



Regional Board Report

Request for Decision

To: Regional Board
From: Corporate Officer
Date: April 20, 2023
Subject: Board Procedure Amendment Bylaw No. 1524

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

Purpose: To consider first, second and third reading and adoption of an amendment to the Board Procedure Bylaw.

Executive Summary:

At the November 24, 2022, Regular meeting, the Board approved their 2023 Regular meeting schedule with changes to the schedule of regular meetings. This requires a change to the Board Procedure bylaw to reflect that Regular Board meetings are held the first Thursday at 8:30 a.m. and the third Thursday at 6:00 p.m. of each month.

Since Board Procedure Bylaw No.1501 was adopted by the Board on February 17, 2022, staff have been tracking certain sections of the bylaw for review, including areas where the addition of language and/or new criteria will provide greater clarity in practice. The change in regular meetings, and the proposed amendments for clarification, have been incorporated into the amending bylaw for reading consideration. Should the board wish to request further amendments an additional (alternate) recommendation is provided.

Recommendation #1: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

THAT the Regional Board give first, second and third readings to Board Procedure Amendment Bylaw No. 1524.

Recommendation #2: *All Directors – Unweighted Corporate Vote – 2/3 Majority (LGA s.228)*

THAT the Regional Board adopt Board Procedure Amendment Bylaw No. 1524.

Respectfully submitted by: Caitlyn Anderson, Legislative Assistant

Approved by:

A handwritten signature in dark ink, appearing to read "Karen Needham", is written over a light blue horizontal line.

Karen Needham, BA, MPA
Corporate Officer

Attachment(s): 1. Board Procedure Bylaw No. 1501
 2. Board Procedure Bylaw – red lined
 3. Board Procedure Amendment Bylaw No. 1524
 4. Delegation / Presentations Policy
 5. PowerPoint Presentation

Strategic Plan Alignment:

Values: Good Governance, Transparency

Background:

As a foundation for good governance, a procedure bylaw is a legislatively required policy tool for all regional district Board's and municipal Council's in B.C. The meeting procedures that are established in each bylaw are unique to each local government to reflect local practices and preferences. The bylaw is intended to set expectations for participation, and provide consistency, transparency, and accountability in the processes of public decision-making.

In 2022, the Regional Board adopted the current Board Procedures Bylaw No.1501 following legislative changes regarding electronic participation and electronic meetings. A full review of board procedures was undertaken to consider not only the amendments related to regular meetings, electronic meetings, and electronic participation, but also to ensure alignment with current and best procedure bylaw practices.

Discussion:

The primary purpose for the amendment to the procedure bylaw is to align the meeting days and time to reflect the approved meeting schedule. Since the introduction of the bylaw in 2022, staff have been tracking other potential amendments to better align with preferences and practices. The following are the key policy considerations introduced in the proposed amendment bylaw:

I. Part 3 Meetings

Regular Meetings

The time and location sections were updated to include regular meetings held on the first Thursday of the month at 8:30 a.m. and the third Thursday of the month at 6:00 p.m., with notice of regular meetings provided through the annual schedule.

Attendance of public at meetings

Aligned with delegation policy to clarify that when public input is invited on an item by 2/3 majority of Board/Committee five (5) minutes will be allocated to each speaker.

Electronic access to public meetings (new heading)

To confirm the livestream and recording of Board regular, standing and select committee meetings, while acknowledging there may be technology limitations for electronic access from time to time.

II. Part 5 Meeting Procedures

Order of Business

Under order of business, some headings were removed and re-named to reflect new practices.

Committee and New Business

The heading was renamed to add committee business which will include reports from committees.

Adjourn

Removed the requirement for a motion to adjourn so the Chair may end the meeting without a motion; and extended the need for a resolution from three to 'four (4)' hours, to reflect the 6pm start time.

Notice of Motion

Language has been updated to include ease and clarity for how to bring a notice of motion to a meeting.

III. Part 6 Keeping Order

Attendance (new heading)

To confirm the need for a leave of absence as required under the *Local Government Act* and the process for a board resolution.

IV. Part 7 Committees and Commissions

Committee of the Whole (COTW)

Committee of the Whole has been re-written to include membership and voting during a committee of the whole.

Establishment and Duties of Committees

Language has been updated to include how members are appointed and how terms of reference are approved. Also, clarified the name of advisory committees to be 'community advisory committee' as they are intended to be comprised of members of the public. These committees are a form of community engagement.

Conclusion:

The proposed changes to the procedure bylaw reflect the new meeting schedule as approved by the Board, along with areas identified by staff for clarity and to meet current practice.

It is recommended that should the Board support the amending bylaw as presented but wishes to make other changes or have further discussion on the procedure bylaw, that readings and adoption of the amending bylaw be considered, followed by further direction to staff as provided below in the Additional (Alternate) Recommendation.

Considerations:

Legal/Statutory Authority:

Local Government Act

- s. 225(1) [Procedure bylaws] – requires the board establish general meeting procedures by bylaw
- s.225(2) [Procedure bylaws] – requires notice be provided to members of the Board at least 5 days before the meeting
- s.221 [Electronic meetings and participation by members] provides authority for Board members to participate and conduct meetings electronically

Regional District Electronic Meetings Regulation B.C. Reg. 271/2005

- requires that the Board policy discussion and direction must be made through a procedures bylaw to permit electronic participation and electronic meetings

Additional (Alternate) Recommendation:

AND FURTHER THAT the Regional Board request staff report back to a future Committee of the Whole meeting with options for further amendments to Board.Procedure Bylaw No 1501 for discussion.

Considerations not applicable:

- Financial
- Organizational/External

Approved for Agenda**Brian Reardon, CAO**