.
8. Before, during or after a procurement process, a Council Member shall not issue instructions or directions to a contractor, tenderer, proponent, consultant or other service provider. Outside of a Council or committee meeting, a Council Member shall not communicate with a tenderer or proponent regarding the subject matter of the procurement.
9. A Council Member shall not interfere with, hinder or obstruct Staff, a Volunteer or an Advisory Board Member in the exercise or performance of their roles, responsibilities, powers, duties or functions.

10. If a Council Member has information about Staff, a Volunteer or an Advisory Board Member that the Council Member wishes to bring to the attention of the City for the purposes of a review or investigation into the conduct or an omission of the individual, the Council Member may only do so by delivering the information in writing to the City Manager. On receipt of such information, the City Manager shall conduct a review or investigation and address the matter in accordance with the City's employment agreements, bylaws and policies and with the applicable employment law or professional responsibility enactments.

Conduct at Council and Advisory Board Meetings

11. A Council Member must act with decorum at Council and Advisory Body meetings in accordance with the *Council Procedure By-law*, No. 15300, as amended or replaced from time to time.
12. Council Members shall make every effort to participate diligently in the activities of Council and Advisory Bodies or other bodies to which they are appointed by the City or by virtue of being an elected official, including intergovernmental meetings. To "participate diligently" means that a Council Member shall not be absent from meetings of Council or Advisory Body meetings, or from those of other bodies to which they are appointed by virtue of their status as a Council Member, without reasonable justification (such as illness of the Council Member, family circumstance, regional government business) for more than four consecutive scheduled meetings, for a period of 60 consecutive days, or on a regular basis.

Improper Use of Influence

13. A Council Member shall only use the influence of their office in the good faith exercise of their official duties.

Election Activities

14. A Council Member shall not participate in any civic events requiring them to perform official ceremonial duties between the last day of the nomination period and the voting day, as defined in the *Local Government Act*, unless authorized by a resolution of Council.
15. A Council Member shall comply with the *Local Government Act* and the *Local Elections Campaign Financing Act* when undertaking election campaign activities and fundraising.

16. A Council Member shall not use the City's employees, property or resources for election campaign or fundraising activities at any point during a term of office, unless those resources are similarly available to all candidates and the fees associated with the use of the employees, property or resources has been paid for with election campaign funds. Without limiting the generality of the foregoing, this prohibition applies to:
 - (a) data sets and Personal Information collected and maintained by the City;
 - (b) office space; and
 - (c) City websites or external websites paid for by the City.
17. A Council Member may include a link on his or her campaign website to the City's website or an external website paid for by the City.
18. During the Campaign Period, a Council Member shall not:
 - (a) deliver City funded newsletters or conduct open houses funded by the City;
 - (b) distribute mass e-mails from the Council Member's City e-mail address, unless the communication arises from an emergency and the communication is authorized by the City Manager;
 - (c) update websites that are either City hosted or paid for by the City;
 - (d) use social media and internet resources such as Twitter, Facebook or Instagram in the Council Member's personal name, unless those accounts include a disclaimer that they are not City-funded and do not reflect City policy; nor
 - (e) request that City employees work on an election campaign during hours in which the employee receives compensation from the City, unless the work both unavoidably overlaps with the regular duties of the employee and is minor and infrequent, such as coordinating campaign schedules with the Council Member's calendar or redirecting citizens with campaign questions to campaign staff.
19. Council Members and their staff may take unpaid leave from the Council Member's office to work on an election campaign.

Conflicts of Interest

20. A Council Member shall rigorously avoid situations which may result in claims of pecuniary interest, conflict of interest or bias.
21. A Council Member must disclose any conflict of interest in accordance with section 100 of the *Community Charter* and, if conflicted, must refrain from participating in a meeting in accordance with section 101 of the *Community Charter*.

22. In respect of each matter before Council, a Council Member shall:
- (a) assess whether they have a conflict of interest, if necessary, with the advice of the Commissioner; and
 - (b) determine whether it is necessary to seek independent legal advice, at their own cost except where the City Manager approves the cost if concerned about the validity of an affected bylaw or resolution, with respect to any situation which may result in a conflict of interest.
23. If a Council Member believes they may have or may reasonably be perceived to have a conflict of interest in respect of a matter in a Council or committee meeting, the Council Member shall:
- (a) notify the Mayor or the Chair of the meeting that the Council Member has a conflict of interest prior to the matter being considered, and the Council Member shall restate the conflict of interest each time the matter arises before Council;
 - (b) refrain from discussing the matter with any other Council Member publicly or privately; and
 - (c) leave the meeting room if the matter is discussed and not return until discussion has ended or voting on the matter has been concluded.

Conduct Respecting Lobbyists

24. Lobbying is a permitted but regulated activity in the City.
25. A Council Member shall follow the City's rules respecting Lobbying.
26. A Council Member shall report any such violation or attempted violation of the City's rules respecting Lobbying to the Municipal Official responsible for Lobbying or to the Commissioner, unless the Council Member believes in good faith that the violation or attempted violation was inadvertent or insignificant.

Outside Activities and Business Relations

27. A Council Member who engages in another profession, business or occupation concurrently with holding office shall not allow such outside employment to affect the Council Member's integrity, independence or competence. Without restricting the scope of this duty, the following shall be a contravention of this part of the Code of Conduct:
- (a) acting as an officer or director for a business that receives municipal funds in the form of grants or payments for goods or services;
 - (b) acting as an officer or director for a business that lobbies the City;

- (c) allowing the prospect of future employment by a person other than the City to affect the Council Member's performance of his or her duties to the City;
 - (d) borrowing money from any person who regularly does business with the City, unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union;
 - (e) acting as a paid agent before Council or an Advisory Body;
 - (f) receiving compensation for referrals to a specific business;
 - (g) receiving compensation that is dependent on the business being awarded a contract with the City;
 - (h) subject to sections 40 through 43, providing advice for remuneration to any person who is involved in litigation or lobbying against the City, unless the Council Member first gives written notice of the relationship to the Commissioner.
28. A Council Member may obtain advice from the Commissioner on whether a new profession, business or occupation is compatible with their obligations under section 27 of this Bylaw. Provided that the Council Member made full and frank disclosure to the Commissioner at the time they sought advice, the Commissioner's opinion shall be the final determination of whether a Council Member has contravened section 27 of this Bylaw.

Council Members' Use of Municipal Assets and Services

29. A Council Member shall not use, or permit the use of, City land, facilities, equipment, supplies, services, property, employees or other resources for activities other than City Business unless the use or the permission is on the same terms and conditions that the land, facilities, equipment, supplies, services, property, employees or other resources are available to the general public. Accordingly, a Council Member shall not obtain personal gain from the use or sale of City-developed intellectual property, including all discoveries, inventions, know-how, improvements, developments, processes, technology, compositions, designs, techniques, methods, industrial designs, compositions, prototypes, models, literary work, research, drawings, software and trade secrets whether or not capable of patent, industrial design, copyright or trademark protection, or any other type of protection. Council Members acknowledge and do not dispute that all such property that a Council Member may prepare, use or encounter while holding office will be and remains the City's exclusive property.
30. A Council Member shall not request Staff to undertake personal or private work on behalf of the Council Member, nor shall a Council Member accept such work from Staff.

Employment of Council Family Members

31. A Council Member shall not attempt to influence personnel decisions regarding the decision to hire, transfer, promote, demote, discipline, or terminate an Advisory Board Member, a Volunteer or Staff. This prohibition includes giving references to any person applying for a position at the City and forwarding copies of an applicant's resume to any person hiring for any position at the City.
32. A Council Member shall not attempt to obtain a benefit from the City for a Family Member.

Gifts

33. For the purpose of sections 33 through 39 of this Bylaw, a gift or benefit is an item or service of value that is received by a Council Member for their personal use, including, but is not limited to money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, participation in sport and recreation activities, and invitations to social functions.
34. A Council Member must comply with the restrictions on accepting gifts in section 105 of the *Community Charter* and must disclose any permitted gifts over \$250 in accordance with section 106 of the *Community Charter*.
35. A gift or benefit provided to a Council Member's Family Member or staff in relation to City Business is deemed to be a gift or benefit to that Council Member.
36. If a Council Member is required to disclose to a Municipal Officer the nature of the gift or benefit, the Council Member shall also include a description of its source, including if the gift is from a corporation, the full names and addresses of at least two individuals who are directors of the corporation; when it was received; and the circumstances under which it was given and accepted.
37. The Municipal Officer shall provide a copy of this disclosure under section 36 to the Commissioner.
38. On receiving the disclosure statement, the Commissioner shall examine it to ascertain whether the receipt of the gift or benefit might, in her or his opinion, create a conflict between a private interest and the public duty of the Council Member. If the Commissioner makes that preliminary determination, the Commissioner shall call upon the Council Member to justify the receipt of the gift or benefit.

39. If the Commissioner considers the receipt was in contravention of this Bylaw or the *Community Charter*, the Commissioner may direct the Council Member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or forfeit the gift.

Collection and Handling of Information

40. A Council Member shall not release any Confidential Information unless the Council member is specifically authorized to release it by:
- (a) a resolution of Council to use or release the Confidential Information, and then only to the extent of the Council authorization;
 - (b) authorized discussion of the Confidential Information at a meeting that is open to the public; or
 - (c) lawful authorization under separate legal authority.
41. A Council Member must not discuss or disclose Personal Information of others to any person, except in a manner that complies with the duty to protect Personal Information under the *Freedom of Information and Protection of Privacy Act*.
42. A Council Member shall take reasonable care to prevent unauthorized access to Confidential Information or Personal Information by unauthorized persons. If a Council Member learns of unauthorized access to Confidential Information or Personal Information, the Council Member shall report this information to the City Manager as soon as possible.
43. A Council Member shall comply with the directions of the Corporate Officer respecting the use of the City Record System.

Council Members' Use of Social Media

44. A Council Member shall not publish Confidential Information on social media, unless authorized in accordance with the provisions of section 40 of this Bylaw.
45. A Council Member shall not publish information or an opinion on social media about City Business, unless the publication republishes the information that has been released by the City without alteration or the opinion includes a statement to the effect that the "opinion expressed is my own and does not necessarily reflect the view or opinions of the City of Surrey or other members of Surrey Council".

46. Without limiting any other obligation imposed by this Bylaw, a Council member shall not use or allow the use of their social media account for purposes that include content that:
- (a) Bullies and Harasses another Council Member, an Advisory Board Member, a Volunteer, Staff or a member of the public;
 - (b) evidences bias or a reasonable apprehension of bias in relation to a matter that is the subject of a statutory or other public hearing;
 - (c) promotes or constitutes illegal activity;
 - (d) may compromise the safety or security of the public.
47. A Council Member shall take steps to remove from their social media account any publication by another person of content that violates this Bylaw.

Communication Protocol

48. Council may appoint the spokesperson on City Business. Once a spokesperson has been appointed, a Council Member that is not appointed as the spokesperson shall ensure that inquiries from the public and media on the City's position are directed to the spokesperson. A Council Member communicating their own opinion shall ensure that the communication clearly indicates that it is the Council Member's own position. Nothing in this section prevents Council from appointing multiple spokespersons or changing the appointed spokesperson. Where no spokesperson has been appointed, the Mayor shall act as the spokesperson.

Interactions with the Public and the Media

49. A Council Member shall accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council.
50. When discussing the fact that they did not support a decision, or voted against the decision, or that another Council Member did not support a decision or voted against a decision, a Council Member shall refrain from making disparaging comments about other Council Members or about Council's processes and decisions.
51. Nothing in this Bylaw is intended to affect rights under the *Charter of Rights and Freedoms*.

Orientation and Training Attendance

52. After first being elected, a Council Member shall attend all sessions of orientation training on City Business that are identified as mandatory by the Commissioner unless doing so is not practically possible.

53. A Council Member shall attend any sessions of training on City Business that are identified as mandatory by Council, the City Manager, the City Solicitor, the Corporate Officer or the Commissioner, unless doing so is not practically possible.

PART 2 – PROCESS FOR COMPLAINTS

Individual Steps to Resolution

54. If a Council Member, an Advisory Board Member or Staff considers that they have been subjected to a contravention of this Bylaw by a Council Member and if they are comfortable discussing the matter directly with the Council Member, they may inform the Council Member of the alleged contravention and request an apology and, if applicable, that the contravention cease immediately.
55. If the complainant is unable to discuss the matter directly with the Council Member, or if after discussion the contravention continues, the complainant may inform the City Manager of the allegation. The City Manager may then agree to act as an advisor to aid the complainant or appoint an advisor as the City Manager deems suitable.
56. The advisor acting under section 55 shall assist the complainant, including discussing the alleged contravention with the Council Member to resolve the complaint.
57. If the complainant is not satisfied with the outcome after the advisor has finished assisting the complainant under section 56, the complainant may proceed to Mutual Resolution by filing a written record of the allegation with the Commissioner within 10 days of being informed by the advisor of the outcome.
58. Nothing in this Bylaw precludes the complainant from making reasonable efforts in good faith to address the complaint internally and informally without resort to the Mutual Resolution or Formal Resolution procedures set out in this Bylaw.
59. Nothing in this Bylaw precludes the complainant from taking measures that the complainant is entitled to take under law, including but not limited to filing a human rights complaint, a grievance or other applicable process under a collective agreement, a complaint with WorkSafe BC, or other proceedings, as applicable.
60. Discussions regarding the complainant's concerns are confidential, advisory and informal in nature. The only exception to the Commissioner or an advisor maintaining confidentiality is if they deem the complaint to indicate a possible physical threat to any person. In that case, the advisor must immediately inform the City Solicitor of the complaint and inform the complainant of this requirement to do so. The City Solicitor must then promptly request the Commissioner to initiate an investigation and inform the complainant of this request and may take any additional steps deemed appropriate to deal with the possible physical threat.

Mutual Resolution

61. If the Individual Steps to Resolution process is unsuccessful in resolving the complaint, at the request of the complainant and with the agreement of the Council Member, a third party will be selected under section 62 to act as a mediator to assist the individuals in resolving the complaint through mediation. If the parties cannot agree to resolve the complaint through Mutual Resolution, then the complainant may elect to proceed to Formal Review.
62. The role of the mediator is to help the complainant and the Council Member come to an agreement, and not to advocate a position or impose a decision. The mediator will be selected by agreement of the complainant and the Council Member, with the Commissioner retaining the right to select a mediator if the complainant and the Council Member are unable to agree.
63. Both the complainant and the Council Member may be accompanied by a representative of their choice, including a lawyer or if the complainant is a member of a union, a union representative or a lawyer on behalf of the union, or both. If the complaint is resolved through Mutual Resolution, a written record of the complaint and the resolution will be given to the complainant, the Council Member and the Commissioner. If the mediator has recommendations for the City to consider, the mediator will forward these recommendations to the Commissioner and the City Solicitor. The resolution and recommendations must be kept in confidence by the Commissioner, City Solicitor and the parties, unless the parties agree in writing to disclose the information.
64. If Mutual Resolution is not successful in resolving the complaint, the complainant may pursue other options by confirming in writing his or her election to the Commissioner within ten working days of receiving the mediator's report.

Other Processes

65. Failing Mutual Resolution, a breach of this Bylaw can be determined for the purposes of proceeding with a Council measure under section 74 by way of:
 - (a) an admission by the Council Member;
 - (b) an agreement with the Council Member;
 - (c) a report from a standing or select committee invested with investigation powers under section 134 of the *Community Charter*;
 - (d) a Formal Review.

Complaints

66. Any person who has witnessed or experienced conduct by a Council Member which they believe to be in contravention of this Bylaw, or another City policy governing conduct of a Council Member may submit a complaint to the Commissioner in accordance with sections 68 and 69 of this Bylaw.
67. If a Designated Management Employee, as defined in the City's Respectful Workplace Policy, receives a complaint under the Respectful Workplace Policy, the Designated Management Employee may elect to refer the complaint to the Commissioner for resolution pursuant to this Bylaw.

Formal Review

68. After the invocation of the procedures under sections 54 through 63 of this Bylaw, the complainant may elect to proceed with a formal complaint, which must be delivered in writing to the Commissioner in accordance with sections 64 and 69 of this Bylaw. This written complaint shall contain the particulars of the complaint, including the dates on which the conduct that is the subject of the complaint occurred.
69. The complainant must deliver the written complaint within six months of the date of the alleged contravention of this Bylaw, unless the parties have agreed in writing to postpone this deadline in order to pursue another resolution process.
70. Upon receipt of the written complaint, the Commissioner shall:
 - (a) take whatever steps the Commissioner considers reasonable with the complainant and the Council Member to resolve the matter informally under sections 54 through 63 within ten working days, if they have not already done so; or
 - (b) confirm in writing to the complainant and the Council Member that the City Manager or other advisor has terminated attempts to resolve the matter informally; and then
 - (c) begin an investigation within ten working days of the request being filed.
71. In keeping with the principles of procedural fairness, the Commissioner shall:
 - (a) confirm receipt of the written complaint to the complainant;
 - (b) notify the Council Member of the allegation, provide the Council Member with a copy of this Bylaw and advise the complainant of this notification;
 - (c) receive information from any witnesses who the Commissioner believes may have information relevant to the complaint, and this information may be received through written documentation, interviews, or informal hearings;

- (d) keep both the complainant and the Council Member aware of any allegations made against them and ensure that they are given a reasonable opportunity to respond; and
 - (e) inform the complainant and the Council Member that they may be accompanied by a representative, including a lawyer, of their choice during the Formal Review process, including the closed meeting described in sections 84 and 85 of this Bylaw.
- 72. If the Council Member fails to respond, the Mayor at the request of the Commissioner may compel witnesses under section 134 of the *Community Charter*.
- 73. The Commissioner shall ensure all details, dates, conversations and meetings are documented. These working records created by the Commissioner are confidential. Once the investigation has been completed, the Commissioner shall prepare a written report and provide a copy of the report to the City Manager and Council. The report must, at a minimum, contain a description of the allegations, a summary of the evidence of the parties and the witnesses, and a determination of whether a contravention occurred. The report may also provide recommendations with respect to the potential outcome.

Council Determination of Measures

- 74. Council shall decide on the appropriate measures, if any, are warranted by a contravention of this Bylaw and shall take such action as Council considers appropriate in the circumstances, after:
 - (a) reviewing the report of the Commissioner;
 - (b) considering the factors described in section 75 and the measures enumerated in section 76; and
 - (c) conducting a closed meeting in accordance with the process described in sections 84 and 85 of this Bylaw.
- 75. In determining the appropriate measure, Council shall consider the following factors:
 - (a) the degree and nature of the conduct;
 - (b) whether the contravention was a single or repeated act;
 - (c) whether the Council Member was told that the conduct was unwelcome or offensive, and nonetheless continued the conduct;
 - (d) the nature of the work relationship of the complainant and the respondent, and whether the Council Member was in a position of authority over the complainant, such that the degree and nature of the conduct was thereby exacerbated by an abuse of power;

- (e) the impact of the contravention on the complainant;
 - (f) the Council Member's acknowledgment of wrongdoing; and
 - (g) the Council Member's history of other contraventions.
76. Council may impose the following measures after considering the factors described in section 75, including, but not limited to:
- (a) an apology from the Council Member in substantially the form set out in Schedule B;
 - (b) removal of the Council Member from appointments such as chairperson, committees, commissions or Advisory Boards;
 - (c) motion of censure;
 - (d) mandatory training on City Business, the *Community Charter*, or this Bylaw;
 - (e) referral to a prosecutor or police;
 - (f) any other action recommended by the Commissioner; and
 - (g) any other measure permitted by the *Community Charter*, the *Local Government Act*, the *Local Elections Campaign Financing Act* and the *Charter of Rights and Freedoms*.
77. The Council decision under section 74 will be in writing and provided to the complainant and Council Member within ten working days of the closed meeting conducted in accordance with sections 84 and 85 of this Bylaw.

Staff Responsibilities in the Complaint Process

78. If the Commissioner concludes that a contravention has occurred, the City Manager shall consider reasonable action to protect the complainant from any subsequent action or reprisal. The City Manager shall also consider reasonable action to protect the rights of the subject Council Member and to see that no reprisal takes place beyond the measure determined by Council.
79. If the Commissioner finds that the original complaint was initiated in bad faith, with willful misconduct or intent to harm, where the complainant is a Council Member, Council may consider appropriate measures in respect of the complainant and where the complainant is Staff, the City Manager may consider appropriate measures in respect of the complainant.

80. A copy of the Commissioner's report and the Council decision will be retained in a confidential file maintained by the City Manager, except when all or part of the decision is disclosed to the public in accordance with the *Freedom of Information and Protection of Privacy Act*.
81. The Commissioner may proceed with a Formal Review even if the complainant withdraws the complaint.
82. If approved by Council, the City Manager shall consider implementing administrative changes to City policies or procedures recommended by the Commissioner's report.

Fairness Procedures Applicable to Council Determination of Measures

83. Sections 84 and 85 only apply if the complaint is not resolved under sections 54 through 63 of this Bylaw and if Council is considering measures under section 74.
84. The Mayor, or the Corporate Officer if the Mayor is alleged to have contravened this Bylaw, will notify the affected Council Member in writing that Council will be considering their conduct at a closed meeting. The notice and form of resolution where a breach is believed to have been proved are set out in Schedule A. The notice must be delivered at least seven business days in advance of the closed meeting at which Council will consider the measure, if any, that it will impose in accordance with section 74 of this Bylaw. The Corporate Officer will ensure that the matter is placed on the agenda of the closed meeting. At the closed meeting, the affected Council Member may be represented by legal counsel, which may be reimbursed in accordance with section 89 of this Bylaw.
85. The process at the closed meeting may vary depending on the situation, but the following elements will be incorporated:
 - (a) Council will read the Commissioner's determination of whether a contravention of this Bylaw occurred;
 - (b) the affected Council Member will be provided with reasonable notice in accordance with section 71(b) and given the opportunity to make submissions to Council, with legal counsel if the Council Member desires, which submissions, without limitation, may include explanations for the impugned behavior or suggestions on the measures that Council might impose as a result of the conduct;
 - (c) after the affected Council Member has made the submissions to Council, the Council Member will leave the meeting room and those Council Members without a conflict of interest will consider the measures, if any, to impose in accordance with section 76 of this Bylaw; and
 - (d) written notice of the decision will be given in accordance with section 77 of this Bylaw.

Mandatory Training

86. If the Commissioner recommends mandatory training for a Council Member, and if Council resolves to accept the recommendation pursuant to section 76(d) of this Bylaw, then the Council Member shall attend the training.

Obstruction

87. It is a contravention of this Bylaw to obstruct the Commissioner in the carrying out of their responsibilities, as for example, by the destruction of documents or the erasing of electronic communications relevant to a complaint.

Legal Fees

88. If a member of Staff is a complainant under this Bylaw, the City Manager may authorize the member of Staff to be reimbursed for legal fees reasonably incurred if the complaint was meritorious and a written request for reimbursement is filed with the City Manager within three months of any final disposition of a complaint under this Bylaw.
89. The City will pay the reasonably incurred legal fees of a Council Member who is subject to a complaint under this Bylaw, provided that:
- (a) the Commissioner ultimately does not determine that the Council Member acted with dishonesty, gross negligence, or malicious or willful misconduct; or
 - (b) in any event, if Council so resolves after considering all the circumstances.

General

90. The Corporate Officer will cause
- (a) this Bylaw to be visible and accessible on the City's website, and
 - (b) electronic copies of this Bylaw to be made available to all Staff and Council Members in easily accessible locations, including the City's intranet.
91. If any portion of this Bylaw is inconsistent with a binding collective agreement with the City or federal or provincial legislation, that portion and only that portion of this Bylaw will have no application to the extent of that inconsistency and all other portions of the Bylaw will continue in full force and effect.

Citation

92. This Bylaw may be cited as the "Council Code of Conduct Bylaw, 2020, No. 20020".

PASSED FIRST READING on the 6th day of April, 2020.

PASSED SECOND READING on the 6th day of April, 2020.

PASSED THIRD READING, as amended, on the 20th day of April, 2020.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 4th day of May, 2020.

_____MAYOR

_____CLERK

SCHEDULE A

NOTICE TO COUNCIL MEMBER OF COUNCIL CONSIDERATION OF BREACH OF THE COUNCIL MEMBER CONDUCT BYLAW

CONFIDENTIAL

Date

Dear *[Insert Name of Subject Council Member]*,

Please be advised that the City of Surrey Ethics Commissioner (the "Commissioner") believes that you may have breached **COUNCIL CODE OF CONDUCT BYLAW, 2020, NO. 20020**. I am placing this matter on the agenda of the Council closed meeting to be held on *[Insert date - must be at least seven business days from date this is delivered to member]*.

The reason for the meeting is to consider the Commissioner's report and recommendations, and to consider a resolution in relation to this breach.

Enclosed is a copy of the Resolution that will be considered at the meeting for discussion, debate and a vote. Note that one of the possible ultimate outcomes of the process described in the Resolution is that Council may be considering imposing sanctions flowing from the breach, including removing you from your appointment to committees or other appointments, censuring you, requiring an apology, requiring training, referral to a prosecutor or police, seeking damages, releasing a public statement, or following any other recommendation of the Ethics Commissioner.

I wish to expressly notify you that you may retain legal counsel to represent your interests in this matter. Prior to Council voting at the in-camera meeting to determine which sanction they wish to invoke, if any, you will be provided with the opportunity to address Council regarding the contents of the draft form of resolution and any other documents that Council may have before it.

Following any submissions, you (or your legal counsel) make at the in camera meeting, Council will retreat and consider this matter. We will attempt to decide what measure or measures (if any) are appropriate under the bylaw.

Regarding any Council decisions, we will provide you with written reasons for our decision(s).

Sincerely,

(Mayor)

Encls

SCHEDULE A (Continued)
RESOLUTION (IN CAMERA)

CONFIDENTIAL

Whereas Council has concluded that [*Insert name*] has breached **COUNCIL CODE CONDUCT BYLAW, 2020, NO. 20020**, by [INSERT];

And Whereas [*Insert name*] has been afforded procedural fairness with respect to Council's consideration of this matter, and in particular [*Insert name*] was notified at least seven business days in advance:

- (a) that Council would be considering the matter of the breach of and was given a copy of this draft Resolution and any documents that may be considered by Council, including the report and recommendations of the City of Surrey Ethics Commissioner;
- (b) that Council may consider, subject to continuing procedural fairness, sanctions including an in-camera motion of censure, removal from any appointment to committee or external entity, referral to law enforcement or a prosecutor, seeking damages, reduction or elimination of remuneration, or public notification of any sanctions;

Whereas [*Insert name*] was expressly informed of their right to retain legal counsel and for their legal counsel to be present at the Council meeting in which this Resolution would be discussed and voted on;

Whereas [*Insert Name*] was given the opportunity to personally, or via their legal counsel, make submissions to the rest of Council regarding their conduct in this matter;

Whereas Council has considered the submissions made by [*Insert Name*] and/or their legal counsel;

Whereas Council has attempted to reach a consensus as to the appropriate measures;

Whereas Council has provided united or separate written reasons so that [*Insert name*] understands the basis for the decision to address the concern that [*Insert name*] is alleged to have breached the bylaw;

Be it Resolved as follows:

1. That Council shall address what it has concluded to be a breach of **COUNCIL CODE OF CONDUCT BYLAW, 2020, NO. 20020**, by way of (as applicable):
 - (a) A motion of censure;
 - (b) Removal from [*insert name*] committee or [*Insert outside appointment*];

- (c) Revocation of appointment to [insert external agency or entity];
 - (d) Referral to a crown prosecutor;
 - (e) Public notification of sanctions;
 - (f) Seeking damages;
 - (g) Referral to police for an investigation under the Criminal Code or [*Insert provincial statute*];
 - (h) Mandatory training;
 - (i) Requirement for apology.
2. That Council will consider pursuing all legal options available with respect to any potential future breaches of the bylaw on the part of [*Insert name*];
3. That the Corporate Officer be directed to publish a media release containing the information concerning this matter that may be released in keeping with the City's obligations pursuant to the *Freedom of Information and Protection of Privacy Act*, substantially with the content of the following: [*Insert wording*].

SCHEDULE B

[DATE]

PERSONAL AND CONFIDENTIAL

[Name of Recipient]

[Title]

City of Surrey

[Address]

[City, Province Postal Code]

Dear [title] [last name]:

Re: Apology [subject]

As you know, on [date], I *[Briefly set out the nature of the offending conduct. It is recommended you provide dates, times and a description of the conduct at issue as you understand it]*.

On [date], you confronted me about my behaviour/conduct and expressed *[describe briefly the conduct complained of and how it affected the offended person]*.

I acknowledge that my conduct / actions made you feel *[describe how it affected the offended person]* and I admit that my *[actions / conduct]* were *[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.]*.

Having reflected on *[your complaint / our conversation/ the decision of Council]*, I take full responsibility for my *[actions / conduct]* and wish to apologize for the harm that I have caused you. My behaviour was not in keeping with the key principles of our Council's Code of Conduct. In particular, I acknowledge that my conduct was in violation of *[identify the section(s) of the Code of Conduct breached]*.

(ALTERNATIVELY, IF HELD BY COUNCIL TO HAVE BEEN A VIOLATION OF THE CODE OF CONDUCT REPLACE WITH THE BELOW:

In light of Council having concluded that my conduct constituted a violation of the City's Council Code of Conduct, I acknowledge that my conduct / actions made you feel *[describe how it affected the offended person]* and I admit that my *[actions / conduct]* were *[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.]*)

Going forward, I commit to being more careful in my [**words / actions**] and to making better efforts to respect and abide by my obligations set out in the Code of Conduct.

Please accept my heartfelt apology.

Sincerely,

[**name**]

[**title**]

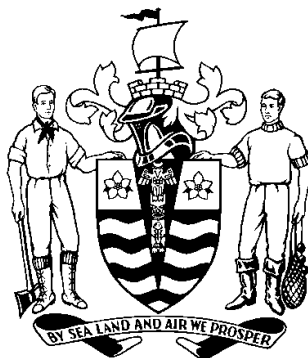
For Your Information: British Columbia's **Apology Act** provides that an "apology" made by or on behalf of a person in connection with any matter does not constitute an express or implied admission or acknowledgement of fault or liability.

"Apology" is defined as "an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault."

The Act further provides that an apology does not void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be available to the person in connection with the matter.

Evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any court as evidence of the fault or liability of the person in connection with that matter and must not be taken into account in any determination of fault or liability.

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

Code of Conduct - Next Steps

Governance Committee

October 4, 2023

Drafting Provisions

- Format of the Code
- Value Statements
- Standards of Conduct
- Scope of Application
- Resolution Process
 - Complaints
 - Adjudication of Complaints
 - Tiered Approach
 - Remedies & Sanctions
 - Confidentiality and Release of Findings
- Reimbursement of Legal Expenses
- Additional Options

Format of the Code

Bylaw	Policy
Sidney	Esquimalt
Nanaimo	Langford
Surrey	Saanich
Vancouver	Comox Valley RD

Recommendation • Code of conduct be in the form of a bylaw

Value Statements

The *Principles for Codes of Conduct Regulation* sets out foundational principles that must be considered when establishing standards of conduct:

- members must carry out their duties with integrity
- members are accountable for the decisions that they make, and the actions that they take in the course of their duties
- members must be respectful of others
- members must demonstrate leadership and collaboration

Standards of Conduct

Examples:

- Compliance with applicable laws
 - Interactions with staff
 - Respect for procedural requirements
 - Communication and advocacy
 - Use of social media
 - Collection and handling of confidential information
 - Conflict of interest
 - Receipt of Gifts
 - Use of public resources
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- Code should not overlap with existing policies or deal with any conduct that is criminal in nature

Scope of Application

Who will the code apply to?

The CRD has a governance system that includes the three CRD Boards; standing, select and advisory committees; and over 78 committees and commissions.

Recommendation

- Board Directors, Alternate Directors, and elected members of CRD Committees and Commissions
- Does not generally apply to conduct in an elected member's personal life
- Does not apply to staff

Resolution Process

Complaints – common provisions

- Made in confidence and kept confidential
- Must allege conduct that is a breach of the code
- May have a limitation date
- Can include a blackout period during elections
- Submitted to whom? Can be CAO, CO or third party

Recommendation

- Code includes a clear process for filing complaints

Resolution Process

Adjudication of Complaints

- Should not involve staff beyond the early stages
- Third-party adjudicator will reduce any perception of bias
- Integrity/Ethic Commissioner can play a proactive role in educating members on the code and assist in more timely resolution of complaints, but may increase costs

Recommendation

- Code should allow complaints to be referred to a third-party investigator
- Do not recommend appointment of a standing Integrity Commissioner
- Board may pre-approve a list of qualified adjudicators who may be engaged on an *ad hoc* basis

Resolution Process

Tiered Approach

- Preliminary screening will ensure resources are not wasted on complaints that are vexatious, insignificant, or without merit
- Informal resolution allows the parties to come to a mutual resolution without a formal investigation and report
- Formal resolution would include a full investigation and written investigation report with findings and potential recommendations on appropriate sanctions

Recommendation

- Code should have a preliminary screening mechanism, an informal and a formal resolution process

Resolution Process Remedies and Sanctions

- The code may include a list of options
- Sanctions must be proportionate to the nature and degree of a breach
- May be recommended by the adjudicator but imposed by resolution of the Board
- Legal limitations to what may be imposed

Recommendation

- Code should allow for the imposition of remedies and sanctions

Resolution Process

Confidentiality and Release of Findings

- Ensure confidentiality during investigation
- The report on findings of an investigation should be received *in camera*
- Provision to release report on findings, subject to *FOIPPA*

Recommendation

- Code should include guidelines for confidentiality in investigations and provide for the public release of reports

Reimbursement of Legal Expenses

- Reimbursement can be a discretionary decision of the Board
- Can apply a cap on the amount that is reimbursable
- Can be made to apply only when an alleged breach is unsubstantiated
- Indemnity under the *LGA* or bylaw does not apply

Recommendation

- Code should provide for the discretionary reimbursement of legal expenses

Additional Options

- No obstruction or reprisal clause
- Blackout periods for receipt of complaints or release of reports during election periods
- Inclusion of a template apology letter
- Requirement for a signed statement of commitment
- Prescribe an oath of office consistent with the code provisions
- Others?