

District of Sechelt Governance Audit April-June 2024

©George B Cuff & Associates Ltd.

*This information has been provided subject to the
federal Copyright Act and in Accordance with the
Provincial Freedom of Information and Protection of
Privacy Act.*

Private & Confidential

June 25th 2024

Mayor John Henderson & Councillors

District of Sechelt

P.O. Box 129, 5797 Cowrie Street

Sechelt, BC V0N 3A0

Dear Mayor Henderson & Councillors:

We are pleased to provide our Report on the Governance Audit as requested by the Council of the District. Our work has encompassed the time period of February 26th -June 25th 2024. This Governance Audit has focused on the terms of reference and also on those issues which came to our attention during the course of our involvement with the District.

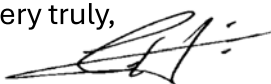
We are appreciative of the assistance so capably provided by your Director of Corporate & Community Services and Executive Assistant. Their work in tracking documents as requested and establishing the interviews has been of considerable benefit in ensuring a solid understanding of the issues and background.

This Audit has been quite extensive and has resulted in a number of recommendations for Council to consider. These are largely interdependent and thus should be reviewed in their totality.

As usual, our Report reflects a comprehensive summary of what we saw as the challenges and the way forward. It is our hope that this Report will be adopted by Council and implemented with a commitment to move past the obstacles and onto a better course. Without that desire by all members of Council and agreement to support by management, the District will not likely make substantive changes until possibly after the next election (October 2026).

Thank you for inviting our firm to provide an experienced and independent voice on these matters.

Yours very truly,



George B Cuff, FCMC, President

1.0 The Request

We were initially contacted by the Director of Corporate and Community Services of the District of Sechelt on February 2nd, 2024, with regard to our interest in providing some assistance to the Council and management. In our response of February 8th, 2024, we indicated our readiness to do so while forwarding an outline of what we term a “Governance Audit”.

1.1 The Background

The Governance Audit was described as:

“a streamlined mechanism of ensuring a reasonably in-depth understanding of your issues and a time-sensitive manner of providing Council with a high-level set of recommendations on how to improve/correct the system. These recommendations will be addressed to the key issues which we discern and will be pointed at accomplishing results.

1.2 Terms of Reference

Our emailed letter outlined the approach as follows:

“The Audit would include: a written survey of all participants; review of key documents (which I will request, and you will provide); in-person or virtual (if necessary) interviews; and a follow-up and comprehensive written report of all the key findings and recommendations as expeditiously as possible but not such that we would limit the effectiveness of the Audit.

The terms of reference for this Governance Audit include:

- ❑ *Review and assess the District’s current governance model including its strengths/weaknesses*
- ❑ *Assess the understanding of the Mayor of his roles and responsibilities and what changes if any would improve his leadership of this Council*
- ❑ *Assess the understanding of the Councillors of their roles and responsibilities and what changes if any would improve their leadership of this community*
- ❑ *Review the relationship to and confidence in the senior management team including the CAO*

- ❑ *Assess the relationships and confidence within the senior management team to themselves and to their CAO*
- ❑ *Examine the interface between the Council and its CAO (and other members of the management team) in terms of how decisions are recommended, developed, implemented and communicated across the organization and Council*
- ❑ *Identify key areas of concern between the Council and management*
- ❑ *Review the basis of any interpersonal issues within the Council and/or any concerns with its leadership*
- ❑ *Ensure that the decision-making processes utilized by the Council are based on a solid process, principles and clear policies*
- ❑ *Identify any other issue(s) which may be impacting the ability of this Council to make clear-headed decisions and to provide quality leadership”.*

2.0 Our Methodology

On February 24th, 2024, we forwarded a Request for Documentation” which included a list of background materials which we feel are helpful to our understanding of the circumstances which might impact our assessment. Some of those materials were sent but we had difficulty opening those at our end due to their encryption. Those materials were then re-sent to us on March 10th 2024. We then jockeyed back and forth relative to available dates and settled on April 15-16th as the timing of Council and management in-person interviews. Over the next several days (March 11th-15th) the staff of the District made arrangements for the consultant to fly to Sechelt to commence the interview phase. These would then be used to supplement the surveys which had been previously sent to Council and management and returned. We were also asked to re-state the terms of reference and approach for the Mayor to review which we did (March 14th 2024) as follows:

In order to accomplish our task, we:

- *Requested various documents which we expected would provide at least a reasonable slice of the background*
- *Sent out a confidential survey to all members of Council*

- *Sent out a somewhat different survey to all members of senior management*
- *Developed an “interview guide” for both Council members and senior management*
- *Conducted in person, onsite interviews*
- *Checked and verified key elements of the issues that I was made aware of*
- *Began developing a Report on the key issues; responded to various questions during the report writing phase*
- *Conducted a follow-up interview with the Mayor and CAO*
- *Set a date for a meeting with Council and CAO*
- *Finalized and submitted the Report; agreed to a meeting with the public”.*

The surveys were sent to Council and management and returned (25/03/24-09/04/24). These were designed so as to probe the background to our Audit and determine where Council members felt that there were either weaknesses or areas wherein change should be considered.

The interviews were scheduled for Sechelt on April 15th (management) and April 16th (Council). These were conducted in the District Office by the principal consultant.

3.0 Summary Comments

The District requested this independent assessment because it recognized that changes had to be made if it was to govern and manage effectively. This is a positive; without such recognition, the problems and issues will simply become more manifest over the time which remains until the next election.

The challenge is two-fold: it requires the recognition of the problems which have faced the District Council since the outset of its term, and which have become more entrenched with time; and it necessitates a commitment to change in approach by both the elected body (Council) and senior management (including the CAO) as well as a sincere effort to overcome the hurdles created through misunderstood roles and Mayoral authority.

Some of the changes will require acceptance by both sides of the Council table that without focus on what can be done to move the needle relative to interpersonal relationships, much

of what has the potential to improve relationships and governance processes. In particular, is unlikely to happen.

The changes we note herein require sincere commitment by the Mayor and CAO (and not a reliance on the other party) or this Audit and assistance will go unheeded. The apex of municipal leadership rests on the shoulders of these principal positions/people: the Mayor (from a legislative perspective) and the CAO (from an administrative perspective). Our observations and recommendations will only have real meaning and bring about desired change if neither looks to the other but at themselves and addresses the question, “what am I prepared to do to change my approach in order to benefit the District?”

We also observe that the relationships and expectations within Council are unsettled and that this has also contributed to the overall current dysfunction. Each member of Council needs to be an active and willing participant in the governance of the District. Having one member opt out of meaningful discussions or consistently voting in opposition to almost every motion of any significance, reduces the capacity of the Council for useful change. If that does not or cannot change, the rest of Council will need to simply accept that the internal status quo will prevail and that their energies are best utilized externally.

4.0 The Legislative Umbrella & Its Impact

The BC Community Charter outlines the legislative background to local government and its purposes. These sections are very important as they attempt to provide the appropriate context to the “business” that a local government is in and the purposes for which municipalities have been created.

As well, some sections are more applicable to what we have observed in the District and which we will discuss in this Report. These include the following:

Principles of municipal governance

1 (1) Municipalities and their councils are recognized as an order of government within their jurisdiction that

(a) is democratically elected, autonomous, responsible and accountable,

(b) is established and continued by the will of the residents of their communities, and

(c) provides for the municipal purposes of their communities.

(2) In relation to subsection (1), the Provincial government recognizes that municipalities require

(a) adequate powers and discretion to address existing and future community needs,

(b) authority to determine the public interest of their communities, within a legislative framework that supports balance and certainty in relation to the differing interests of their communities,

(c) the ability to draw on financial and other resources that are adequate to support community needs,

(d) authority to determine the levels of municipal expenditures and taxation that are appropriate for their purposes, and

(e) authority to provide effective management and delivery of services in a manner that is responsive to community needs.

Municipalities and their councils

6 *(1) A municipality is a corporation of the residents of its area.*

(2) The governing body of a municipality is its council.

Municipal purposes

7 *The purposes of a municipality include*

(a) providing for good government of its community,

(b) providing for services, laws and other matters for community benefit,

(c) providing for stewardship of the public assets of its community, and

(d) fostering the economic, social and environmental well-being of its community.

Fundamental powers

8 *(1) A municipality has the capacity, rights, powers and privileges of a natural person of full capacity.*

(2) A municipality may provide any service that the council considers necessary or desirable and may do this directly or through another public authority or another person or organization.

Council as governing body

114 *(1) The members of a municipal council are the mayor and the councillors.*

(2) Despite a change in its membership, the council of a municipality is a continuing body and may complete any proceedings started but not completed before the change.

(3) The powers, duties and functions of a municipality are to be exercised and performed by its council, except as otherwise provided under this or another Act, and a council, in exercising or performing its powers, duties and functions, is acting as the governing body of the municipality.

(4) A council has all necessary power to do anything incidental or conducive to the exercise or performance of any power, duty or function conferred on a council or municipality by this or any other enactment.

Responsibilities of council members

115 *Every council member has the following responsibilities:*

- (a) to consider the well-being and interests of the municipality and its community;*
- (b) to contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;*
- (c) to participate in council meetings, committee meetings and meetings of other bodies to which the member is appointed;*
- (d) to carry out other duties assigned by the council;*
- (e) to carry out other duties assigned under this or any other Act.*

This District like all other municipalities is guided by Provincially mandated legislation.

Summary of Legislation

While it is somewhat foolhardy to try to distill legislation, which has been carefully crafted over time, the following is intended to re-state the obvious:

1. Municipalities (local governments) are an order of government (in British Columbia) which have been granted certain powers to properly govern their communities and all who reside therein.
2. Municipalities have (or should have) access to the fiscal resources necessary to deliver services. This obviously requires that the District budget carefully for those services which it has determined to offer and which the community supports.
3. The elected Council is THE governing body in a municipality. This responsibility is that of the elected body as a whole and its authority to approve policies and programs is to be considered sacrosanct by those elected to govern.
4. There are certain prescribed purposes of a municipality; these are to be fulfilled. Without delivering on these purposes, not much good would happen in a municipality.
5. The Council has the clout and authority to do what the legislation says that it can. Anything beyond these powers is likely in the bailiwick of the regional district, provincial or federal governments.
6. Individual Councillors have certain obligations which are generally exercised through the powers of a Council.
7. Even the Mayor who has marginally more power must exercise their powers through the Council (i.e., this is not intended as single person rule). The Mayor has, like other members of Council, one vote but also has the power of leadership which if utilized effectively can enable the Mayor to accomplish a lot on behalf of the community. The key to this is the requirement of the Mayor and his colleagues to achieve success as a unit and not as individuals.

5.0 Key Roles

"I have heard citizens attribute the power and prosperity of their country to a multitude of reasons, but they all placed the advantages of local institutions in the foremost rank."

(Alexis de Tocqueville, Democracy in America, 1904)

5.1 Roles of the Mayor

As a portion of our work for the District, we committed to a seminar on "governance/management principles/practices". During the course of our seminar, we focused on the key elements of good governance and the importance of a quality relationship with management. We also described the components of various key roles, such as Mayor, Council, CAO, senior management. We outlined the formal, legislated descriptors in the Community Charter s.115, 116, 147. The legislated roles of the Mayor are cited as follows in the BC Community Charter.

Responsibilities of mayor

"116 (1)*The mayor is the head and chief executive officer of the municipality.*

(2)In addition to the mayor's responsibilities as a member of council, the mayor has the following responsibilities:

(a)to provide leadership to the council, including by recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;

(b)to communicate information to the council;

(c)to preside at council meetings when in attendance;

(d)to provide, on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;

(e)to establish standing committees in accordance with section 141;

(f)to suspend municipal officers and employees in accordance with section 151;

(g)to reflect the will of council and to carry out other duties on behalf of the council;

(h)to carry out other duties assigned under this or any other Act.

In addition to these formal, legislated duties, in our seminar we described some of the generally accepted roles and responsibilities of a Mayor based on our extensive work with other municipalities across Canada, including here in BC. These are as follows:

- **Community Leader**
 - *Senior elected leader of the community & lead spokesperson on community issues*
 - *Reflects the Mayor's position as being "one of"*
 - *Advocates public concerns; conduit for citizens*
- **Linkage Externally**
 - *Represents the Council & community externally*
 - *Speaks for Council in any speeches or articles to the community*
- **Relationships**
 - *Linkage for Council to the community & the organization*
 - *Monitors relationships within Council; addresses any angst*
 - *Expected to be a consensus/bridge builder*
 - *Will need to hear and respect all voices; needs to be fair to all*
 - *Listens to colleagues but still has own opinion*
- **Leader and Chair of Council**
 - *Identifies possible changes and decisions which may positively impact the District*
 - *Advocate of Council's agenda; leads; supports good ideas*
 - *Chair of Council meetings*
- **Liaison to Management**
 - *Key liaison to the CAO*
 - *Acts as a bridge between Council & management*
- **Information Conduit**
 - *Keeps Council informed*
 - *Acts as principal contact with other levels of government*
- **Support and Adherence to Legislation & Bylaws**

- *Aware of what the Charter says and ensures that it is followed by Council*
- *Respects the intent of Council-approved bylaws*
- **Ceremonial**
 - *Performs ceremonial functions in the District & externally.*

The following statements add some “colour commentary” to these roles:

- **Community Leader**

It is or should be clear that the Mayor is viewed as the leader of the community and of its Council. This role appears in every incorporated municipality in the Province and has as its counterpart, the chair of a Regional District Board. This is an important role as the person chosen through election by the community as Mayor is to represent what is best about the District and to serve as the main spokesperson for the Council. Partly that occurs through chairing Council meetings and partly through being visible in the community speaking to various groups and appearing at major social functions.

- **Leader & Chair of Council**

The Mayor speaks not as an individual but as **the lead spokesperson for the Council** and its decisions. **The Mayor is not expected to speak his (in this case) views** as to what he thinks of the decisions made by Council, but rather, what was endorsed by a motion of Council. In doing so, the Mayor is expected to **endorse Council’s approved position** on any topic and not his own, unless that is consistent with the Council-approved motion. If the Mayor cannot support the approved position of his colleagues, he should request that any official commentary on the topic be assigned to another member of Council who was in the majority (preferably the Deputy Mayor).

The Mayor is empowered to lead through recommending that action be taken to address the issues confronting the District; encouraging Councillors to approve recommendations and resolutions which address these issues; and by placing the focus of Council on matters which may impact the peace, order and good government of the District.

- **Relationship Monitor & Builder**

The Mayor is expected to **seek to build bridges on Council** and attempt to get all onto the same page. In some instances, his advice in support of this or that position will be persuasive

and “win the day” and in other instances, the opinions of a majority on Council prevails. In either instance, it is intended that once a decision has been made by Council that the **Mayor will speak the Council position**, making no reference to any opinion contrary to that which has been endorsed.

The Mayor has not been voted in as the only voice on Council. Residents are aware that when they vote for individuals to serve on Council that they are choosing a “team” of quality people who they expect will find ways to collaborate for the good of the District. This will not happen in a “one man band”.

Further, the Mayor has an implied responsibility as the leader of Council to **continually monitor relationships between members of Council and speak to individual Councillors** who appear to be experiencing some degree of angst in their relations to one or more of their colleagues. While this has generally been viewed as a role for the Mayor, it is also one which can be assumed by another member of Council, perhaps the Deputy Mayor, particularly where the Mayor is the principal source of relationship angst. Someone has to pay attention to what is happening within Council in terms of the interpersonal relationships which are critical to ongoing harmony (this is not to be mistaken for unanimity on voting which we have argued against); a Councillor should always vote their conscience and not fall into the trap of trying to be like everyone else. The community elected individuals, not slates.

- ***Liaison to Management***

The Mayor also has a **particular role vis-à-vis the chief administrative officer (CAO)**. The Mayor and CAO are heads of the legislative and administrative sides of the municipality respectively and are **expected to work together** for the good of the community. While they ought not to be encouraged to become friends, they should, out of respect for their roles and each other, be friendly or at least respectful.

As Council’s main spokesperson and leader, the Mayor is **expected to be a liaison between Council and the administration through the position of the CAO**. This relationship is built from day one following an election and is expected to persist throughout the term. (The exception would be where Council as a whole has lost faith in its CAO and takes a stance

that the CAO must be replaced). Without evidence to the contrary, the **Mayor presumes the support of Council in its CAO and undertakes to make that relationship as fruitful as possible.**

- ***Linkage Externally***

The Mayor also has a **broad “outward facing” role** in terms of not only being visible in the community but also acting as the **Council’s primary link to other jurisdictions** (i.e., the Sunshine Coast Regional District and the Province of BC). Such relationships are critical as there is often a number of issues which either or both jurisdictions will be engaged in which they would **expect to hear the official position of the District**. We highlight these words given that neither jurisdiction is looking for the counsel or positions taken by the Mayor. That is simply not how this or any democracy works.

Again, this distinction can make it difficult for the Mayor in that his own views may run counter to those of his Council. In that and in any such instance, **the views of the Council are what other jurisdictions expect to hear and which the Mayor should be obligated to communicate.**

This is one of the reasons why we strongly advocate for **a minimum of two members** of Council visiting a Cabinet Minister’s office in Victoria. Each keeps the other accountable and when a report is made to the rest of Council, there is verification available. We note that the Mayor should **also be accompanied by the CAO** on any such ventures as the CAO is often the one who will ensure that any commitments on either side of the table are heeded and will be able to advise the Mayor and Councillor relative to the background to the issue(s).

- ***Information Conduit***

Whereas the Mayor may expect that he should have unfettered access to pertinent Council and public-related information, Council also anticipates that the Mayor will immediately upon access to such information (i.e., that which pertains to the business of the District), **also pass along this to his colleagues on Council and to the CAO** so as to ensure that all are always in the loop. There is nothing in the legislation which would give rise to the Mayor expecting to be the only person holding onto fresh information which no one else on Council

has seen. Such thinking will very quickly create an unfair playing field in a “business” where knowledge equates to power.

- ***Support and Adherence to Legislation***

The Mayor is the head of the legislative branch of the District and as such needs to be aware of what the current legislation says and the impact of its words. While the Mayor may disagree with particular aspects of the Charter, the Mayor cannot defy it and lead his Council astray. He needs to **heed what it says** and remind his colleagues to do the same.

- ***Ceremonial Functions***

There will be occasions wherein the Mayor is asked and/or expected to be present at various events to “carry the District colours”. By being present, the Mayor adds to the importance of an event whether it is a special anniversary or a birthday of some significance or an official opening or the beginning of a sports weekend or the annual parade. While it may seem of little consequence to any Mayor, events of this nature are very important to the planner(s) and/or the recipient and often to the community as a whole.

- ***An Important Voice***

Within Canada’s system of local government, the Mayor is primarily required to act as one member of a Council made up (in this instance) of seven members elected from the community. All seven members are expected to be in the decision-making process and to voice their own views and vote their own conscience. At the same time, deference is shown to the Mayor as the public’s chief elected official. **The Mayor’s role in the community is both broad and impactful.** It is viewed by most as the leadership position which has the clout to make things happen.

In effect, the Mayor is to lead, communicate to residents and businesses and ensure that their voices are being heard, liaise with the CAO, speak on behalf of Council with other levels of Government, act in a ceremonial role when called upon and be the team leader of this Council. These are significant roles which offer the Mayor considerable opportunities in terms of impacting how this District functions and is perceived.

According to s.116 (b) the Mayor is required to **communicate with the Council** on those matters which the Mayor becomes aware of through correspondence, conversations, texts/emails, calls and briefings by the CAO.

Is the Mayor entitled to sit on such information? No. There is nothing in legislation which would imply that it is up to the Mayor when information is released to his colleagues. This is the type of issue which Council should address by way of a **protocol**.

The Mayor is also expected to chair Council meetings, which might seem straight-forward but can be very difficult. The Mayor has to ensure that he seeks the input of all members while also ensuring that the public also hears his voice (**see our comments, recommendations on meeting procedures**). While being able to successfully guide a Council or committee meeting is important, it is our opinion that the Mayor is evaluated more on the ability to represent the public than it is on the capability of managing a meeting.

The Mayor's expectation to offer ongoing advice and input to the CAO and senior officers rests in s.116 (d) *"general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council"*. Here, the Mayor is entitled to offer **counsel to the District's senior officers in concert with what his colleagues have decided at a Council meeting**. This does not afford the Mayor much latitude in sharing their own bias or preferred solutions. Where the Mayor sees senior management acting contrary to Council's directions, he could have the offending person suspended while awaiting a review by Council. This would only occur in a significant breach as it would likely sever the relationship with that employee(s) in short order. In most circumstances of this sort, the Mayor would wisely be seeking to advise the CAO without reference to any stronger alternatives.

The other issue which this confronts is the fact that the District has hired a CAO in whom it vests the authority to manage the administration within the policies and priorities of Council. This delegation of responsibilities and authority would put the Mayor and CAO on a collision course if this relationship was not appropriately understood. The Mayor is entitled to provide his insights to the CAO based on an understanding of what his Council has approved in policy, bylaw or resolution. **The Mayor does not have the authority to countermand a**

decision of Council nor an approved decision, including the budget (operational and capital).

The Mayor also has the authority to establish standing committees where that seems appropriate or necessitated. We will reference this mandate later in our Report.

5.2 Importance of Tone at the Top

Obviously, the Mayor drives a lot of the “tone” at the top by his comments and attendance at various public events. He initiated his term with an opening speech in which he expressed his view that his Council was unlikely to be united although he conveyed “and I think that is a good thing”. It appears that his expectation of not being united was accurate but whether or not that has been a “good thing” is more open to debate.

A healthy relationship, built on trust and mutual respect, is critical to the ability of the District to function effectively. Where such confidence exists, Councillors:

- feel assured that their leadership is respected;
- are assured that advice which they receive, from the CAO, will be sound;
- are confident that decisions made will be discharged effectively/expeditiously; and
- will be inclined to support their CAO’s judgments and will be reluctant to interfere.

When that was covered in the seminar, we had less than an optimum view of how this tone is actually set in Sechelt. That impression has been substantiated through our surveys and interviews. Council appears so focused on its own internal warfare that the tone being set is one of discord and therefore not focused on quality decision-making. The collective energies are not merged on how best to deliver first rate services to the community but, rather, how best to mitigate the potential for disruption within Council and between Council and its management.

5.3 Roles of a Council

Council has the over-arching authority of community governance. As a body, it is empowered by legislation to make decisions for the community on the basis of what it sees as being in “the public interest”. While Council can delegate certain of its powers, it still understands where accountability lies.

Council approves all bylaws; it approves all governance policies; it approves the operating and capital budget. These are substantial and are generally based on a Council which cherishes its roles as decision-maker, community representative and “servant to all”. They understand that their election to this office gives them a certain degree of clout and thus they try to utilize that wisely and sparingly.

5.3.1 The legislated roles of a Council are articulated as follows:

A Council is expected to represent the community and speak to issues which would best serve their longer-term interests. This mandate is reflected in the following section of the Community Charter (s.115):

115 Every council member has the following responsibilities:

(a) to consider the well-being and interests of the municipality and its community;

While it may be difficult to always recognize that the issues under discussion will impact the community in some way, it is important that this Council place the best interests of the community ahead of any other consideration. This necessitates the Council taking a broad view of the District and asking themselves the question “how will our proposed decision positively impact those we are expected to represent?”

(b) to contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;

While the CAO is generally responsible for recommending policies and programs to Council, it is up to the elected officials to determine what is in the best interests of its residents and what can be realistically incorporated into the municipal budget. The second aspect of this requirement is to evaluate the present policies and programs to ensure that they are still relevant and that they are providing the results which the Council initially intended.

(c) to participate in council meetings, committee meetings and meetings of other bodies to which the member is appointed;

All members of Council are entitled to participate equally at all regular meetings of Council. This does not mean that each needs to speak as frequently as their colleagues but, rather, that each recognizes that they could if they so desired. Further, this sub-section of the Act

indicates that each member is “expected” to participate in meetings which, in our view, requires that each be reasonably prepared to take part.

This requires reading the background materials provided to Council by the CAO and SMT (senior management team) as well as asking questions of the CAO (or, through the CAO to the department heads) where there are unresolved issues which may not have been clear in the background materials. In some instances, the member of Council may see the need to drive by the site mentioned in a report (e.g. a troublesome intersection or poor stretch of road) in order to see firsthand what the issue is about. While this can be appropriate from time to time, a member of Council should be clear that their motivation should be to become familiar with the site in question and not to give any staff direction. The latter is a designated responsibility of the CAO (and as delegated).

5.3.2 Generic Roles of Council

In addition to the foregoing and based on extensive experience with municipalities of all shapes and sizes in BC and further afield in Canada, the following generic roles also help to describe what it is that a member of Council does (we note that these also apply to the Mayor).

➤ Respect the legislation

Council members need to be made aware of those sections which are particularly applicable to their roles and others which will arise from time to time as circumstances determine. This does not mean that a Councillor needs to be an expert in such matters; the District has quality legislative staff to handle much of this work. Being aware of the rules and abiding by them can sometimes pose difficulties and so it is wise for members of Council to understand their parameters.

➤ Represent the public (the whole community)

Regardless of who a Council member thinks has voted for them; they will never know for certain. What they should understand is that every citizen and every business have a right of representation. They expect their Councillor, their Mayor to be their advocate in good times and in times of crisis, real or imagined.

➤ Establish the vision for the future of the municipality

Council members are expected to enter office with some sense of what needs to be done next and what major challenges the community needs to tackle. This requires that Council engage in some process of priority setting which is focused on the “big picture” projects and programs that Council feels are important to be tackled during their term of office. Identifying such priorities also requires the input of senior management and preferably the public.

- **Assess current policies guiding current vision; adjust policies to fit Council’s vision/priorities/campaigns; set new policies on key issues**

Every Council inherits all of the legislation of the municipality as established by their predecessors and which has yet to be changed. Some will find that not much has happened in this regard leaving fertile ground for those interested in the development of new policy. Others will realize that one of their motivations for running was the lack of sound policy.

- **Resolve local issues; arbitrate**

Council members are often unaware that one of their roles is that of arbitrator and/or mediator. Issues are presented to Council and an answer is needed. Without the wisdom of Solomon, a Councillor is expected to weigh the arguments, determine what is right, examine any relevant precedents, assess any budget impacts and inevitably, decide.

- **Assess budget proposals; weigh options & potential impact on the District**

On an annual basis, the CAO and management will come before Council with both an operating and a capital budget. They will outline what process has been followed to date; what major changes have had to be made; and what the fiscal impact is expected to be if Council accepts what is currently being presented.

- **Determine best governance approach; assess ABCs; review value added**

Every Council needs to assess the current approach to decision-making and whether that seems to fit the style and expectations of this Council. Are we all on the same page; do we have access to the appropriate background information? Are there any options and if so, are these clear? What boards and committees has Council been asked to approve and have these been useful in the past?

- **Guide, encourage, listen to, assess the CAO**

Members of Council have one principal employee, the Chief Administrative Officer. This person has a very significant role and a lot of demands on their time. In making a choice to hire the right CAO, the proper approach needs to be determined; the contract and position description circulated and approved; expected accomplishments should be identified; the relationship will need to be monitored and managed; and the person appropriately compensated.

➤ **Maintain a healthy tax base while providing for a sustainable future**

While members of Council might be very ambitious and want to accomplish a lot in their term of office, they will face the reality that there is only so much unused room in the budget and only so much capacity in the taxpayers' wallets. This necessitates that Council diligently seek to attract solid businesses to the community which fit their aspirations and requirements.

➤ **Preserve the safety and security of the residents and local businesses**

Finally, every Council needs to protect its citizenry. While this might sound "ho-hum", recent events on both sides of the Canada-US border would suggest otherwise. Proper local laws need to be set; bylaw enforcement needs to be acquired and guided.

While the foregoing responsibilities are seldom referenced by a Council, they are fundamental to what each one does. In stating these purposes and the legislative backdrop, there are **some obvious conclusions to be drawn for the District of Sechelt:**

- The governing body is the Council and it is elected to deliver on its mandate.
- A Council is both elected and continued in order to do the will of the residents.
- Its purpose is to deliver on the will of its residents as is understood by those elected to govern.
- The Council is expected to be responsive to community needs.
- The Council needs access to sufficient resources to deliver on its purposes.
- The resources necessary will largely be gained through local taxation.
- Its services are to be to the benefit of the community; its assets are to be properly stewarded; its economic, social and environmental well-being is to be fostered.

The legislation is also clear as to who holds ultimate authority for ensuring good government of the municipality. This is covered in various places in the Charter but particularly in s.114 which states that Council is the governing body and that “(3) The powers, duties and functions of a municipality are to be exercised and performed by its council”.

5.4 General Summary

The **roles of a member of Council are significant and frequently challenging**. All are based on the presumption and requirement that members of Council **adhere to the legislation (the Community Charter)**. While respecting the legislation, a Councillor is also expected to act as the **representatives of all members of the community** (i.e., residents, businesses, governmental, not-for-profit, etc.). Decisions are expected to follow what a Councillor believes to be in the best interests of the foregoing and not as a reflection of personal interests.

A Councillor will need to be a **party to the development of a statement of community priorities (generally known as the Strategic Plan)** and will seek to find ways to incorporate citizens’ views into the making of such a Plan. The Plan should be a very significant guiding document of future development, current business, green spaces, economic development, etc.

A Councillor also has an obligation to take possession of **current Council policies** and then to ensure that those which have been inherited from prior Councils in fact **reflect the views of this Council**. We have found that this seldom happens until one of those policies is held up as why a certain action has occurred, or a particular decision has been made by management. Given that every election produces a “new” Council, it is incumbent on Council to review all governance policies and ask themselves the question “are these ours?” As well, and one of the more troubling aspects of such a role, a Councillor is expected to **hear competing points of view on any number of issues, plans and projects and assess what, in their view, constitutes the will of the majority** (while keeping the wishes of a minority also in mind). Such considerations also show up in a review of policies, plans and programs, all of which can and will impact the annual budget, which a Councillor is expected to consider on an annual basis.

The key for a Councillor is the question: **do I feel like I have been afforded access to all the relevant information at the same time as my colleagues; and do I believe that sufficient time has been set aside to enable Council to discuss and debate the underlying issues.**

This is not a question of the Mayor or a Councillor pushing their weight around and expecting everyone on Council to obediently follow their direction. Democracy is best served by a full Council which hears contrary views from within (and sometimes from without) and then debates the question of “which resolution will I support?”

These roles are central to how well this District will function and, to a certain extent, how involved its Council is in providing some of its key functions such as asking quality governance questions and ensuring that oversight is being provided in an ongoing manner. Much of this is or should be centred in the capacity of a Council to carefully review what is being recommended through reports to Council rather than being afraid to question for fear of sounding poorly informed or being viewed as less than supportive of the value of senior administrators. Such questions are always in order **providing that they are asked in a spirit of honest inquiry and not a hoped for “gotcha”**. The latter or, worse yet, the intent to embarrass or draw the quality and qualifications of the CAO or SMT into question should be immediately arrested/challenged by the rest of Council. In many ways, the Mayor is or should be, the person who Council can turn to as the champion of fairness in such instances (more on this later).

5.5 Roles of Councillors

In addition to what has been described in the prior section as roles of the Council, the ongoing responsibilities of a Councillor need to be clearly understood as these supplement that which has been articulated above.

Councillors are expected to:

- **Represent the views of the public as well as a Councillor is able to discern**

Every Councillor at each Council meeting is expected to share their views on where the public (who they have heard from) will be on a certain agenda matter. Their audience may not replicate that of other Councillors although in many instances, it will. This does not afford a Councillor the luxury of sitting and saying nothing, fully intending to vote against the

resolution. That is a very self-serving behaviour and will do little to help the rest of Council understand what a Councillor thinks is “off” about the recommended action.

- **Work collegially with other elected officials in seeking the best for this District**

Councillors are expected to set aside any hint of personal animosity or divergence of opinion and seek ways to collaborate on helping to move the District forward. This is a maturity test for many as they focus too closely on the person who they deem as offensive rather than the issue at hand. Issues in the best interests of the District are resolved when Councillors understand that they are to meld their personal views with those of others.

- **Collaborate on the key priorities; determine “where to from here?”**

Seldom will anything of value get done without the combined efforts of all members of Council. This necessitates a determined effort by all to move past any minor points of disagreement and seek consensus wherever it may be found.

- **Prepare for all meetings; read; get the questions ready**

This is a prime example of an “all hands-on deck” philosophy. Councillors need to be prepared which means taking the time to read the background reports, formulate their questions, and be ready for when the topic is introduced at Council meetings. This sentiment also applies to committee and/or board meetings where much of the heavy lifting is regularly done.

- **Seek to find consensus where that is possible; but not to the extent of sacrificing personal views**

There is an appeal to consensus building where that is possible, however, in striving to find consensus, a Councillor should not abandon their strongly held views as to why a certain course of action is better than another. Each Councillor should always be encouraged to speak their minds on every topic and ensure that seeking consensus does not mean setting aside good insights that would have otherwise been ignored.

- **Represent Council to other groups and organizations**

Every Councillor will, at one point in time or another or throughout their term, have the opportunity to represent Council to other organizations. In some instances, that will take the form of attending a special event or, in a majority of instances, the Councillor will be

appointed to one or more of the boards and committees as a Council liaison. In that role, a Councillor will need to remain a liaison only and not become the advocate for any ABC (agency, board, committee). What this requires, of course, is to be empathetic to the direction of the ABC, and not to be purposely undermining or always acting in a contrary spirit.

- **Monitor progress on Council's goals and priorities**

A Councillor has the authority to inquire of management as to what progress has been made on specific goals/priorities which Council identified/approved during the strategic planning exercise. This should generally be done in the context of a Council or committee meeting but may happen through an email which is shared with their colleagues. A wise and proactive administration will seek opportunities to outline progress on key, strategic issues.

- **Seek the best interests for the majority while not leaving the minority voices behind**

Every vote on every initiative before Council should be those which strive to reflect the best interests of the community as a whole. In saying this, Council members should be mindful of those whose views may not be reflected in the decision. Being "mindful" does not, however, mean that the Councillor should vote against a Council resolution in order to support a position or a group whose arguments have been heard by Council but found wanting.

- **Expect and/or seek information from the CAO (and department heads)**

One of the responsibilities of a CAO is to provide all of Council with clear, comprehensive information on matters of interest to Council which pertain to business items on the agenda. Questions by a Councillor on an emerging report or the implementation of a policy should be directed to the CAO and copied to all members of Council. Similarly, all of Council should immediately and concurrently be apprised of the response(s).

- **Keep confidential items confidential; respect the need for transparency**

While most of what a Council does is expected to be conducted in public, there are issues which fall within FOI legislation, and which permit a Council to discuss such issues in camera. If a motion of Council is made and carried to proceed with an issue in private,

whatever is discussed there is to be kept confidential until such time as there is a motion of Council to bring the matter into a public meeting.

5.6 Summary

Council as a whole is expected to lead; to be the ears, eyes and voice of those it represents; to resolve troublesome issues and pass judgment; to provide fiduciary leadership; to act as a steward of public resources.

A Council needs to be in the business of establishing clear policies which direct the efforts of their administration and which, in turn, depend on the advice and input of the CAO. Finally, inherent in “good governance” is the implied responsibility to monitor progress and report on results.

Nothing from a policy perspective happens without Councillors being engaged in the process. Such policies are or should be fundamental to how this District is governed.

6.0 The Importance of Good Governance

6.1 Definition

‘Governance’ is what a Council is elected to do, while ‘administration’ is what the management and staff are appointed to do. Governance for municipal government purposes is defined as:

The process of exercising corporate leadership:

- *by the governing body*
- *on behalf of its members (the citizens)*
- *to the community and organization as a whole*
- *in terms of purpose, control and future;*
- *while providing oversight to ensure that the mandate of the municipality is achieved.*

6.2 Principles

Based on our extensive experience with local governments across Canada, we see the following as essential characteristics of “good governance”:

- 1) Clarity of mandate and authority

- 2) Effective orientation
- 3) Clear decision-making (governance) processes
- 4) Full disclosure by CAO/administration to Council
- 5) Independence of the governing body
- 6) Primacy of the council table
- 7) Intentional leadership on the key issues
- 8) Open to the public (transparency)
- 9) Apolitical administration
- 10) Oversight to policy decisions
- 11) Stakeholder (citizen) values and concerns
- 12) Effective advocacy to other levels of government and to neighbouring municipalities
- 13) Ongoing and effective fiduciary monitoring
- 14) Continual reporting on results; accountability
- 15) Succession planning.

Good governance principles are universal and from those we discern a series of criteria on which we are able to determine whether the District is high functioning and where there may be room for improvement. These identifiers can be broken down into several themes, ranging from the leadership provided by elected officials to the way in which services are provided to those who require them.

Such criteria would include:

- Does the District have a useful model of decision-making which ensures that its decisions are thoughtful, comprehensive and sensitive to this community?
- Does the District have access to the relevant information needed upon which to base its decisions?
- Does the CAO provide Council with a quality summary document which identifies the issue, its implications, the potential advantages/disadvantages of each option, and a clear recommendation from management made clear by “signing off” by the CAO?

- Is the Council as a whole encouraged to debate the key issues and to hear the opinions of each other before rendering a decision?
- Has the Council been able to ask questions of its management, through the CAO, which are designed to get a better handle on the essence of the advantages and disadvantages of the recommended resolution?
- Has the public been asked for their input where the issue is significant in its potential impact on this community?
- Does the Council feel encouraged to debate the issues and to listen carefully to what each member wishes to contribute?
- Once a decision has been made, is the CAO clear in terms of what action he is expected to take to get the decision in progress?

6.3 Role Clarity

“Management is doing things right; leadership is doing the right things.” – Peter Drucker

“A Council can do everything efficiently including its planning and handling of meetings, policy development, public communication strategies, economic development plans, etc. and still not receive community support. That comes from the heart and will be expressed when people see how much you care for them”. (Cuff, 2017)

Of all the issues which this firm has been asked to assess, review, arbitrate and speak to, none has been more prevalent than these two simple yet profound words, “role clarity”. This lies at the core of a multitude of internal difficulties and handicaps Councils across Canada in being able to deliver upon their mandate in a responsible fashion. The main source of such difficulty appears to be the considerable, pervasive lack of understanding by Council members as to what specific roles are both legislated and those which mature judgment will advise that a Councillor is expected to do.

None of these challenges for a Council is more important than that which confronts a Mayor. The Mayor is expected to lead yet act as “one of”. The Mayor has a vote and yet it is no more meaningful than that which is possessed by his colleagues. And unfortunately, some of the inherent difficulty lies in the legislation itself wherein it speaks to a Mayor as the “chief

executive officer” which has one connotation in the private sector and quite another in the world of local government. The role in a local government context requires oversight and feedback, not daily direction.

There are certain keys to ensuring that Council’s involvement with management is appropriate:

- Ensure that direct contact is limited to the CAO and direct reports; clarify what is appropriate to be communicated at the direct report level; Identify the protocols at the outset so that each member of Council is clear as to who they are entitled to speak to on any Council-related topic
- Refrain from any form of supervision/guidance on site; if a Council member wants to stop by, drop off the donuts and carry on!
- Stay out of the weeds; expect advice on the key policy issues and not on the adminstrivia which curtails quality leadership
- Treat/respect the staff as your key advisors; these folks are essential to the performance of a Council
- Understand the impact of your words; choose them carefully.

Our assessment of the District is drawn from our significant degree of related work with other municipalities and our general knowledge of local government. We are also aware of much of the related literature which speaks to Council’s governance (some of which has been authored by this consultant). On this basis, we contrast what we find in this community and organization largely in those areas relating to good governance and effective management. It is anticipated that every new Council would receive a full description of the key roles (Council, Mayor, Councillor, CAO) and would be expected to understand the basics and their application. As stated earlier, the roles are an amalgam of that which has been legislated and that which might be described as generic (i.e., not contrary to legislation but expanded upon as a result of the combined experiences of others in similar roles across Canada).

Whenever Council meets in Chambers, is it contributing to the development of policies and the review of programs? Has it been asked to consider new policies on a regular basis since the prior election or has Council simply assumed that all is well with the current governance

policies and structure? Did anyone on the current Council run in this past election because they were hearing dissatisfaction with one or more Council directions and if so, did anyone ask if those were based on what will be a current policy? Have there been any changes in what programs the District offers over the past few years and if so, in what areas and were those changes evaluated?

While most services are historical (i.e., these are being provided as a result of a prior Council's decisions or as a result of Provincial or Federal requirements), each Council is accorded the latitude to make decisions on the extent of such services and the resources being expended on their delivery. In some instances, a community will offer services which might be unique to that municipality. In others, all services may be generic and applicable across the region. In some municipalities, all services are offered utilizing the public sector; in others, a mix of private-public services are offered.

These questions are “governance” questions because they are directed towards the fundamental requirements of a Council (i.e., are central to role clarity). They have far less to do with how are these policies operationalized or programs funded and much more to do with “what” policies do we have and do they generate the need for policy and program review? This should be viewed as the mandate of a Council. Rather than having an appetite to catch an administrator doing something not approved by Council, there ought to be a curiosity within Council as to whether or not a policy is adhering to the legislation.

The main question which this speaks to is one of: if we as a Council are not concerned about governance/policy issues and more involved in operational matters, who is keeping an eye on what a Council is legislated to do?

6.3.1 Roles Impact Leadership

Council members are expected to be community leaders. They are to see beyond the day-to-day life of the community and speak to what they see as the vision for the future. The Mayor, in particular, is to act as the spokesperson for the community and provide clarity to Council's efforts to plan and build a better tomorrow. In this instance, the Mayor has to be a contributor of ideas and the quarterback of whatever priorities Council agrees as “theirs”. Leadership for the community is the combined task of the full Council. No one on Council

can take a day off of this mandate or presume that leadership falls to the Mayor so “let’s wait to see what he does”.

Council members are called upon to serve their communities by making good governance decisions based on **first rate management advice and public input**. They are expected to be the arbiters of decisions impacting the lives of their citizens as they apply to a wide range of issues impacting taxation, service delivery, infrastructure, preventive services (fire, police, bylaw enforcement, emergency services), recreation and community services, planning and development, economic development, etc.

The decisions of a Council are viewed as impacting the community at large and therefore those choices are expected to be of benefit to the greatest number (i.e., the majority as perceived by the Council), even if those choices can be unpopular at the time.

The Mayor and Councillors are also, through their bylaws and policies, expected to lead based on what they see as the best course of action for their citizens, organizations, and businesses. This requires that each member of Council understands what “governance” means and how good governance principles should impact the decision-making.

Further, and obviously of considerable relevance here, Council members are to understand that they have been elected to govern and not hired to manage. Focusing on the “what” we were elected to accomplish as opposed to “how” management implements our decisions will pay great dividends.

6.4 Governance Model

Role clarity is also greatly impacted by Council’s governance model. The model speaks to the issue of decision-making and needs to be guided by what Council believes is the best model for ensuring that its decisions are founded on quality judgment and accepted governance principles.

A “governance model” speaks to decision making. It describes the processes utilized by the Council to ensure that the appropriate choices are being made; the best budget has been approved based on what needs to be done and what resources are available; that the decisions delegated to management are left in their hands through the development of solid guiding policies.

How a Council governs and makes decisions is generally described by what is known as its **“governance model”**. This terminology refers to the process utilized by both Council and management in making sure that Council has access to quality information, public comment, advice from a related ABC (committee) and whether or not Council affords itself time to pause and reflect. The Model speaks to whether or not Council utilizes a series of standing committees or only one; a series of external ABCs or few; and/or an internal process which allows Council to take a step back when a major decision is being contemplated.

The over-arching principle of how local governments function is a proper understanding of “good governance”. How does a local government assess whether or not it is functioning as it ought? What principles should be on display if the Council and its management are to be said to be acting in a reasonable manner?

6.4.1 Impacts of a Governance Model

The following is our list of the characteristics of what is referred to as “good governance” based on our experience in local government:

1) Clarity of mandate and authority (Roles)

- a) Is there a clear understanding of what the legislation says the District is to deliver and what the Council and management therefore must do to ensure that these things occur?
- b) Are Council and management acting within the parameters set by the law?
- c) Does our Governance Model ensure respect for these distinct roles?

2) Effective orientation

- a) Was this new Council (every Council is new as a consequence of the most recent election) properly oriented to its roles, duties and obligations?
- b) Do Councillors understand what is required versus what might be permissible?
- c) Did the primary roles receive sufficient attention (i.e., Mayor, Councillor, Council, CAO)? Does everyone understand our Model?

3) Clear decision-making (governance) processes

- a) Has this Council been made aware of how decisions evolve and are eventually decided? Has the Model been properly explained?

- b) Is Council able to discern the roles of the CAO and the senior managers who report to the CAO?
- c) Is the Council clear that it is to receive advice and then act as the conscience of the community in carrying out its decision-making functions?

4) Full disclosure by CAO/administration to Council

- a) Is the CAO committed to ensuring that this Council receives the information it needs to make a clear decision to guide the delivery of services or the handling of a community issue?
- b) Has the relevant information been made available to this Council in a timely manner?

5) Independence of the governing body

- a) Do the community and the administration respect the fact that this Council acts as it should not as it is told?
- b) Do Councillors understand that the decisions Council makes are the ones rightly ascribed to this Council and not to any other body? Does our Governance Model support the independence of our Council?

6) Primacy of the Council table

- a) Are Council's decisions made at the Council table?
- b) Are they unfettered by any advice received or any discussion held in advance?

7) Intentional leadership on the key issues

- a) Is Council made aware of the key issues in the community domain which require the guidance and decision-making of the governing body?
- b) Has this Council communicated its principal priorities for the year and/or term?

8) Open to the public

- a) Are all Council and committee meetings (except as may be restricted by law) open to the public?
- b) Is the public made aware of the time and place of a Council meeting?
- c) Is the public aware of how it can have an impact on the Council's decisions?

9) Apolitical administration

- a) Is Council served by a professional administrative body which is separate and apart from the political Council?
- b) Is it clear that the Council answers to the public for its decisions?
- c) Is it clear that the administration's advice is always presented as being the best apolitical advice it can make available based on its training, academic preparation and experience?

10) Oversight to policy decisions

- a) Is the role of this Council in providing oversight clear to all?
- b) Is it expected to review the impact of its decisions as seen in terms of how these were implemented by the CAO and administration?

11) Stakeholder (citizen) values and concerns

- a) Does our Model ensure that the decisions of Council have taken into account the perceived values of the residents and stakeholders?
- b) Is public input sought on what the Council views as key issues?

12) Effective advocacy to other levels of government and to neighbours

- a) Does this Council understand that one of its roles is to act in the best interests of the District in any discussion with both levels of government, neighbouring municipalities (e.g., Regional District), and other agencies)?

13) Ongoing and effective fiduciary monitoring

- a) Does Council have access to the applicable information as to how the District is being managed from a fiscal perspective?
- b) Can and does Council seek external professional advice from an independent auditor? Does our Model support the fact that the Auditor works for Council?

14) Continual reporting on results; accountability

- a) Does Council make an effort to report back to its citizens as to how its decisions are impacting the functioning of the municipality?
- b) Does Council act in such a manner which communicates that it is accountable to the public?

15) Succession planning

- a) Is Council made aware that one of its inherent obligations is to ensure that it has a policy and plan in place to ensure that if its CAO is no longer available to fulfill their duties, that someone else has been designated to step in during the interim period until a replacement CAO has been chosen?

While there may be other characteristics of “good governance”, the foregoing should be present in every municipality. The District would be well-served if it could point to these in terms of how it currently functions.

6.5 How is it Achieved?

Good governance is achieved when Council:

- **has access to quality information;** has received a comprehensive yet succinct **Request for Decision** on the issue as developed by the CAO/management

There should be very little doubt in the minds of this Council that on any issue which it is asked to render a judgment, that it has been fully briefed with a report (Request for Decision) which is both comprehensive and succinct. Such reports should use a standardized approach and should address themselves to enabling this Council to have a clear understanding of the pros and cons of a particular course of action.

- **has heard from the public on those issues which might be described as major or significant (i.e., policy matters)**

Very few issues which arise on a Council agenda could be truly described as “gamebreakers”; but the odd one does arise. When that happens, Council and its administration should be doing everything possible to ensure that their public has been made aware and that their input has been sought.

- **has spent some time considering the issue and its options**

A Council must have the time to consider issues which are sometimes of considerable complexity. Others may be quite straightforward, requiring little advance notice. These become part of an agenda package and are typically distributed about 5-7 days before a regular Council meeting. Other issues are much more significant and are worthy of an in-depth review by Council and by senior management. (These we would argue should be referred to what we have called a Governance and Priorities Committee meeting.

- **debates the policy options as to their possible consequences and does not focus its debate on the administration**

At the core of most issues lies the question: “what is our policy here?” This is a very useful starting point for a Council and often ensures that it is kept on the appropriate course rather than one which results in a deep dive into administration or where the focus is on personalities rather than the subject matter.

- **makes decisions and leaves the implementation to its CAO (and management)**

Once the Council has considered a matter, thought through the potential consequences, discussed the matter with the CAO (and management), it makes its decision typically in the form of a resolution or a bylaw. The next steps are left to its management who, under the guidance of the CAO, are expected to ensure that the decision is implemented.

- **follows-up with the CAO on progress**

Many decisions are not discussed any further and seldom does a Councillor have cause to think “I wonder where that decision landed?” Rather, there is a general assumption, generally well-founded, that the CAO is ensuring that the decisions of Council are properly allocated to the respective department head and are being followed up accordingly.

6.7 Governance Results

Good governance is achieved when Council has access to quality information; has heard from the public on those issues which might be described as major or significant (i.e. policy matters); has spent some time considering the issue(s) and the options; and has thought through the consequences as they might impact the public. Some of these decisions will impact Council’s key priorities or may be more relevant to what management has found difficult.

To bring discipline to the decision-making process, reporting should be standardized in order to ensure consistency. Further, such reports to Council ought to be treated with respect by Councillors even where their advice is not accepted. The Mayor as chair of the meeting, should not tolerate any Councillor trying to embarrass the management by asking “gotcha” questions or by trying to embarrass them when the answer to the question is already known.

In all instances, the process works wherein Council debates the policy options and does not focus its debate on the administration. The reports of the CAO (and his administration) are to bring to light the key elements of a decision and why this recommendation ought to be considered as sound. Council then makes its decisions and management carries these out as effectively and promptly as possible. (That describes, obviously, when the system is working).

The over-arching principle and chief result of a system which is functioning as it should, will not only be a better understanding of how local governments function in a milieu of good governance but also beneficial results.

What results should accrue if the Council and its management are to be said to be acting in a reasonable manner? These might be as follows:

- a quality decision which management then implements
- a new policy which replaces one deemed to be no longer in vogue
- a new or revised program
- a new or updated facility
- a step towards improved relations with the Regional District.

6.8 Summary of Local Government Best Practices

What might be termed “best practices” in a local government setting is sometimes a difficult target to assess. Any definition depends upon a combination of whatever legislation applies and what experience with useful practices would suggest. Based on our experience across Canada and elsewhere, we have identified the following:

▪ Elected Officials

- Elected officials expected to function within the constraints of the Community Charter; the law as applied to municipalities is held to consistently
- Roles of Mayor and Councillors have been defined; clear that they are to set direction; approve policies and bylaws; approve an Official Community Plan (OCP); recruit, appoint, assess and terminate (if necessary) the CAO; arbitrate issues not delegated to CAO and the rest of management
- Council chooses the most appropriate governance model

- Any changes in employment agreement with CAO to be authorized by Council
- **Public Engagement**
 - Mayor and Councillors expected to engage the public as required and as appropriate
 - Public invited to approach Council as a delegation within constraints of the Procedural Bylaw
 - Council listens respectfully to presentations and takes these “under advisement”
- **CAO**
 - CAO bylaw and position description supplemented by policies outlines restraints on authority of CAO
 - CAO employment agreement developed by experienced municipal legal counsel to ensure Charter and best practice followed
 - Review of CAO performance is a prerogative of Council
 - Out of courtesy, CAO briefs Council before release of any senior management (i.e., those reporting directly to the CAO)
 - CAO has authority to hire department heads and/or release them subject to Community Charter
 - CAO by protocol to advise Council annually of monies paid for severance
- **CAO & Management**
 - CAO and management expected to provide policy advice to Council; manage departments; function within approved policies, position descriptions and the budget
 - Management reports to Council through the CAO; Council expects to see the CAO at regular meetings of Council (unless on courses, ill, vacation)
 - Management careful not to invite Council into operational issues
 - CAO reviews management’s performance at least annually; managers review their direct reports annually as per approved system and format

- Management reports treated with respect by CAO; if differing opinion by CAO, discussion with department head; if necessary, addendum attached outlining separate recommendation and rationale
- Employees recruited based on best fit, capacity, potential; external candidates welcomed
- **Council Procedures**
 - Procedural Bylaw is reviewed at least once every two-three years
 - Meetings are to be held in open forums unless otherwise allowed as in camera within the Charter and Freedom of Information (FOI) legislation
 - Council meetings are to be conducted according to an approved procedural bylaw; members are to be respectful of each other and management
- **Conduct of Officials**
 - Council to develop a code of conduct and live within it
 - Council members hold each other to the standards set by the Code
 - Council members subject to a range of sanctions if they violate the Code
- **Decision-Making**
 - Council makes decisions as a body; given applicable information; always provided time to reflect and then respond
 - Council chooses a process/approach for governance (i.e., decision-making) which it feels is best suited to the needs of this Council
- **Organization Structure**
 - CAO recommends senior management structure to Council, i.e. number of department heads
 - CAO recruits and hires senior management within the approved structure
- **Agencies, Boards and Committees**
 - Council reviews and assesses what it inherits as ABCs
 - Mayor recommends which Councillors should serve on which committees
 - Council and management assess usefulness of ABCS every 2-3 years

- Councillors rotate appointments on a bi-annual basis unless exceptions are made.

6.9 Effective Elected Officials

More broadly than what appears above, this is a list of the traits of an effective elected official, whether that person is a Mayor or another member of Council. These requirements exist in the largest District and the smallest village:

- Commitment to policy development and renewal; (every new Council should be expected to undertake a thorough review of its policies)
- Comprehensive and shared orientation for all members of Council (preferably within 7-10 days following a general municipal election or a byelection)
- Mayor and Councillors focused on what is best for the District
- Mayor who ensures that all members of Council are fully briefed
- Personal differences set aside; community service is the focus
- Professional development (and related budget) for members of Council
- Some understanding of the basics of the Community Charter; including the key roles
- Useful and focused governance model, with an opportunity for Councillors to discuss issues before decisions are made.
- CAO respects all of Council and management.

These themes will be addressed in additional detail and context in other sections of this Report.

7.0 CAO Relationships

7.1 Mayor-CAO Relationship

This Mayor-CAO relationship is intended to reflect a trusting, hand in glove style wherein the two occupants of these two very different positions develop a high degree of respect for the responsibilities that each holds and signal their willingness to be of mutual support to their challenging roles. Under normal circumstances, the Mayor can be of value in helping the CAO better understand the Council and its expectations and concerns as well as any

concerns about progress on the key priorities which were articulated (hopefully) during the strategic planning process.

The Mayor cannot purposely misinterpret the views of his Council colleagues knowing that such a stance would result in Council losing faith in their CAO. The Mayor, however, can be helpful in sharing any concerns which he picks up in conversations with the public at various events which he has been asked to attend. The Mayor cannot be guilty of misinterpreting those observations to suit his own agenda. The Mayor can make suggestions to the CAO based on what he sees at a meeting with external others. The Mayor cannot, however, issue directives based on that same information and expect that to be carried out.

The CAO can be helpful in energetically implementing the directions of Council as evidenced through their strategic priorities. **The CAO can be helpful to the Mayor by providing a “heads up” on any issue which the CAO is certain will be of considerable interest to the Council as a whole.** And while the CAO will schedule a briefing for all of Council on key and emerging issues (preferably on at minimum a bi-weekly basis), the Mayor will, out of respect for the position, have been briefed perhaps mere hours or moments before the rest of Council.

Meetings between the two will be held on a scheduled basis likely weekly with a small agenda prepared by both of issues of concern at the moment. Meetings on an impromptu basis may also be held as need be but not so frequently or so lengthy that they detract from the other responsibilities which the CAO has.

When both attend meetings external to the office, the **Mayor will always be pleased and quick to introduce the CAO as a highly competent advisor and manager**; this will help in instilling confidence in a much larger audience which the Mayor might have on a more frequent basis than the CAO.

Council meetings will flow smoothly because both understand the process and procedures and because respect is regularly shown. Something as simple as ensuring that at the start of each agenda matter, the Mayor will refer the matter to the CAO and inquire if anything further has come to light since the CAO's report was filed (i.e., placed on the agenda).

Could all of this happen or is such thinking well beyond what others in these positions would consider “normal”? Having studied municipalities from coast to coast to coast, we can report that “normal” does happen and when it does, it works. It is unfortunate that the abnormal happens all too frequently.

7.2 Understanding the Core of Council-CAO Relations

It is our view that this system will work insofar as there is mutual respect and understanding as to the roles that each segment (i.e., Council and management) is to play. This requires:

- **taking time to read and understand legislation and what is referred to herein as “generally accepted governance and management principles”**

If Council is to develop a reasonable appreciation of a normalized working relationship with the CAO, it will require that each understands the applicable legislation and what it seems to imply; and that each will adhere to what we herein describe as “generally accepted governance-management behaviours”.

- **agreeing that the CAO will be respected for his role and his performance in it**

A functional Council-CAO relationship cannot move forward without all participants agreeing to respect one another and the position which each holds. This requires that the Mayor sets aside any personal ego (or hope) that the powers of the CAO will be deferred to the Mayor and that both agree to do the best they can to make this system work. Without respect, it will not. It is not expected that all parties will agree on every recommendation or even decision. It is expected that all parties will disagree agreeably.

- **giving the system the time and the space needed to make this work**

Every new Council will need time to grasp what their system of governance is and how it currently works. Subsequently, each Council should understand that they have a particular “lane” and that they are expected to stay within that lane. In this case, that is called “governance”. If and when that is not clearly understood, those who cannot or will not understand generally attempt to slide across to the management lane where they think that they will have a better fit. It does not work because someone else has been “hired” to fit that lane.

- **according management the grace and time to make presentations; questioning the merits of the arguments but not undermining the presenter**

Council members will, over time, develop a sound appreciation of what management does and how well it is delivering on their commitments to professionalism. If Councillors and the Mayor are prepared to read through and listen to the reports of management, it will be virtually impossible to not recognize that these people know what they are doing. Having said this, there is absolutely nothing wrong with any member of Council questioning any report to assure themselves that the right questions have been asked and answered.

- **allowing the CAO to manage his staff and not interfering or seeking to undermine**

It may be difficult for someone who occupies a managerial position in their day-to-day career to step back and realize that this role of giving out directions is not what is required of an elected Council member. But that is essentially what is required. A Council's role is oversight, not administration. It is assessing results, not plotting each step. For some folks, this is difficult to grasp. The rest of Council, in that instance, needs to be prepared to provide guidance with a limited degree of understanding.

- **understanding and abiding by the relevant legislation**

The legislation (particularly s. 115, 116) provide both Councillors and the Mayor with guidance as to their roles. The statements in those sections are generally supplemented by local bylaws and policies and in some instances, by role descriptions. Understanding the general parameters of legislation is quite different than wishing to abide by it.

- **respecting the basis of an elected member of Council and that of a member of the administration**

Good governance is based on the premise that Council members are elected through popular choice. How a citizen decides is up to each individual, but it has long been argued that the basic criteria is a desire for those who love their community and are willing to serve. Typically, the public demand is not for consultants, lawyers, developers, storefront owners, florists, police supervisors or even former municipal employees. Every Council reflects a broad cross-section of the local community, but all share one distinction: they love their community and want to serve it. Expertise in one field or another simply informs one's

choices and public statements; service is the hallmark of the Council member who understands the thesis that the public really does not care what you do or did for a career. Their principal interest is this: are you focused on serving this community?

The CAO, however, is retained due to expertise and experience and the likelihood that their learning and abilities will continue to grow over time. This CAO is paid to administer a relatively complex organization, not simply because of the array of services offered, unlike a private sector company which offers one service (e.g., tree-trimming, investment counselling, auditing, etc.). Management and the CAO are not expected to lobby or influence decisions through persuasive political arguments. They write or sign off reports which support the logic of the situation not what will seem best to a perceived majority.

If a Council is functioning as intended, it will appreciate the considerable array of duties and expectations placed on the CAO and their management. An effective and healthy Council enjoys a mutually supportive relationship with their CAO. The Council appreciates the considerable demands being placed on their CAO and regularly checks to ensure what more Council could be doing to make for a better Council-management environment.

A wise Council understands that their CAO is not functioning for any other reason than to best serve the municipality, so it does not permit any voices to conjecture otherwise and bring the reputation of the CAO into question. In normally expected circumstances, the CAO is respected as a valued resource to their Council.

Council members understand that such respect is born out of the degree of confidence in the CAO to manage his administration. The Mayor is not expected to interfere or try to “help” the CAO manage, recognizing that to do so is to undermine the CAO in the eyes of his administration. The Mayor should obviously respond to questions from the CAO; but does not presume to give directions but rather to offer suggestions. This is not to suggest that the Mayor or another Councillor cannot question a report signed off by the CAO. That is to be expected.

- **CAO’s Respect for the Council**

Respect is a two-way street. It is both given and received. In the main, it needs to be earned and then, through continual attention, be retained.

This relationship should be sound, adverse to the slings and arrows from others, and mutually symbiotic as both Council and their CAO see the merits in what each other is doing and how they “earned” their right to play a role.

The CAO also needs to respect his Council and seek to serve it in a very professional manner. The CAO shows respect for Council by treating all members the same; by circulating information to each concurrently; by offering advice on an ongoing basis on issues as they arise; by ensuring that requests for action from Council members are listened to (or read) but are not responded to unless they are according to a Council bylaw, policy or resolution. The CAO needs to guide and assist Council in fulfilling its implied leadership role. This requires that the CAO either guide the strategic planning process or recruit an experienced consultant to facilitate the process. Once that is completed, the CAO’s next step would be to ensure that all of Council and management understand that the priorities enunciated by Council will be utilized in guiding Council’s decisions and management’s recommendations. The CAO is wise to advise Council of upcoming issues which may prove to be controversial but unwise in asking Council to approve issues or expenditures which have already been approved by Council. Rather, the CAO should be able to function with sufficient confidence in his Council that their prior approval was their message (policy) on that issue and to re-visit it without considerably new information would be foolish indeed. Both Council and the CAO understand that approved resolutions are implemented.

Similarly, the CAO will always ensure that all members of Council are equally informed even if the Mayor by virtue of his office has earlier access to the information and certainly to the CAO. Neither the Mayor nor CAO ought to ever be in a position of shutting Council out of important issues and decisions.

The CAO is also expected to show evidence that he has spent the time necessary to develop a reasonable working relationship with the Mayor. While the CAO has one vote during an election which determines who will hold the role for the next four years, the CAO’s vote is immediately filed away in their memory bank as the task at hand is to find constructive ways to enhance what can be a very delicate relationship. This relationship should be based on mutual respect, which means it takes both to do what is necessary to seek such an

accommodation. If one or both enter this relationship with a position of enmity, it is highly likely that this will persist until some method of rapprochement is found. Working at cross purposes will not be fruitful and will result in the Council as a whole as well as the community suffering.

Seeking resolution to any sense of distance between the two is obviously the preferable approach for both parties. This requires both maturity and sincerity.

Both Council and the CAO have an obligation to continuously monitor their relationship in order to discern signs of problems. It is fairly easy for a Council and its management to go off-side. For example:

- comments are made, perhaps even in jest, and they land badly
- presentations are interrupted unnecessarily
- “gotcha” questions are issued
- positions are undermined through innuendo.

The Mayor and Councillors need to take the time to assess their relationships with each other. This applies equally to the CAO and his department heads. And the Mayor and Councillors ought to be having a heart to heart with the CAO to ensure that their communication channels are open.

7.3 Roles of the Chief Administrative Officer (CAO)

There are both legislated roles in provincial legislation and ‘generally accepted’ CAO roles within which the Chief Administrative Officer must operate. As per the community Charter (s.147), the CAO’s bylaw-enabled duties include:

- ‘(a) overall management of the operations of the municipality;*
- (b) ensuring that the policies, programs and other directions of the council are implemented;*
- (c) advising and informing the council on the operation and affairs of the municipality.*

While not stated as such in legislation, the **roles of a CAO are referenced in the appointing bylaw and in the position description and CAO employment agreement or contract.**

These roles include:

- apolitical policy advice to Council
- conduit of Council decisions to administration
- implementer of Council decisions
- quarterback and team leader of the administrative body
- approval authority for administrative actions
- quality control of advice up and action down
- partnership builder; building alliances as appropriate.

The CAO plays a very important role in any municipality and certainly one the size of Sechelt. This role is described in the legislation as responsible for three central or core aspects of what the District does:

- *the overall management of the operations of the municipality;*
- *ensuring that the policies, programs and other directions of the council are implemented; and*
- *advising and informing the council on the operation and affairs of the municipality.*

While one could perhaps argue the ranking of those three responsibilities, each are key to how well the District will function. If considered in the reverse order, **the CAO advises the Council (i.e., Mayor and Councillors) what should be done; implements the decisions made by Council based on the CAO's advice; and then manages the organization in a manner best suited to achieving the proper application of Council's decisions.**

The CAO is required (not suggested) to provide, in this instance, **his best advice** on what course the Council should take on various policies and programs. This advice will be a reflection of the education which the CAO has benefited from as well as past related experience. It will also reflect the composite advice of the senior managers (department heads) reporting to the CAO. These people also represent a combination of years of related experience and appropriate education. It is interesting that with all of this combined experience, that a Council might still reject the advice as presented and take another approach altogether. This is due to the fact that a Council represents citizens and not how business is done historically or what choice might adhere to the best academic wisdom.

The Council in the final analysis is tasked with the choice of “what works best here in Sechelt?”

Once the decision of this Council is made, the CAO has the **requirement to present Council’s decision** as effectively as possible to the rest of the administration and require all to undertake to implement Council’s decision(s) as effectively and expeditiously as possible. This can be difficult from time to time as the direction determined as “best” by the Council might run contrary to the wisdom of management. Nevertheless, it is Council’s decision which prevails.

The CAO has **three roles relative to the development/emergence of a Strategic Plan and Business Plan**. Those are: a) provide a recommendation to Council on who could best facilitate the discussion of Council’s ideas, b) outline the key elements of a Plan as envisaged by the administration i.e., their views on the big projects which are needed by the District, and c) the implementation of the Council’s priorities through their placement in the annual administrative Business Plan and annual budgets.

Further, and often based on who the public has elected and where their views seem to be divergent from those of the previous Council, **the CAO has a role in recommending to Council new or revised policies** which would seem to align with the direction/preferences of this Council. While Council will approve the policy statements, it is the CAO (and his staff) who have the primary obligation to ensure that these are drafted appropriately.

How well the administrative organization functions is also part of the mandate and expectations of the CAO. Where the organization seems to be humming along and moving projects and programs forward, the CAO will likely be viewed as being capably “in charge”. The sum total of what happens on a day-to-day basis is a direct reflection of how well the CAO is providing team leadership and monitoring the implementation of current policies.

The CAO has an important role in acting as an advisor to Council and to its leader, the Mayor. While the advice the CAO presents to the Mayor does not change when presenting to Council, there is, or should be, a genuine recognition that the CAO has an obligation right from the outset to try and develop a courteous relationship to the Mayor. These two people will be expected to work closely together and to reflect to those external that they are very

respectful towards each other and that they attempt to be on the same page. The CAO is bound by Council policy so whether or not the Mayor and CAO are working towards the same end will largely depend on whether the Mayor supports the rest of his Council. Where this is not true, and in circumstances where the Mayor is seemingly not able to accept the decisions of his Council, the CAO should still attempt to work with the Mayor but will recognize that there will be some inevitable tension relative to issues where Councillor and the Mayor are not aligned.

This role is the **essential linkage** between the Council as the governing authority and the administration who are charged with carrying out the will of Council and with following the provisions of the Community Charter. The CAO is expected to be held accountable for the delivery of programs and services by the administration in a timely and effective manner. While the person occupying this position is not expected to have training or academic preparation in all of the disciplines which report to him, the CAO is expected to have a broad understanding of what their principal duties are and to be able to distinguish between appropriate fulfillment of the role and service which is less than expected.

Anyone being appointed to the role of CAO will be appointed by bylaw which sets out the general provisions of the role and will be guided by an accompanying position description. These roles are generally described in a generic fashion which is sufficiently and purposely broad so as to “catch” all the key performance indicators.

Generic roles of the CAO:

- **Advisor to Council**
 - Ensure that Council has the best apolitical advice in all reports and recommendations being considered by Council for its approval
 - Coordinate information to Council from department heads and ensure that all direct reports are made aware of the decisions of Council
 - Maintain an open, fair, collegial and respectful relationship with the Mayor and Councillors
 - Ensure Council’s directions are being followed and oversee the prompt and effective implementation of Council decisions regardless of any input to the

contrary, unless that input has been provided by authorized legal counsel (in that case, the CAO will bring the matter back to Council with a full report)

▪ **Relationship to Mayor and Councillors**

- Act as the Mayor's primary linkage to the organization and as the person who is in touch regularly providing updates on what is happening on issues about which the Mayor needs to be kept abreast
- Be guided in all of his decisions and actions by Council resolutions, policies and bylaws as applicable and not be expected to follow the preferences of one or more Councillors

▪ **Organization Structure**

- Develop an organization structure which allocates staff to the required functions and service areas and recommend to Council the position titles and number of key functions at the level reporting to the CAO as a policy document; ensure that the structure is current and clearly defined
- Request Council approval of the organization structure (preferably by policy) as it pertains to the CAO and direct reports

▪ **Leader of the Administration**

- Report to all of Council as the administrative head of the corporation; acts as Council's primary linkage to the District's administration
- Be the final administrative arbiter on administrative questions posed by senior management to the CAO and from Council members to the CAO; making decisions on an apolitical basis
- Seek to build quality relationships with other senior administrative leaders in the region and across the Province
- Be the first person at the microphone introducing the key agenda issues to Council or the Governance and Priorities Committee given that the CAO will want to ensure that all of Council understands that it is he who is their primary spokesperson relative to issues coming to Council from administration

- Delegate any follow-up questions to the respective department head as appropriate
- Ensure that administrative directives empower the supervisory staff to take action within their areas of responsibility
- **Administrative Direction**
 - Oversee department heads in the performance of their duties; review and assess their work
 - Ensure departmental collaboration, so people are focusing on their functions and that there is no unnecessary overlap
 - Ensure that the services of the organization are clearly defined and are in concert with the expectations of Council (and thus the residents)
 - Ensure fairness in Council-approved policy application
 - Coordinate the efforts of the administration through regular meetings with the department heads and ensure that those people are meeting regularly with their own staff and communicating issues and plans and discussing and resolving problems
- **Champion the Administration**
 - Defend the work and attitudes of the senior management to Council whenever and wherever that is necessary
 - Provide ample support for staff in the face of any criticism from the public or from the Council
 - Meet with and discuss with management any issue pertaining to inappropriate responses by staff/management; ensure that clear messages are being communicated to staff
- **Performance Assessment**
 - Recognize good performance and take corrective action vis-à-vis poor performance where action is justified
 - Provide performance feedback on a regular basis to those staff reporting directly to the CAO

- **Managerial Development**

- Groom possible successors at the next reporting level in the organization and ensure that each has an equal opportunity to fill in for the CAO in that person's absence
- Delegate increasing responsibilities such that department heads can gradually develop their understanding of senior level management functions
- Encourage ongoing and relevant training for senior staff (and through them for the other members of the administration)

- **Human Resource Management**

- Ensure that the District has appropriate human resource policies and procedures which reflect the District as a fair employer interested in the well-being of its employees
- Develop and update position descriptions for all District personnel (and the terms of reference for any contractors) so they reflect actual and current duties to be provided by each of the roles
- Ensure that the District's compensation plan and personnel policies are current, appropriate, and fair for all employees.

The foregoing, while extensive, are not necessarily all-inclusive as the CAO will naturally fill in where called upon in circumstances related to their roles.

A CAO is **typically engaged under a contract** between Council and the incumbent. Council retains control through a list of tools that allow Council to exercise appropriate control over their only employee. These tools include:

- **CAO Bylaw:** This outlines the legal requirements of the CAO and their jurisdiction over the other employees of the municipal organization.
- **CAO Position Description and Profile:** The position description expands upon what is found in the bylaw and adds considerable depth and colour to the expectations of good management that the CAO is expected to perform. A "Profile" is a simpler, brief version of the foregoing and is often developed whenever the municipality is recruiting candidates for this role.

- **CAO Contract (Letter of Offer):** The CAO contract spells out the contractual requirements and obligations of both the CAO and the District when agreeing to the former's employment.
- **CAO Performance Appraisal:** The assessment of the CAO is an important process and document. This should be in place and utilized annually by the Council to ensure that the CAO knows and understands Council's assessment of their performance.
- **CAO Goals and Objectives:** Part of the performance assessment will include the CAO's goals and objectives, which are an indication of what the CAO expects to achieve over their next year of employment. These will be reviewed by Council during the performance assessment process.
- **Organizational Performance:** One of the aspects which a Council considers in conducting a CAO review is how well the organization appears to be performing. This is frequently used as one of the important indicators of the effectiveness of the CAO's leadership and managerial skills.

7.4 Council-CAO-Management Relations & Impact

Municipalities are complex organizations which require all components to function as designed if in fact there is to be the type of success envisioned by the framers of the legislation. It is not possible to have a strong Mayor and Council and believe that this will be viewed as a great success without the bureaucratic machinery of an organization to follow through on Council's commitments and get the job done.

Similarly, democracy at its core suggests the foolishness of relying solely on an administration to do their work without the express direction being set by the governing authority. It is not possible for any municipality to function as it is designed without strong collaboration between Council-CAO-Management; all need to be moving in the same or at least parallel direction.

Understanding the difference between governance and administration is a major indication of success in any municipality. The following practices of a well-functioning District point to the importance of a clear definition of the roles of Council and that of senior management:

Practices Of A Well-Functioning District

- Good governance decision-making by those elected to set the course for the District; issues being tackled in a public forum by the Mayor & Councillors
- A policy governance model which is designed to focus on the key issues and ensure that the will of the Council has been embraced and encoded in policy
- Appointment of a qualified CAO acting as team leader; responsible for providing direction to the administration; ensuring that they are properly organized and focused
- Public issues and concerns are identified in order to discern and drive the formulation of key annual goals and strategies
- A public engagement strategy and goals which ensure that the voice of the public has been heard if not heeded
- Annual performance assessments conducted throughout the organization; begins with Council's annual review of the CAO and subsequently extends to all staff
- A management team which motivates senior staff, and hires, evaluates and disciplines as necessary
- Delegation of management functions to management; non-interference by members of Council
- An annual assessment of the compensation policy such that the District practices fair compensation, which has been regularly reviewed, enshrined in policy
- Management respects limits on their authority
- Quality reporting by senior management through the CAO to all of Council
- Transparent communication: no surprises; nothing of any substance hidden from Council; all receive concurrent information.

7.5 The Importance of Good Management

The major responsibilities of the CAO are created by bylaw which sets out the general provisions of the role and which will be guided by an accompanying position description. The position follows the provisions of s.146, 147 which designates the Chief Administrative Officer as being accountable for the “overall management of the operations” of the District; for ensuring that Council's approved “policies, programs and any other directions” are

implemented; and, most importantly, that Council is advised “on the operation and affairs of the municipality”.

The CAO of course carries the primary obligation for ensuring that the system is running smoothly, and that programs and services are being delivered on time and on budget. The CAO is also accountable for the integration of the various departments and functions such that there is minimal overlap and regular coordination of service delivery. The CAO ensures that the advice to Council is thoughtful, unbiased and sufficiently comprehensive to provide all members with a reasonable degree of assurance that roles are being adequately fulfilled. Further, the CAO is responsible for the accuracy of the reports of his subordinates and thus for signing off all such documents going to Council. This, in our view, is essential if Council is to have confidence in what management is saying.

To the extent possible and as much as it depends on the CAO, he is expected to maintain a regular line of communication with the Mayor and with every Council member. While one or more Council members may push back on such advice or the attempt to provide it, the CAO needs to have sufficient strength and maturity to be their advisor and with respect to the Mayor someone who has earned their respect and trust. While it will generally take some time getting used to the personality of each other, the effort is expected to be made.

The CAO is responsible for overseeing the entire structure and the functions of all management. It is his call as to what organizational changes (below the level of direct reports) should be made and those he is accountable to report to his Council and to seek their approval. Where the structure is approved and accepted, the CAO is responsible for ensuring that it is adequately staffed and provided with his supervision. While some of this can be delegated, not all of it can. Whether it succeeds or fails is the mandate and responsibility of the CAO.

The CAO acts as an oversight body for all that the organization does and in so doing, empowers his staff to act in accordance with the bylaws and policies approved by Council. He will also be accountable for ensuring that “managerial directives” are created for each policy and communicated throughout the organization.

The CAO will coordinate the efforts of the administration through regular meetings with his department heads and from time to time with the full management body. Further, the CAO acts as the defender of all management from any criticism or verbal attacks by any member of Council.

7.6 Roles of a Senior Management Team

The roles of management are straight-forward. These senior level administrators are expected to:

- Recommend the appropriate policy and/or solution to the CAO for all matters needing Council approval
- Advise the CAO what needs to be done to ensure that their part of the organization functions effectively
- Oversee all those reporting to the department head (management) such that they are performing their tasks well
- Recruit and hire the best people available for the advertised roles at a rate which is deemed to be appropriate by the District; seek the input of the CAO when necessary
- Assess the performance of their staff on a regular (i.e., annual) basis and provide coaching as needed to enhance skills or ensure that they access training offered elsewhere and through reputable sources
- Ensure that they have the resources and skill sets needed to get their work completed
- Exhibit sound managerial/supervisory practices; mentor from a position of professionalism
- Treat Council members and other District employees with respect.

Management reports to the CAO, not to the Council, not to the Mayor. That is the way a “one-employee” organization works. Management respects their direct supervisor and provides feedback, as necessary, to keep the “boss” (i.e., the CAO) on the right path. Management does not bad-mouth or pass along gossip or seek to undermine. They are expected to act as professionals.

The work of senior management impacts:

- Council’s understanding of the background to the issues

- the confidence of the Council in handling any complaints from the public
- the confidence of the non-management staff in the decisions being made by Council
- the morale of the organization
- the ethical compass of the organization
- the fairness of decisions
- the ongoing development of professional skills
- the pursuit of funding for special projects
- the professional management of fiscal, physical and human resources.

The two primary functions of the Senior Management Team are a) provide quality advice to the CAO to take to Council on all administrative and policy matters requiring the attention of the Council; and b) provide capable, consistent direction and supervision to their direct reports and employees which is based on approved policies and managerial directives and which is effectively coordinated with other departments so as to make the best use of District resources. The CAO and their management (**the SMT, Senior Management Team**) are the key players who **determine how well the decisions of the Council are interpreted and implemented.**

In effect, they reflect from an administrative perspective the “tone at the top”. Their combined skills, professionalism and their attitude towards this Council will directly impact how well and how quickly Council’s decisions are implemented. The SMT do not report directly to Council, at least not from any operational perspective. They report individually and collectively to the CAO. They therefore ensure that all reports are written not to the Mayor and Council but to the CAO, who should in turn review and then, if appropriate, endorse these reports prior to their presentation to Council. If that is not done, then Council will be encouraged to speak directly to the department heads and in effect direct them as to what is to be done on this or that project or requested decision. This very quickly destroys any real sense of accountability by the CAO allowing the CAO to opt out of their responsibility for coordinating decisions and actions and will quickly reduce the degree of ownership of decisions by the CAO. It should then become apparent to all members of Council that their “one employee” model has lost its balance and its meaning.

Where the tone is balanced and the roles being played are clear and in accordance to both legislation and to accepted practice, then we will find that:

The administration will:

- sense the confidence which Council has in their CAO, and they are thus better able to go about their own work in confidence
- believe in the ethics of their CAO as a leader
- view their CAO as someone who goes to bat for them as their champion
- receive quality advice from the CAO and
- sense the tone at the top and accord their leader respect & confidence.

If this is not happening, the opposite is what the community and the organization will see. Decisions are fraught with anxiety and uncertainty; the role of CAO as champion of the administration is watered down as the CAO spends a fair portion of time trying to “manage” a distrustful relationship with the Mayor; the administration is reluctant to being seen as overly supportive given the seemingly real potential that the CAO could be dismissed by a Council which simply wants to move forward.

Once the decisions of a Council are made, these need to be considered by the CAO and management and judged how best these should be put into action. The SMT needs to:

- a) Meet to discuss the next steps after a Council decision
- b) Assign the work to the department most suitable to the task and based on their mandate
- c) Ensure that the task has been made clear (i.e., has the policy been converted into action?)
- d) Ensure that there are sufficient resources in place to enable the work to be done effectively and within budget
- e) Monitor the work being done; determine if the calibre is as anticipated and therefore acceptable.

7.6 Results of an Effective Administration

How will Council or senior management know whether or not their roles are appropriate and effective? How should they be assessed? If the District is truly effective, its managerial team would reflect the following:

- **Advice to Council**
 - First rate, comprehensive yet concise reports on all business issues
- **Focus on the strategic priorities**
 - Assistance to Council in setting annual strategic priorities
 - Sound, realistic Business Plan
- **Sound administrative mandate**
 - Departments with clear mandates
 - An outline of required expertise to fulfill administrative obligations
 - Clearly defined organization structure
 - Qualified people with clear position responsibilities
- **Quality Senior Leadership**
 - Awareness of “best” practices
 - Collaborative leadership reflected in regular, planned team meetings
 - Senior leaders who exhibit integrity
 - Senior leaders who accept authority & discharge it wisely
 - Recognition of the importance of accountability
 - Desire to serve effectively, responsively
 - Clearly understood parameters/policies
- **Solid administrative principles**
 - Communication of and development of shared values
 - Clearly defined managerial directives
 - Planned mentoring; orientation of all staff
 - Effective, monitored communication
 - Focus on integrated service delivery; focus through regular team meetings
 - Sound recruitment, evaluation, compensation practices
 - Planned training and development

- Sense of action orientation.

7.7 Providing Advice

Management has a direct role in providing its advice on all emerging issues which will soon confront Council on its agenda. Such advice should always be provided via a “request for decision” briefing which will be in Council’s agenda package for every business item on the agenda. It will also be provided by the CAO, unless otherwise delegated in response to any question verbalized at a Council meeting. (Where management does not have a ready answer, based on current policy, their best option is to defer until they have had time to review background options and prior decisions).

Management also plays an important role in the follow-up to an annual strategic planning exercise with Council in developing administrative priorities and responsibilities in tackling strategic priorities. There is also a role in ensuring that Council is updated on the status of current capital projects and proposed new projects, budgetary impacts of reports to Council, prioritization of projects, changes needed due to a variety of factors, and major changes required due to unforeseen events in elements impacting deadlines and successful completion.

Unlike a business environment wherein the owner can determine to change priorities or decisions on a dime, and reap the benefits or suffer the consequences, a municipality functions according to bylaws, policies, resolutions and confirmed practices. The decisions of the District do not just impact one business or enterprise; they impact the whole community. Major decisions do not simply emanate from the mind of a creative Mayor or Councillor, but rather from a Council acting as one body.

Management in turn performs best when it has been advised as to current policies and decisions and then provided the liberty to manage within those guidelines. They do not profit from an overly engaged Council which just loves the details and cannot wait to get in there and manage all functions. Daily interference by Council is simply a reflection of a lack of trust and a personal belief that Council members were elected to manage. Rather, Council’s role is to establish the policy framework which enables management to function reasonably independently utilizing their own training and experience.

7.8 Manpower Planning

Part of the task of the CAO and senior management is to ensure that the organization is appropriately staffed to meet the objectives and needs of a Council. One of the mandates of a CAO is to assess, on an ongoing basis, current resources and determine whether the District is receiving value for money. Given the significant impact that employees have on the costs of any organization, the Council needs to be aware of any change to the overall administrative “burden”; the potential impact of any projected changes as a result of current union negotiations; the addition of any new programs.

Management needs to be fully conversant on the evolving needs which will drive their planning of future staffing changes and employee development requirements. As the District changes (for any number of reasons including the impact of a new Council), the CAO and senior management need to discuss how this will impact future recruitment or the training of current employees.

7.9 Orientation of Staff

Not only should a Council be properly oriented to their new roles and impact on their community but so too should all of management. A comprehensive orientation and onboarding program needs to be made available to all employees so that they become quickly aware of their new roles as well as the challenges facing this District. The CAO is responsible for planning the orientation of any new department heads and they, in turn, will be expected to plan the orientation and onboarding of any new staff in their departments.

7.10 Ensuring Communication

Management team meetings are a primary example of whether or not the organization is functioning in a healthy and productive manner. Where departments are meeting on a planned, regular basis (i.e., every week to two weeks), then there is much greater likelihood that concerns are being voiced and heard by those in positions to do something about them. Where the employees do not have planned forums for the exchange of concerns and ideas, grievances are very likely to emerge and are just as likely not to be addressed.

Good managers realize that they depend on quality communication. This needs to be embraced throughout the organization in order to positively impact morale, the desire to

serve professionally and effectively and the desire to ensure that all employees are made aware of key messages.

The District will need to have a robust communication policy, plan and supportive personnel which is sufficiently broad and proactive so as to ensure messages are getting to the intended audience. These messages need to be clear and accurate as well as proactive where possible. In today's environment, messages are readily distorted and misrepresented such that the District needs to exercise great caution that whatever it is putting in front of its public is verifiable and preferably positive.

What is Council's role? Council as the primary governance body can control its communication of messages by **developing the guiding policy framework** and then relying on their CAO and management to develop the plans and strategies which enable the messages to be delivered. With the changes in availability of social media, Council needs to be apprised of what is appropriate and what will negatively impact District policy; who the main spokesperson is and what role other members of Council are allowed to play; and what constitutes policy. Being free-wheeling, independent people functioning in a restrictive environment might cause some strain for certain Council members, but that simply goes with the territory of being a member of a corporate team where all must function by the same rules.

Further, every Council member, including the Mayor, is wise to refrain from over-burdening the CAO and the administration with either trivial questions or emails/texts of questionable value. While it should not be necessary to provide greater specificity to this, it would be completely inappropriate for any member of Council to try to inundate the CAO or a department head with an inordinate number of emails and texts simply to illustrate how important, or prepared or curious the member is or, even worse, to badger the employee into a submissive state. This needs to be monitored as it can quickly become the final straw for any employee who is already feeling "set upon" by a member of Council.

Given that the Council has one employee, their correspondence should be limited to the CAO unless the CAO has advised that verbal or written communication can be directed to others.

7.11 Monitoring Employee Morale and Productivity

Employee morale is (or should be) important to Council and to senior management. Without a relatively harmonious workplace, employee turnover will rise, and senior managers will take their services down the road to an organization that places more importance on working conditions and workplace harmony.

Council's objective should be to provide leadership which helps to create and/or sustain a positive, healthy workplace environment. Council's policy framework should address this issue by identifying its support for collegial leadership; respect for senior management; adherence to the "one employee" model; and the enhancement of working conditions which make Sechelt a preferred place of employment. (The alternative to this is the evolution of a culture of disposable management where those who do not satisfy the political agenda are not here tomorrow).

How and when should a Council be involved? By keeping to their own mandate as elected officials and by not taking on staff responsibilities; by being respectful of its management and their responsibilities to manage without daily interference; by not trying to populate the municipal structure with their friends, neighbours and campaign workers; by sticking to the knitting as governors or by stepping down and applying for positions of management; by ensuring that their policies and practices enhance a solid organizational culture.

7.12 Controls (Checks and Balances)

An often-overlooked aspect of good management is the requirement of senior staff members to ensure that the system has the appropriate checks and balances needed. Included in this expectation is the importance of management meeting with the external auditor to discuss their perceptions for ongoing improvements to fiscal controls; and to ensure that independent audits are performed on key functions/processes e.g., expense accounts, severance payouts, project overruns, development costs, use of offsite levies, etc. Follow-up on any recommendations in the annual management letter is also an essential component of a sound system of checks and balances.

Is there a Council governance role to play? Absolutely. The auditor is the Council's employee not that of management. Council commissions the retention of the auditor; Council expects

to meet at least annually with the auditor to ensure that management letters are being addressed in an effective manner; Council asks questions that are focused on ensuring proactive checks and balances which encourage compliance with Council policies and managerial directives.

It is really up to Council to determine whether or not it feels that the auditor should be asked to go beyond the traditional audit framework. Council could request an audit of its own use of expense accounts or those of senior managers (or to be fair, both); or an audit of fees and charges charged at the local recreation centre; or an audit of the books of a District-owned and operated agency. While such additional audits will cost the municipality added fees, the key question to be asked is this: do we as a Council have any audit-related questions which go well beyond what we have asked of our annual audit and is there reason to believe that we may find cause to change our practices?

The key here is to remember that Council has an obligation to be respectful of the commitment of taxpayers to fund useful and needed services which are being properly managed. A Council should expect to provide a reckoning of its use of taxes and how effectively and efficiently those have been managed. It is not an exercise in pinning the tail or finding a scapegoat for years of neglect. Whatever report is produced should be directed towards proactive changes useful to the present and the future.

7.13 Impact of the CAO on System Controls

As a component of the Council's checks and balances, the CAO plays an important role in providing administrative oversight and a check on managerial (and system) processes which may, from time to time, stray beyond Council's policies.

The CAO serves as a checkpoint for Council in terms of ensuring that appropriate managerial processes are being utilized, that sound fiscal controls are being practiced, that budgets are being regularly monitored, that staff concerns are being followed up by HR or the applicable department head.

The principal administrative and organizational relationship which Council will have is with its chief administrative officer (CAO. Council will have created a CAO bylaw, probably a contract (or some sort of letter of agreement), and definitely a position description. These

will assure Council that the task is properly described, and that the CAO is given the tools/resources to guide the organization in an effective manner.

The Mayor and Councillors will also understand that they have a responsibility, as a consequence of a desire to govern effectively, to develop and utilize a comprehensive template sufficient to develop a comprehensive performance review. It is then up to Council to monitor the performance, assess the results and regularly appraise the CAO's performance. This review format and approach needs to be one which satisfies Council that it is assessing the important elements of such a relationship and not those aspects which might better fit another organization or community (we will include more information on this for Council).

7.14 Preserve the Trust

At the end of the day, every Council has to answer for how it handled the trust invested in it by its citizens. Each member will have been advised by their legal counsel and CAO that they should stay well clear of any discussion or decision which impacts them and their personal business interests more so than other members of Council. A conflict of interest or a pecuniary interest can derail a Council very quickly as its conduct becomes front page news relative to everything else that the District might be accomplishing.

The rules relating to conflict of interest are quite clear and understandable by most. Claiming ignorance after the fact typically does not sell well with residents, who can see conflicts as readily as those who have been elected. Glossing over ethical issues by assuring one's colleagues of how such a matter would be handled in the business world will not be judged acceptable. A wise Council will ensure that it has retained experienced legal counsel to provide advice on such matters, at least at the beginning of a term and likely annually thereafter.

7.15 Effective Management Processes

There are a host of management processes which ought to be reflected in any organization and particularly one as complex as the District where it has the same requirements of a much larger community without the same resources upon which to rely. As a result, Sechelt

needs to embody quality processes that ensure the District that it is utilizing its resources as effectively as possible. We cite some of these key principles as follows:

a) Delegation

The work of the District and the arch of its influence is extensive. The breadth of the services and programs requires competent people to oversee and deliver services. One of the main expectations of the CAO is his requirement to delegate duties to his senior management team. This is done through:

- Position descriptions
- Recruitment of the best qualified and most suitable people
- Effective and ongoing training
- Collegiality between other members of the senior team
- Performance reviews
- Coaching.

Delegation does not mean abdication. The CAO is still held to account for the work results and performance of their subordinates. That requires ongoing oversight without being overbearing. This balance can be achieved by the requirement of regular reporting and by assessing the results while at management team meetings or Council meetings.

b) Clarity of Managerial and Administrative Roles

As noted above, the District's wide-ranging services and programs require the hiring of qualified people from a variety of backgrounds. The recruitment processes used depend to a large extent upon clear position descriptions which outline priority duties and those which are of a more minor nature.

c) Sound HR Policies

Finding the right people for those described above requires a thoughtful "People Services" function (or HR Department) which oversees the description of functional resources, and which defines the required qualifications.

d) Managerial Directives

Within the umbrella of Council policies lies a series of "managerial directives" which provide clarity and depth of explanation to what actions are needed to support Council's policies.

These directives (also known as procedures) provide the “how” to deliver services and programs within the Council’s policies which define the “what” should be done.

e) Clear Standards of Service

Management is also expected to define the standards of service expected. This is a difficult matter which requires ongoing oversight and evaluation as services are being delivered. Key services need to be defined and standards established. This is what is evaluated by senior management at year’s end and before the next budget is finalized.

f) Communication Practices

Every municipality recognizes that the goodwill of its workforce is highly dependent upon the internal morale which is reflective of how well management and subordinate employees are communicating. Solid managerial communication practices include, but are not limited to the following:

- An overall communications strategy (within the Council’s policy)
- A series of communication objectives
- The identification of approved communications spokespersons
- Key departmental messages linked to approved strategic priorities
- The approved communications media/forums
- The identification of success factors.

OBSERVATIONS

8.0 Survey and Interview Responses (Council & Administration)

As a portion of our work for the District, we conducted a survey of Council and management to determine what you saw as working reasonably well and what in your view, needed to be improved. The following responses to our survey questions have been drawn together and summarized so that no one is tempted to try to determine who said what. The listing gives all a general sense of what all responders felt were the key issues relative to the questions.

In general, we found some of the responses were positive and others provided near unanimous insights as to possible problem areas within Council and the organization. The responses have been amalgamated in order to capture the thrust of what was said without the baggage of who said it. These observations and responses are listed for the benefit of the reader in understanding what was said to the consultant as a written response. Our commentary on where we see this impacting the organization follows.

Questions & Responses

1. Orientation

- The orientation provided to Council received mixed reviews from both Council and management; some felt that it was suitable and useful, others that it lacked much depth and that it failed to cover some significant responsibilities.
- The orientation covered a brief overview of District bylaws, policies and plan as well as an overview of the various departments.
- Some felt that more time needed to be spent on the rules and procedures for running meetings; would have helped to do a mock Council meeting; familiarize themselves with the Chambers.
- Those newer to the role felt that information was too much to absorb at one time.
- In addition to the local orientation, a broader one was held for the other local governments of the Sunshine Coast RD.
- Guest speakers received mixed ratings with some believing that there was insufficient information on the roles of a CAO.
- Most responded by saying that a comprehensive orientation package should be developed by management rather than the limited degree of orientation presently

offered. This should be a mandatory training event rather than left up to the individual.

- One suggested that a mock council meeting needs to be arranged to help familiarize new members of Council with the nuances of a meeting, how to ask questions, make motions and voting procedures; it was believed that this would have helped with alleviating misconceptions, attitudes and negative thoughts of the public towards Council and staff.
- Most felt that a session on the powers of the Mayor would have helped clear up the misconceptions being offered and that obviously the Mayor felt that he had more power than the legislation provides.
- Some would have felt more comfortable out of the public eye as they would have been freer to ask what others might have viewed as the “dumb” questions.
- More background on the rules governing the role of the Mayor should have been presented to everyone so that any opinions remain just that, opinions.

2. Strategic Priorities/Leadership of Council

- The question of “strategic priorities received a strong response as most Councillors and management felt that this was not nor has been well-handled.
- Council members felt that the staff did not provide the leadership necessary to make this happen; this may have occurred as a result of the Mayor outlining his priorities and expecting the others to get on board (this did not happen).
- Many felt that there was considerable Council dysfunction at the time which hampered and delayed any effort at setting Council priorities.
- There was an attempt by a colleague of the Mayor to organize the priority-setting process; this was not well-received; Council then directed management to pull together a two-day retreat; this too was stressful as Council struggled in working together as a group.
- The need for synergy in the group is evident but lacking the necessary leadership to make it happen; viewed as largely absent due to the Mayor’s inadequate understanding and appreciation of his role and the pushback he receives from his

colleagues who see the Mayor as trying to get them to endorse his vision rather than “their” vision.

- Council meetings were described as follows: chaotic, poorly presided over, lack of preparation for the meetings by some Councillors; the Mayor’s difficulty in running a sound, cordial meeting; the Mayor viewed at least by most as being overly aggressive with management/staff which has been described by them as being hurtful and not good leadership.
- Council has been unable to rally around a common set of values and priorities; rumours and misinformation is distributed; various Councillors have asserted that the Mayor makes promises without the consent of Council and then acts/appears hurt by the response he receives.
- Most are surprised by the fact that certain things do get done; attributed largely to the combined efforts of the SMT; some express surprise that certain ideas, projects appear to come out of the blue and have not been voiced by Council.
- In short, Council is described as dysfunctional, acrimonious and inefficient as a result of what is perceived as inadequate leadership by the Mayor and the interjections of a Councillor who feels compelled to advise the others of possessing considerably more experience.
- There is a growing gap between the Mayor and administration; some are simply protective of their boss(es) and others realize that their directions are to come from the CAO and not the Mayor; there is considerable discouragement amongst administration who do not see Council as a whole leading but, rather, fighting amongst themselves.
- Projects have been outlined and planned which have surprised Council and led some to wonder just who is leading the ship; while some say that Council and management have worked on a set of priorities together, others question what has been approved and how.

3. Council’s Progress/Policy Guidance

- Leadership: For a majority of Councillors, the Mayor seems more interested in trying to score points in the public; pits them against staff or other members of Council; most can see through this behaviour (e.g., letter writing campaigns).
- Trust: Council has, to date, lacked trust in each other which has inhibited any sense of common progress or the needed desire to work together.
- Synergy: Some of this lack of synergy results from the Mayor's propensity to move ahead on issues without consulting Council as a whole.
- Team concept: Concern expressed that some allegiances to the former Mayor have hindered the emergence of a team concept amongst the current Council; others are not sure how they can feel part of a Council team which is so dysfunctional.
- Focus: Difficult to see how we can focus as one unit when few common priorities have been identified; concern expressed that the Mayor spends too much time on issues which are not in Council's jurisdiction. Many of Council and the Mayor are pre-occupied with operational issues and things outside their jurisdiction.
- Role Clarity: Council members are not experts in municipal administration regardless of our respective backgrounds.
- Management: Focus of management seems disjointed; some simply trying to survive this poor environment; results in them not keeping Council as well-informed as they should; some comments to staff are very disrespectful and seemingly designed to put people down.
- Ethics: A Councillor's primary commitment is to the District and not to a political group.
- Progress: Councillors express frustration over their lack of progress to date; some point to progress on the community safety issue, housing and relationships with Shishalh First Nation.
- External Relationships: Some feel that Council has been quite good at connecting with community groups; Council uses YouTube and Zoom; quarterly meetings with community associations.

4. Key Public Issues/*Challenges Facing Council*

- Leadership: The Mayor's leadership skills are not in tune with the needs of his office; Council lack of harmony also impacted by FOIPPA Sec 22 (3) (g) [REDACTED]; personality clashes; disagreement of role and authority; Mayor is perceived as operating like a CAO, including giving direction to staff without knowledge of the rest of Council; the Mayor will get others to apply pressure to staff (i.e.. developers) to "stir the pot".
- Trust: Lack of ability to work together; Council needs to build trust and cohesion; some of Council lack trust in staff and their competency; lots of dysfunction from diversity of Council.
- Issues: Most expressed that the issues are Water, homelessness impacts, addictions/crime, affordable housing; also, personality conflicts, especially the challenging behavior of the Mayor and one Councillor; lack of seniors housing, lack of childcare, not enough doctors, not enough transportation to outlying areas; Mayor's water solution is untenable and not properly reviewed or approved by Council prior to him releasing it into the public.
- Lack of Process: Moving things forward without drama, reconsiderations, misinformation and in-fighting; FOIPPA Sec 22 (3) (g) [REDACTED]
[REDACTED]
[REDACTED]
sidetracked by an unwillingness for staff to engage and confront the difficult issues.; the need to grow versus waiting for the water issue to be solved cannot happen overnight, these things take time to resolve.
- Over-Burden: Regulations from the Province and working with some Ministries (i.e. BC Housing).
- Growth: Concerned that the community is growing too fast, and Council says yes to everything.
- In Camera Meetings: Concerns expressed that five Councillors are viewed as having private meetings and that has encouraged a split on this Council. If a

member of Council wants an item on a closed agenda, they must have support from at least one other member of Council and there must be a suitable provision in the community charter to allow for it. This is controlled by senior management as delegated by the CAO who has the authority per Procedure Bylaw section 15 (2).

- Advice of CAO: Council appears to need to seek out advice from the CAO and staff; relationships between Mayor and senior staff, particularly the CAO, reflect an inability to work together for the good of the community; CAO deflects and prefers to avoid meetings with the Mayor and Councillors in order to get things done; others observe that the CAO is hardly in the office and seems to have checked out, preferring to work from home or frequently away.
- Impact on Administration: The most significant issue is how Council is adversely affecting staff's ability to do their work; Mayor and the CAO are struggling with working effectively together; the Mayor tries to directly orchestrate changes in staff reports to change outcomes to his point of view; Mayor has belittled staff so now Council are copied on email replies; Mayor will sometimes try to get reports pulled from agendas; some staff have become very unhappy; staff recruitment is a problem; FOIPPA Sec 22 (3) (g)

5. Governance Model/Decision-Making

- Governance Model: Not sure what a good governance model looks like; have not had that discussion; open to new ideas.
- Committees and boards: Committees are generally working well; limited Council involvement.
- Dichotomy in Style: Mayor runs things like a business and does not like to be part of a regulatory body; needs to be more focused on serving the community.
- Impact on Management: There is not much opportunity for staff to provide contextual information or correct inaccuracies; clear direction can be difficult at

times for more contentious issues as there is a tendency of some Councillors to grandstand and seize every opportunity to drive home repetitive points; to be considered as direction to staff, a request for an action must be provided by at least two members of Council; often the Mayor will direct an action and no other Councillor second it and staff do not act; others understood that the CAO and management were to be directed by Council policy or resolution, not by an individual Councillor or Mayor.

- **Style of Council:** Council seems comfortable asking questions; governance model could benefit from a more collaborative and trusting approach; Council struggles to truly integrate their feedback and use them to full potential; rifts and personal agendas seem to stall much of what we are trying to move forward; biggest issue is lack of listening by Councillors; FOIPPA Sec 22 (3) (g)

has been a desire by the Mayor and CAO to keep things concise and have short agendas; there are a couple of Council members who grandstand (and bring up red herrings) so the vote is delayed; others seem satisfied with reports; if Council wants more information, it is usually to defer a decision, create a delay tactic, or generate a staff “gotcha” moment; as a means of sheltering his administration, the CAO requests that staff do not speak at meetings unless they are spoken to.

- **Community Engagement:** Community neighbourhood planning consultation; there is a perception that certain factions in the community are made aware of Council’s comments, which when in opposition to the Mayor’s opinion are being weaponized.
- **Council Meetings:** The strength is that agendas are clear, and everything is dealt with at bi-weekly regular Council meetings; they do have good debate, but often it is someone doing a speech or at other times, just a personal agenda being pushed; some Councillors come in with a closed mind or vote against certain members of Council; Mayor and one Councillor dominate debate, and some might be afraid to jump in for fear of extending meetings too long.

- Concurrent Information: Perception that all Council are getting the same advice from staff on issues; believe Council gets information concurrently either by email or in person.

6. Managerial Advice/Competency/Relationships between Council & Management

- Sometimes feel we are provided just enough information to pacify Council; if more information needed, a Councillor just has to ask.

- Other than a couple of other Councillors, the relationship seems good; [REDACTED]

FOIPPA Sec 22 (3) (g)

- Sometimes we are given too much information, and it is difficult to determine the key issues; a summary would be best to decrease the need for lengthy documents.
- It appears to be an endurance game between the Mayor and the CAO.
- The CAO is experienced and seasoned; he has expressed that he respects the office of Mayor; the relationship between the two is viewed by most as “non-existent”; however, the relationship is very good with the rest of Council.

a. Reliance on Information

- Report credibility suffers due to number of typos and other errors.
- Reports can at times simply be too comprehensive; management has not done their job whenever this happens; issues more frequently occur with information received from the development community.
- The Mayor constantly asks for details that none of the rest of us find a need for; he seems to not be able to separate himself from a former role as the CEO; [REDACTED]

FOIPPA Sec 22 (3) (g)

- The information provided is comprehensive enough for the purpose of making decisions; [REDACTED]

FOIPPA Sec 22 (3) (g)

- For the most part, Council stays in their lane, except for the Mayor, who comes into direct traffic on a daily basis as the CEO.
- For now, there is a strong senior management team but there is growing frustration with some Council behaviour.
- Not sure that we have the benefit of understanding the motivations of the development community

b. Management Team as a Team; some face regular interference

- Council generally respects the management and feels that they are trying; some act as though our administration is unnecessary
- Every criticism from the public is defended and or rejected immediately.
- The CAO is having to deal with the Mayor's complex and challenging personality; the Mayor likes to get operational with requests.
- Some of the planning staff have more of a "no" attitude; at least some of Council would like to see more of a "how can we get to yes" attitude.
- Typically, Councillors go through the senior management team; staff must CC all of Council on replies to the Mayor; Council usually interacts with Department heads and above.

c. Competence of Senior Management

- Very impressed by the cohesion of the District's management team and their interest in self-improvement.
- Councillors had varying responses to the question of managerial competence; most assert that they are; some see the need for improved leadership skills and a better focus on accountability and results.
- Questions were raised regarding the independence of some of the staff and whether or not they are too tied to members of the development industry.
- Council stays out of the hiring or firing of staff; Council should only be hiring and firing their only employee, which is the CAO; Council should be advised of "without cause" dismissals of senior staff, due to payout implications.

- Apart from the CAO, Council should not have any involvement with hiring/firing of any staff.

7. Relationships/*Management Assistance*

a. Relationships between Members of Council

- The relationships within Council is dysfunctional; some Councillors have lost respect for the Mayor; the dynamics are different for each Councillor; Mayor conducts himself as a lone wolf with some controversial ideas
- There is not any Council cohesion; concerned with respect to the impact all of this is having on staff.
- There is a significant lack of trust between many on Council and the Mayor; cannot think of any team building exercise that will create trust.
- Our Mayor thinks he has more clout than he actually has and can make life difficult for individual staff; has caused all management to rally together.
- The Mayor needs to provide better leadership; he should be dealing with all of us equally.
- Reports to Council would benefit by a more thorough analysis; improvements to report writing can always be made.
- We could use more workshops for Council or technical briefings; some members of Council are aware of the additional advice that senior management could provide but seldom want to for fear of being attacked.
- If Council was not battling other things, they might have more energy for what really matters.

b. Relationships between members of Council and administration?

- Staff could be more respectful of Council; FOIPPA Sec 22 (3) (g) [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- Our CAO always reaches out to see if there are any outstanding issues that Councillors wish to discuss.

- Majority of Council have good relationships with the administration; all suffer whenever other Councillors, or the Mayor are trying to undermine our staff.

8. Focus/Council Value to Management

- Council has been made aware of policies and procedures in place, but there is little initiative to educate Councillors.
- Council is made aware of policies as issues arise and also asked if there are any changes required; we have not had a discussion about a policy review committee or anything like that; we have had to make some policy changes due to behaviour issues.
- Councillors could provide questions to senior management in advance of meetings so that they can be better prepared with a complete answer.
- Council needs to think of the big picture and stay out of the weeds, trust staff and ask relevant questions.
- Some Councillors need to stand up for their own values and beliefs.
- Councillors need to read the agenda package thoroughly and be prepared for meetings.
- Council needs to be a proud booster of the community.

9. Results/Outstanding Issues

- Interested in opinion of overall health of the organization; Identifying areas where Council can be more effective.
- Finding a way for Council to work together; withholding of information be identified in the report.
- What kind of advice can be provided such that our mental health can make it to 2026?
- We need a set of basic principles to guide our work, how we work together, a commitment to adopt changes and be held accountable for not following them.
- Having tools for staff and Council to keep bullies and tyrants in check would be outstanding.

- Being on Council is stressful; need other Councillors to support requests for items of concern.
- Short of forcing one or two to resign, being able to find a way for us to serve out the remainder of our term without making the Provincial or National news would be a huge win.
- Councillors should avoid bringing incorrect community perceptions about staff to the Council chambers.
- The Mayor needs to be the leader and spokesperson of Council as a whole, not his own views without Council input; Mayor is seeking control and the betterment of his image.
- The Mayor openly discouraged water summits but attended them; was on his phone the entire time and came back to the office to discuss what a waste of time government collaboration was.
- Mayor is perceived as having his own agenda and therefore has gone solo/rogue whenever he wanted to and constantly creates issues in the community which are not real; Council needs to stand up, call the Mayor out for his behaviours and put a stop to it.
- The work could be more collaborative between Council and staff; Council adds additional requests without realizing the impact to the staff workload yet is unwilling to add additional resources.
- It would be nice to see substantive debate occurring in Council; it would be great to see Council/Mayor talk about their concerns and political motivations.
- Keeping a small number of Councillors inside their lane and get back to big picture thinking.
- Do not be rude to staff and other Councillors; be professional at all times.
- Giving all of Council the confidence to speak up, to voice their concerns and to stand up for good governance.

Summary Comment

We have edited and condensed the foregoing comments to avoid focusing on who might have said what rather than recognizing that these concerns are quite real and need to be addressed. These are not intended to bully individuals but rather to wake everyone up to the reality that much more needs to be done before this Council achieves any sort of synergy.

9.0 Observations: Mayor and Councillors

There are various ways to approach the issue of improving Council effectiveness. One is to simply recommend the reading of the foregoing section and recommend that Council and management implement what has been identified as “good governance and good management”. That would constitute a significant step forward. A second step could be a refresher program on “what should have been included in a new Council orientation”. A third could be a revised approach to identifying Council’s priorities and a performance metric to see what progress has been made.

9.1 What Success Looks Like

If this Council was functioning as we would expect to find, based on a late fall 2022 election, then the following would be apparent:

- a) Council would express full confidence in their orientation to the new roles of being a Mayor and Councillor
- b) The Mayor would have reached out on day one or two to the CAO and would have asked for a meeting so as to be brought up to date on what current projects were underway, what ongoing orientation was proposed for his new Council (including himself), how they were going to build a formidable chief elected official-chief administrative officer combination based on respect for the independence of each other
- c) The Mayor and Councillors would have met to discuss their separate objectives in running for office
- d) Each member of Council, including the Mayor, would have expressed their intent to work collegially with the others in order to respect the wishes of their electorate as expressed in their common election

- e) The Mayor would have understood that his role as Mayor is “one of” not “one level above”
- f) All members of Council would have been able to sign a mutual “Covenant” to work towards common objectives, to seek the advice and input of the CAO and members of senior management, and to participate fully in Council debates and votes.

The foregoing has not been the case and in fact in some instances, the opposite appears to be a much more accurate descriptor of this Council.

While we can describe everything that Council should do and thus be able to deliver, whether or not it will is largely a function of their willingness to work together on the basis of respect for one another. While certain things can be done regardless of a lack of input or support by the Council (i.e., build planned infrastructure approved by the last or this Council; carry on with the planning of a new water system; identify ways by which the District will work with the Regional District), even these projects or functions will be hindered if Council as a whole is not on the same page.

The Mayor and Council will only be successful to the extent that they:

1. Understand that this term will only improve if all members of Council agree to seek the best for the District;
2. Recognize that the administration and the community want to see their Council acting in a manner which evokes respect for how they have determined to set aside past differences and seek to work together in a collegial manner for the betterment of the District;
3. Appreciate that this improvement will only come about when there is a genuine desire by all to look in the mirror and ask if their commitments to good governance are matched by their statements, actions and decisions; and
4. Are willing to undertake the changes recommended in this Report and to do so willingly and with a sense of anticipation of better days ahead.

This Council has spent far too much time and nervous energy trying to cope with the internal turmoil which has and will handicap their efforts in moving the needle on anything new that some or even all would like to accomplish. This “turmoil” is the result of the poor relationship

between the Mayor and Councillors which began shortly after the election and has continued to this date and the totally inadequate level of respect and trust between the Mayor and CAO.

9.2 Tone at the Top

Given that leadership and “tone” start at the top, the responsibility for this state of affairs lands largely at the feet of the Mayor. He is accountable for his motivation (or lack thereof) and efforts to pull all of Council together so that they can function effectively even when they are obviously not on the same page. When he strives to honestly do that, he ought to be commended and any prior wounds should be at least partially buried. In other words, we would expect the members of Council to pay respect to the office of Mayor and recognize (in this instance) his impact on the District’s state of governance and where he has been able to make some progress. Where he has rebuffed any efforts at bringing about reconciliation, that is on him.

In our discussions with the Mayor, we attempted to convey/convince the Mayor of his obligation to work together with his colleagues in order to render “good governance” to the District. In our opinion, based on extensive experience, we are uncertain of any success in that regard. His efforts would require an apology for past comments and perhaps his attitude, and an expressed desire to work towards consensus rather than the “follow my direction” style of leadership. The latter flows from a misunderstanding of the role of the Mayor who is expected to be a team leader and not a “one man band”. The Mayor should always seek to draw the Councillors together as a corporate leadership “team” towards common goals, in order to guide the CAO and department heads effectively and in order to provide quality direction to the community.

It is our assessment that a number of the issues currently being experienced by the District are impacted by how the Mayor discharges his role. While he has served the District previously in the capacity of Mayor, the survey and review comments repeatedly reinforce

that there are a number of clear and distinctly questionable behaviours which Councillors ascribe to the Mayor. Councillors describe the Mayor as:

- An individual who behaves and operates as a “strong Mayor” without the legislative authority to do so
- An individual who is firmly committed to his own agenda and “pet projects” and fails to understand that without the support of Council as a whole, these will not get out of the gate
- A very controlling leader; finds it difficult to rally the support of others
- Behaving as though he was elected as the CAO and directing staff without the knowledge of the rest of Council
- Not understanding that he is to seek out support from his Council colleagues and to support Council’s position to the public, even when he does not agree with the position
- Representing himself and moving forward on issues without the consent of Council
- Being perceived to be non-supportive of the senior management team
- Utilizing outside influences (e.g., developers, friends) to pressure other members of Council and staff
- Not focusing on the apparent need to rebuild the necessary trust between his role as Mayor and that of his Council.

In every community across the Province, the Mayor is the face and reputation of the Council and the community. The Mayor is (or should be) the chief champion of the community in their representation to their neighbouring communities, the Regional District, the Province and the Federal Government. The Mayor is (or should be) the official spokesperson. The Mayor is expected to be supported by Council and in turn, the Council is expected to receive quality leadership from the Mayor. The Mayor has an obligation as the protector of the Council from disreputable harm and also provide assurance to the CAO and management/administration that their professionalism and independence will not be under verbal assault.

These descriptors are not in evidence in the District of Sechelt.

It should be expected that efforts and steps will be immediately taken by the Mayor to undertake a correction in course and deliberate steps to rectify and reverse what has been described previously in this Report. The impasse that we have witnessed will quite likely persist until the Mayor recognizes that any rapprochement with Council needs to begin with his apology and reaching out to see what words, steps, actions the Council as a whole deem adequate. Without such steps, it will fall to the rest of Council to take corrective measures to effectively penalize the Mayor for behaviour which is causing dysfunction in the organization. This would likely necessitate applying whatever sanctions the Code of Conduct permits.

The status quo is simply not workable from the perspective of a body charged with community leadership. Not only has the Mayor made it very difficult to find common ground and work collegially, so too has one other member of Council who continuously separates themselves from their colleagues. This has also been unhealthy and will not change unless the member decides to alter course or step down.

While we recognize that these are strong words, attempting to “fix” the current situation is simply not possible without a deliberate change. Our Report is primarily focused on what could be and to a lesser extent, what is. The key would be achieving a better match of the latter with the former.

9.3 What Limits the Role of Mayor

We are clear in our assessment that the role of Mayor is, or should be, of strategic importance to the well-being of the Council and the community. The Mayor represents the “face” of the community and is thereby expected to set the tone at the top. This is a significant expectation and not one for the faint of heart. It requires understanding of the law and the expectations of the Council, the administration and the community. It requires a willingness to work collegially with the rest of Council whom the public elected and who they thought would find a way to draw together and build on their collective strengths.

Based on the concerns which have been voiced by members of Council, it is worthwhile to reiterate what effective, responsible leadership of the District will look like if the Mayor is carrying out his obligations in a responsible manner.

Expectations of the Mayor**In terms of Council leadership, the Mayor:**

- will accept that he was not the only leader elected in this past municipal election and thus not the only voice that citizens ought to hear
- will lift up rather than disregard the value that all other elected officials bring to the table, i.e., their opinions and ideas
- “hear” all the voices of his colleagues on Council rather than simply any who support his vision/views
- advise his colleagues as to what direction he feels the District should be pursuing, rather than telling other members of Council what the District is going to do in this or that circumstance
- accept the judgment of Council in all instances.

In terms of the relationship to the CAO/Management, the Mayor will:

- understand that he is not empowered to act as a boss to the CAO
- treat the administrative organization and CAO with respect thereby elevating the potential impact which the position should naturally bring to the organization
- understand that the role of CAO and the person appointed to that role has particular obligations which are not those of the elected officials
- recognize that he is not expected to befriend the CAO but rather, treat the CAO with respect
- enjoy more contact with the CAO than other members of Council, but understand that this is based on need and not friendship.

In terms of his external relationships, the Mayor will:

- attempt to arrange meetings with members of the Provincial cabinet with one or more colleagues (and where possible, the CAO) and will present views which align with those of his Council
- speak the opinions/decisions of Council rather than his own where they may not align with the official positions of Council as evidenced by their Council resolutions
- speak graciously and supportively regarding the input and decisions of his colleagues when in contact with his friends in the community rather than encourage any to lobby other members of Council so that the latter will support his will
- advise the public of Council's decisions rather than his own, understanding that the latter will sow seeds of discord in the public arena which will not be useful in presenting a united front as a Council
- agree that in attending seminars and conferences or meetings with individual MLAs or Ministers, that he is to speak the decisions of his colleagues and not his own views wherein the latter are not supportive of the resolutions of his Council
- understand that where he is appointed as a representative of the District to external boards and committees, that he will speak in support of the known opinions and policies of his Council rather than espousing his own opinions of what Council should have decided.

In terms of Council's strategic vision, the Mayor will:

- participate in all Council approved strategic planning sessions and will share his views as to what the priorities of the District should be
- accept that the views of his colleagues may be quite different and thus will show respect for their opinions
- understand that these ideas will need to be melded together with those of the Mayor (and the advice of the CAO/administration) and will become part of a broader "strategic plan", the results of which will be used to guide budget deliberations.

This type of style and behaviour of the Mayor as described above will be useful in the development of Council.

If all of the foregoing statements were heard and understood as clearly as they are written, there may be some hope that this term of office could yet prove to be successful. Will this happen? That is up to all members of Council, with the primary responsibility placed on the Mayor.

9.4 Council as a Whole

Current Council members reflect those who are serving their first term on Council, two with the benefit of a prior term, and one with seventeen years as a Councillor. The Mayor previously served the District in the same capacity in 2011-14. All are new to the 2022-26 term.

Council as a whole needs to focus on what role it is expected to play in the community and how it could be effective in doing so. A Council has a variety of expected “mandates” which we have set out in considerable detail in the previous sections of this Report. There should be no difficulty in discerning what those roles are and how fulfilling them will be instrumental in the Council adding considerable value to the District and organization.

To briefly summarize, a Council is expected to act as the **representative voice** of its citizens, conveying to their colleagues what they see as the preferred way of handling key issues. A Council is expected to **hear all sides of an issue** and be capable of discerning what opinions predominate and which might be considered on the periphery but still which warrant consideration. A Council is expected to **adhere to the legislation** and regardless of the temptation to stray beyond the parameters established, to hold the line so as not to create an expectation in the minds of the public that Council has the authority to act on issues which belong in the RD, Provincial or Federal scope. A Council is expected to **resolve conflict in matters within the realm of a local government between parties to a dispute** and to render judgment based on what appears to be the most sensible outcome. A Council is expected to **set policy so that the management can develop “managerial directives”** which fall within that policy(s) and thus both arms of the municipality are aligned.

In addition, Council will, from a “Council as a whole” perspective:

- agree that pursuing the best they can offer for their citizens is the ultimate goal
- understand that there are distinctly separate roles vis-à-vis Council, Mayor and CAO as described in legislation and further substantiated by bylaws, position descriptions and policies and that these are to be followed by all members of Council and management
- accept that progress and continuity are very difficult in the absence of an approved strategic set of priorities; and accept the reality that these priorities (sometimes referred to as a Strategic Plan) must be a reflection of where Council (on behalf of the residents) believes the community ought to be heading
- commit to the “Council has one employee” principle (employed across Canada and further afield) as the model which affords the greatest possibility of success (this model is supported by your law)
- recognize that Council is a policy governance body and that management functions best when it participates in the development of draft policies which the Council ultimately approves (with or without change); that trying to govern otherwise is a very difficult, often dysfunctional, exercise
- accept that the CAO will be the primary “go to” person for Council and will be as effective as permitted and encouraged by Council; and as effective as he allows both himself and his management team to be (this will require trust and a capacity/willingness to delegate but still be held accountable)
- agree to the basic understanding that comments and suggestions (by the Mayor and Councillors) are just that, and that only approved resolutions of Council will actually be implemented
- understand that a Council ought to seek creative ways of engaging their community so as to better understand what a reasonable cross-section of voices might think
- guide through its strategic plan (vision, goals, and priorities), the business plan and budget and its policies and recognize the wisdom of enabling its

administration to work within these broader parameters and not day to day directives.

Council also has a “checks and balances” role through its oversight of the audit process. With respect to this latter role, we were advised that the Auditor has provided guidance on the Audit Service Plan document and confirmed that the document should be shared with Council. It was noted that a few communities they work with have the Auditor present it, although that’s usually only in the first year, or if there are significant changes. More commonly, it goes into Council’s reading package, with the instructions that they are welcome to reach out to the auditor if they have questions.

Management advises that “We have shared this document with Council recently and acknowledge Council should have received it earlier. There was an Interim Audit that went from November 14-17 2023 (all work was done remotely). The 2023 Audit field work procedures will occur April 2-5, 2024 (all work will be done remotely). Once the audit is complete and financial statements are complete the Auditors will present the December 31st 2023 audit findings and financial statements to Council at the May 1, 2024 council meeting which also includes:

- Presentation of Management letter to the Mayor and Council
- Issuance of Independent Auditor’s report”.

9.5 Council Orientation

We were made aware that members of Council were in attendance at the post-2022 election orientation session, which was held jointly with other local governments along the Sunshine Coast. We strongly support such sessions provided that they are largely devoted to the needs of new Councils and thus would be naturally focused on the essence of good governance and the need for constructive relationships between and within the respective governing authorities.

The senior management team also organized various materials which would be of interest and useful to Council members, both newly elected and those returning to office. The local orientation was led by management and included participation and attendance by all members of Council who participated in terms of asking questions.

During our review we noted that there was some concern relative to the local orientation in regard to administration not providing a comprehensive package for Councillors to be able to review on their own time specific to the District of Sechelt.

It is apparent from our interviews and surveys that management felt that there was sufficient consideration given to the needs of all Council members relative to being properly oriented. It is also apparent that what was provided falls into the category of “what we can do as a minimum” rather than illustrating a commitment to the importance of a comprehensive orientation/onboarding process for new/all members. The information provided was in a succinct format and straight-forward.

Based on what we were informed by members of Council, the orientation approach is in need of a complete refresh. There is **insufficient emphasis placed on key Council roles** and its expected relationship to the CAO. Further, the role of the Mayor and any added powers granted the Mayor (e.g., appointments to boards and committees) should have been addressed and in fact, underlined.

In addition, we received comments from new Councillors where they stated there would have been a definite benefit to having direct education on fundamental concepts such as the proper conduct of a meeting, (e.g., Rules of Order, making motions, voting, etc.) and the intricacies and nuances of a Council meeting.

It is therefore interesting and somewhat discouraging to note that the orientation was generally assessed as either “rather inadequate” or “adequate”. The administration also prepared presentations on each of the departments. Those in attendance who perceived that it was inadequate reported that its scope was limited in addressing:

- the qualities and rules surrounding good governance
- rules and regulations of a Council meeting
- the roles/responsibilities of Councillors and the Mayor
- the procedural bylaw (coverage of this topic was rated quite poorly).

This local session was viewed as overwhelming in terms of the vast amount of information for a new Councillor. (While this is often the case, the need for a follow-up session becomes

all the more critical and timelier). There were others in attendance who perceived that the orientation was adequate for a returning member of Council.

The following topics were covered:

- Community Charter
- Local Government Act
- Budgeting process
- Meeting procedures.

We were advised that the following training/orientation of Council members has occurred since the election of 2022.

- Civic Excellence: Tracey Lorenson (Paragon Strategic Services Ltd.)
 - This seminar focused on Council's functioning as a group. It spoke to the primary audience of a Council, potential obstacles, pressures on decisions and what issues complicate decisions, 13 key behaviours of high functioning groups, importance of trust, what effective elected/management relationships reflect, etc.
- Legal Matters: Lidstone & Company
 - Conducted a Council Orientation seminar which included a wide range of topics including: Council's authority, relationships to the Regional District, GVAC and First Nations, liability of Council members, public hearings, conflict of interest/gifts, respectful workplace/harassment/bullying, confidentiality & privacy, legal role of Councillors vis-à-vis roles of Mayor and staff, financial disclosures
 - In addition, Lidstone & Company provided a thorough "legal orientation" manual (November 2022) which covered some of the principal issues which might face a Council
- In addition to the on-site training during the period immediately following the election, Council members also attended conferences which included "orientation style" sessions (e.g., UBCM, AVICC).

It is our opinion based on considerable experience with regard to this and related topics that the orientation offered is often perceived by those new to elected life as overwhelming and akin to “drinking water from the fire hose”. Such commentary needs to be taken into consideration by this management team as they prepare for the orientation of a new Council in 2026, which might appear to be a long way off until it is not.

We note, and as suggested by various respondents to our in-person questions, that a prospective candidate seminar ought to be held to ensure clarity around the expectations of candidates once elected, time commitments, conflicts, respect for others elected and appointed, the meaning of “teamwork”, voting requirements, access to legal counsel, etc.

We will provide Council and management with access to a seminar this author provided on the fundamentals of an orientation and who ought to be involved.

Why is this important? Because all Councils start at the beginning, the initial days need to be carefully planned and ought to include segments on key roles/responsibilities of Mayor and Councillors, powers granted by bylaw to the CAO, Councillors’ connection to residents/businesses and what is appropriate and not, advice regarding making commitments outside of Chambers (i.e., Council endorsed promises); etc. We have and will continue to argue that every orientation following an election should be viewed as an opportunity to begin again with the attitude that all members are new given that none have served previously on the 2022-26 Council.

9.6 Council’s Governance Model

We described various governance approaches earlier in this text (see Appendix to Report). Each of these speaks to how the Council should make decisions and who should be incorporated into the process. These options all provide a Council with advantages and disadvantages of various committee systems.

We begin by underlining our observation that the fact that even though this matter was the subject of many comments in the surveys and interviews, this concept was not approached nor discussed by Council since it was elected in 2022. Failure to do so reflects a lack of understanding as to the importance of a comprehensive model; this will hinder Council from considering decisions in a proactive, step by step manner.

The “governance model” as adopted by Council, is the basis of Council’s decision-making. This is what will be used to guide Council and therefore management in terms of how requests for decisions are approached; what opportunity there is for in-depth discussions; and what impact this has or should have on how Council decides.

This requires, in our view, that Council members be at the table going through the options and carefully choosing what aspects of the model are essential in their view.

At present, Council utilizes a “committee of the whole” approach, which therefore includes all members of Council. Whereas Council meets on the first and third Mondays of the month, the COW meets on the second and the fourth Wednesday. The COW hears issues and then recommends them over to a regular meeting of Council. The purpose of the COW (Terms of Reference was adopted Nov 21, 2018, (Res. No. 2018-11C-4)) is noted as follows:

“The Committee of the Whole will consider, inquire into, report, and make recommendations to Council on matters such as, but not limited to, the following:

- *Land use, development, and community planning;*
- *Financial objectives and policies including annual budget deliberations;*
- *Municipal public works and community services objectives and policies related to sewer, solid waste, parks, trails, and other District of Sechelt owned community and recreation property;*
- *Any other governance and policy matters that fall within the mandate of the District of Sechelt Council.*

9.6.1 Rules of Procedure:

Other than the procedural bylaw, the District of Sechelt does not have a formal document referring to a specific governance model or a decision-making model which would be intended to be judiciously followed by Council and Administration in striving to attain the highest quality of governance for their electors. The legislation supplemented by the Sechelt bylaw indicates that:

Standing Committees/Committee of the Whole

s.38. (1) Standing Committees are established by the Mayor. Acting as either individual Standing Committees, or as Committee of the Whole, the Committee(s)

must consider, inquire into, report, and make recommendations to Council about all of the following matters:

- (a) Matters that are related to the general subject indicated by the name of the Committee,*
- (b) matters that are assigned by Council, and*
- (c) matters that are assigned by the Mayor.*

The Committee of the Whole will follow the Council Procedure Bylaw in the conduct of its business. (s.37.

Procedures of Council apply to Committees and Commissions unless otherwise provided for by any of the sections in Part 7 or by the establishing bylaw of the commission.

The Acting Mayor will be the Chair of the Committee. Committee of the Whole meetings shall be scheduled at 3 p.m., on the second and fourth Wednesday of each month. Meetings shall be open to the public except for those topics that fall within Section 90 (“Meetings that may or must be closed to the public”) of the Community Charter.

9.6.2 Overall Approach

In terms of an overall approach to a **sound governance model**, it is essential that Council strive for the following:

- **Clarity of Roles**
 - A role description should be developed for that of the Mayor, Councillor, Council as a whole, and CAO
 - These role descriptions should be posted on the District’s website
- **Decision-Making Process**
 - Each step in the decision process should be articulated; this includes the starting point of decisions; how these arrive at a department head’s desk; when or if these are discussed at the senior management team table; when they are moved forward to Council or to a committee of Council
- **Team Approach**

- Good governance requires a concerted effort by both Council and the CAO to create a team approach between the legislative and administrative components in order to identify, discuss and plan how important issues will be successfully managed
- Development of trust between Council and administration will allow Council to be confident that the information it receives from the Administration is complete/succinct and accurate
- Administration will ensure that all members of Council are included in any briefings, correspondence and awareness of new issues
- **Adoption of the Model**
 - Council should be provided with a thorough description of their governance model and a request to adopt it as the “District of Sechelt Governance Model”
 - This model should include the terms of reference of whatever committee approach is utilized.

9.7 Council Objectives

What Council’s choice of a Governance Model should achieve:

- a sense of Council ownership of its own Model as opposed to one which some members of Council view as being birthed and nurtured by management and quietly or reluctantly accepted by Council
- acceptance by Council as “their” model which is designed to achieve their purposes
- an opportunity for all members of Council to pause and reflect on the key issues and the administration’s sense of the options for resolution
- all of the key players are at the table during the discussion of key issues
- discussion is encouraged; all points of view are honoured
- a more casual atmosphere envelopes the discussions
- respect is shown for the views of everyone
- management’s input is well-received
- the issues are moved forward to a regular meeting of Council to be finally decided.

It is our assessment that such a model is an essential tool in the governance “quiver” for this Council. It addresses a number of governance-related functions and topics and should provide considerable clarity for Council members and administration alike. The key is to enable a thorough discussion of contentious or significant issues before they land on a regular meeting agenda.

It is our opinion that the District would be well-served by a governance model which ensures that all of the key issues are properly discussed in advance of a regular Council meeting and reviewed in a timely manner by all members of Council. Whereas most “committee of the whole” models generally move all agenda issues through the COW, our proposed GPC should be utilized to highlight and add emphasize to the top 1-5 items on upcoming Council meeting agendas. The bulk of the issues normally presented to Council through its agenda are not expected to be all that significant and thus could be addressed through the current agenda process.

9.8 An Agendas Committee

Many municipalities overlook the importance of the agenda to good Council decision-making. We believe that an agenda is central to the process of local government and one of the key instruments by which Council controls the decisions which impact the District. Without a thoughtful approach to building an agenda, the decision-making process will become mechanistic and stale. The process is normally dominated by the administration that, while central to the process, should not be the only players involved in determining what is or is not on the agenda.

Unfortunately, in this instance, Council found it necessary to place authority for approving the agenda in the hands of the CAO, given the difficulties experienced when the Mayor held that power of approval. This has reportedly been generally accepted and most seem to believe that it is working.

- **Mandate and Guidelines for the Agendas Committee**

The mandate of an Agendas Committee would be:

- to ensure that the business of Council is being dealt with fairly and expeditiously

- to review potential agenda items and ensure that these are appropriate for inclusion on a Council and/or the Governance and Priorities Committee agenda
- to advise Council as to why any particular matter should not be brought forward for Council review at the present time.

Under more normal circumstances, the Agendas Committee would consist of two members of Council (the Mayor, the Deputy Mayor) (a position which could be rotated semi-annually). Advising the Committee would be the responsibility of the CAO and Clerk/Corporate Officer (or rotating department head). This Agenda committee would normally meet a day before the agenda is finalized and circulated by the administration to confirm the contents. For the GPC meetings, the agenda committee would meet about 3-4 days prior and review the agenda items as put forward by the CAO, Mayor or members of Council.

When Council as a whole sees the desired changes in the responsiveness of the Mayor to acting as a team-leader in this and other processes, then we would recommend that this mechanism be established as recommended.

9.9 Governance and Priorities Committee (GPC)

The second key element in this decision-making model is the GPC. We see considerable benefits for Sechelt in creating and implementing a Governance and Priorities Committee which is a form of the Committee of the Whole, with a strong robust “Terms of Reference” (the rules of operation). The GPC is to serve as a discussion forum for Council to seek clarification on the bigger, more important issues which may or will soon be placed on the Council agenda for decision. During some months, there could be a series of these higher-level issues, whereas other months only one or two might surface. The key here is to enable a fulsome discussion relative to those issues and not be rushed by a loaded Council agenda, which is often the case at a regular meeting. We suggest as follows:

- CAO and department heads identify items to go on the regular Council agenda or to GPC meeting agenda
- The process for a Council member to place something on the agenda of either the regular Council meeting or the GPC should be via the Agendas Committee or via a notice of motion

- Administration (likely the Corporate Officer) puts the draft agenda together and calls a meeting of the Agendas Committee
- The Agendas Committee upon the advice of the CAO determines which items should go to the GPC for more time for discussion and clarification; key items will be accompanied by a report from management and signed off by CAO as “draft”
- GPC meets on an alternate week to Council
- GPC agenda has perhaps 1-5 items on it which are of a greater magnitude than most Council regular meeting items
- GPC meets, discusses and recommends their items back to administration for more review or to forward to Council as is for a decision
- GPC will address all Governance matters such as new/amended policies and priorities
- GPC meetings would be less formal, provide for opportunity to be informed and ask questions, with an agenda and minutes
- No decisions are made except to seek more information or send the matter to a future Council meeting for decision.

The advantages of this approach follow:

- **Preliminary Briefing:** GPC meetings allow the CAO and subject matter experts to provide a preliminary briefing to all Councillors on complex or key issues before they come to formal Council meetings for direction and/or resolution.
- **Public Input:** GPC meetings contain a commitment to obtain public input on key issues, ideas and matters of concern to the population of the District through public meetings, surveys and social media.
- **Significant Issues Only:** Only the very significant issues should be placed on the GPC agenda. It is NOT the place to laundry all Council agenda items. It is only for those major issues which the CAO/CO and Mayor/DM believe will enlighten Council on the topic and **perhaps engender a good discussion to ensure clarity.**
- The Committee will ensure that the focus of Council is placed on “higher order” issues that potentially can impact current Council direction and policy. These “higher

order” issues, for the most part, will likely be those of a strategic policy or planning nature dealing with those issues which we outline as being within the purview of a Council.

- **No Formal Decisions; Discussion Only:** The GPC committee should operate by consensus; items for decision are to be moved forward to that agenda but not formally approved at a GPC (i.e., that is the mandate of Council).

It is recommended that Council and administration review and discuss this new model with this consultant; try it for a 3-to-6 month trial period; and make adjustments as seems necessary based on your experience.

9.10 Agencies, Boards and Committees

Like most if not all municipalities across Canada, the District has a range of ABCs to which they either appoint members of Council or citizens or both. These ABCs are believed to add some degree of value to the governance role of Council by the addition of independent voices and opinions, and through having more time to focus on one service area of the District.

We were advised that the volunteers are appreciated for their time and effort albeit there has been little public effort to celebrate their commitment. The District looked at doing a volunteer appreciation tea last year, but it fell on a date where the staff had booked the facility. The Community Services Coordinator is planning one for the fall. Such events were held before COVID but according to administration “they have had a slow return. We plan to do better than our current state, which is no event and just tagging on to a local volunteer appreciation event as well as thanking verbally at meetings and in person”.

One of the frequently unstated obligations of a Council is to determine which agencies, boards and committees to sustain and those which may have run their course. These ABCs as they are regularly referred to, can add real value to a Council or, alternately, they can cause a Council to become bogged down in the morass of continuous committee assessments and commentary.

Part of this consideration of ABCs is germane to a Councillor’s view of how decisions get made and whether or not the process encourages fulsome consideration of the key issues.

As a part of our Governance Audit, we asked when the ABC mandates were last assessed. According to the District, it does not appear these have been reviewed recently (*confirmation of this being true back to 2017*). The administration spoke of a review template, and public process for committee involvement. Council then appoints the committee members according to its policy on this matter.

In terms of how Council reviews Council appointments, who appoints, rotation of appointments, we were advised that the District sticks to its Policy 1.1.8 (*See District of Sechelt Policy 1.1.8) Councillor's roles and responsibilities as a Liaison to a Public Committee (attached)*) excerpted as follows.

“2. Liaison Role Members of Council: are not expected to be advocates for Committees but, rather, to act as a liaison on behalf of the Council. This enables such members to reserve their judgment on issues until such time as they have heard at the Council table from other members of Council as well as the expert commentary from the administration.

3. Appointment: Council's representative should be either designated by the Mayor or should be appointed by Council.

4. Representative: As a representative of Council, the appointee will not commit the Council to any position unless it is in accordance with Council's current policy position”.

Providing that all members of Council have been properly briefed on this Policy, then we would expect to find there to be clear expectations regarding the role of Council members while serving on such bodies. Each Councillor needs to understand the expectations of their participation as a member of committees to which they have been appointed by Council. Unless otherwise stated, a member of Council is expected to be a liaison on behalf of Council as a whole. This will likely require taking messages from Council to the committee and voting on issues at committee meetings as the member believes Council would have them vote. Where there is uncertainty as to the position of Council relative to an issue, then the member should so indicate that their opinion is a personal one and not necessarily the position of Council as a whole.

What we would suggest is a way to ensure that the committees are effectively “heard” by Council and that the key issues of importance to Council and the committees are addressed in a timely fashion. We recommend that Council members who serve as a liaison to the various ABCs request the ABC chair to seek an appointment with Council if there is an item to present and one which the committee wants to see addressed. Further, the committee “secretary” should be forwarding the minutes to the District office for inclusion on the agenda.

It should also be noted that members of Council should never feel that they are to become the **advocate for a particular body** to which they have been appointed. That should be the role and responsibility of the chair of that body. Councillors are to be advocates for the community and not for a particular group.

One of the significant issues which Council has to reinforce with its own members and with ABCs is that the Councillor appointed is to be a liaison only and to clarify **what a liaison role requires**. The following are offered for consideration by Council and adoption into an ABC appointment bylaw or policy:

Liaison Role of a Council Member Appointed to an ABC

- A member of Council is appointed as a “liaison” to any external ABC
- A liaison is not an advocate or an opposition member. They are to represent the District respectfully and act always in a supportive manner.
- Their language cannot undermine the ABC whether while at a meeting or otherwise. That is, a liaison member of Council should not ever be stating “attack lines” while on Facebook or any other social media.
- A liaison member can speak to any issue during its discussion on a committee agenda but is only entitled to reflect the Council’s known position on each matter and thus not their own. If not speaking Council’s view (i.e., it may not be known), then the Councillor should caveat their remarks by stating “our Council has yet to take a stance/make a decision on this matter, so what I am expressing is my own opinion which may not be supported by my Council”.

- At a Council meeting, a liaison member should move the minutes of the ABC, listen to the opinions of other Council members and management on any specific matter on the ABC agenda, and then vote their own conscience (i.e., they are not compelled to vote the opinion of the ABC, just ensure that it gets a hearing). If the chair of the ABC is available to attend at Council, then that person should be asked to defend the ABC advice.

In terms of our questions relative to your ABCs, we inquired as to whether or not any staff are appointed to the same committees as Councillors which in our opinion would be contrary to the premises of a democracy. We were advised by management that *“To the best of my knowledge, no staff are appointed with Councillors to be acting members”*. In terms of whether or not staff are appointed to support the 23 agencies to which Council makes appointments, *“Administrative Staff usually participate and take minutes/notes and liaise with Committee members when organizing these meetings”*.

We inquired relative to the funding expended by the District to support its ABCs, and we were advised that *“Finance reports that budget for this is taken from the supplies budget e.g. if the Airport committee brings in refreshments and snacks, it comes out of the airport GL”*.

Of concern to us is the **degree of impact that ABCs have on the governance** of the District. We inquired as to whether or not the ABCs ever appear at Council meetings or even on a Council agenda; and whether or not there is any evidence to suggest that one or more of these actually influenced a decision of Council. We were advised that *“Councillors act as the liaison, and will report into Council, however this is mostly done through their Councillor reports and much less frequently brought to Council for a request for decision. That said, the Safety Committee recently requested through a staff report to continue funding security patrols in Sechelt, and Council approved this until the end of the year, based on the information from the committee liaison”*.

Finally, we asked whether or not any members of Council were compensated for their attendance and were advised that *“The only members of Council who are compensated for their attendance at any of the ABCs are the two Councillors appointed to the SCRD”*.

9.11 Council’s Internal Relationships

We have not always commented on the Councillor-Councillor-Mayor relationships whenever they have appeared to be “normal” and generally speaking, respectful. We note that there is often some degree of tension born out of a moment at a meeting wherein the discussions become heated and tempers flare and fray. Again, this is normally followed quite quickly by reconciliation (frequently guided by the Mayor) wherein the next day produces the reality that opinions often differ and that should be viewed as both normal and acceptable. The Mayor, in many circumstances, realizes that the onus for bringing about a greater sense of harmony rests on their shoulders and thus off the record meetings/discussions are held and fences, where needed, are mended. Where the Council members do not find a “ready to change” audience, there are not a lot of options open. One is to hold an in-camera meeting and, in frank terms, discuss what changes are needed; another is to seek change through a sanction(s) imposed as a result of the consequences of filing a Code of Conduct breach.

9.12 Council’s Direction/Priorities

The community did not elect just one person to determine its future. That role is presumed to be held by all members of Council and that each member will be accorded respect and listened to by their colleagues. While the Mayor’s ideas should be articulated and heard by all, and accorded the respect which the office indicates that these deserve, the Mayor like his colleagues must sincerely seek the opinions of all members and hear what is being said. The end result will likely be a combination of ideas which will then be melded into a statement of common priorities.

The practice known as “strategic planning” never really got underway in Sechelt because everyone on Council seemed more focused on role identity. Council had difficulty moving past the inner turmoil which has been their lot since very early in the term and thus the limited degree of focus on “how can we all work together for the good of the District?”

To some extent, and based on the opinions of management, the efforts to focus Council on strategic priorities has been the one glimmer of hope. Two of the SMT led the Council in the summer of 2023 through the prior strategic plan and based on this Council’s input, managed to develop a plan with which to move forward. Most of Council has seemed engaged and are

serious about achieving progress on major capital projects. This is one area wherein the senior management feel that some progress is being made.

The difficulty for senior managers has been the concerted effort by those on the opposite side of Council who, with friends in the community, attempt to derail the good work that is being done. Albeit slowly, some are beginning to realize that their votes count and that good things can happen on regular 5-2 votes or otherwise split Council support. The key is to keep focused on what the majority is saying and not on what is heard from the naysayers.

The key aspects of corporate strategic planning, in our opinion, include:

- Commitment from Council to take the time to think through their vision, mission, values, goals, and priorities
- Contribution of ideas and challenges from management who are intent on cooperating with Council in the development of its priorities
- Commitment by management to make these priorities come alive during management's planning and delivery of services
- An expectation that the priorities of Council will be referenced where applicable in management "requests for decision" reports and agenda items to Council
- Measurement of achievement towards the strategies in the plan and ultimately the success of Council's vision for the District.

9.13 Council's Policies

One of the key responsibilities of a Council is to make policy-based decisions which will serve to guide management's day to day decision-making and their responses to any public inquiries. Such policies ought to cover all of the key governance functions of a Council such that the CAO and his team can develop "managerial directives" which are in alignment with the policies.

Council as a governing body sets its parameters and guidelines through the development and approval of policies. These form the backbone of any governance model. As a quick recap, policy speaks to "what" is to be done; procedure or what we call "managerial directives" speak to "how" it will happen. The former describes public choice. That is established by the elected Council. The latter describes the processes

put in place to implement the will of Council. That is the role of administration. This simple description needs to be clear to all involved.

There may need to be an understanding of the difference between operational and administrative “policy” and who initiates and guides the formulation for each. In order to avoid confusion, it is our view that administrative “policy” should be described as “administrative or managerial directives” and should be the prerogative of the CAO, usually with input from his senior management team.

The guidance and approval of policy, however, is a Council mandate regardless of the fact that most policies begin at the administrative level where they are crafted and then presented to Council for adoption. Thus, the beginning of any policy might be in the minds of either Council or administration. **Only Council, however, has the authority to approve policy.**

While the Mayor can advise the CAO as to what he thinks of a certain policy or of Council’s likely response to it, the Mayor cannot direct how the CAO should advise Council.

Once a policy decision is made by Council, it ought to be presumed that the CAO will implement the decision as expeditiously as is reasonable following the meeting at which the decision was made. This then presumes that Councillors will not try to micromanage and control every decision but, rather, will support management enforcing Council’s policies.

When Councillors clearly understand the meaning and real impact of policy development and they take it seriously, they will soon realize that Council controls the key elements of what is expected in running a municipality. For example, some policy statements could include:

- What is our position on clarity of roles i.e., who does what? Do we have a policy on that issue?
- Who establishes our vision, goals and priorities? What is our policy which governs our approach to strategic planning?
- Who determines what constitutes municipal decisions? What policy does Council have outlining what qualifies as applicable decision requests?
- Why charge to use our recreation facilities? What is our policy on user fees?

- Why monitor the performance of our CAO? What is our policy on CAO assessment?
- Why the imperative to have position descriptions for all employees? What is Council's HR policy which would also address the need for all employees to have an approved, updated position description?

Policy issues ought to be identified on an “as we go” schedule. Rather than citing a number of these at once and quickly endorsing them without sufficient thought, it would be better to identify those issues which appear to be either major or repetitive or both. Such issues can be cited by management in a report or by Council members at meetings of the GPC and then referred back to the CAO to initiate drafting the policy. The CAO report could include a relatively brief statement together with an explanation as to why a new/revised policy is being considered.

9.14 Council Policies

Council as a whole has a number of key audiences, primarily the public and the District's administration. In order to deliver and receive messages effectively, the Council will need to rely on clear and current policies and procedures. The policies are established by Council typically on the advice of the CAO/senior management (SMT). Because there is little else that a Council does which is more important, the handling of communication must be according to very clear processes and according to a well-developed policy.

This should be based on certain clear principles which guide Council, and which ensure that no member, including the Mayor is able to claim a degree of uncertainty in how messages were to be directed/received.

We were forwarded the District's “Policy Manual” which contains over 60 policies. Some of these are broadly stated “governance” policies which address fundamental aspects of Council's role (e.g., Policies 1.1.8, 1.1.11) whereas others are much more specific, and one could say administrative in nature (e.g., HR policies 1.5.3-1.5.23). These policies range from Photocopying Service (#1.3.9) to Seaside Centre Rental Fee Refund (#1.6.7). Some cover significant issues as well as those which at best could be described as “in the weeds”.

The policies cover a broad span of time ranging from 1990 to 2022. In order to ensure some degree of currency and relevancy, any policy dated earlier than 2010 should be reviewed immediately and either a) removed/rescinded as now redundant, b) updated and edited to reflect current language, c) reverted to a “managerial directive” and rescinded as policy. A number of the current statements are administrative procedures and thus should fall into a category of “managerial directives”.

While the District is to be commended for having a policy mindset relative to issues which may be repetitive or major or both, a number of these are purely administrative and could be captured by a broad, omnibus Council policy followed by “managerial directives”. The current “Policy Manual” should be reassessed and the matters therein which are strictly administrative in nature should be moved to a separate “Managerial Directives” Manual.

The Manual and the District’s approach to policy governance should be re-evaluated with a new approach considered. (please see www.municipalworld.com) (Executive Policy Governance, Leading by this author).

It should be noted that a community plan is not necessarily a policy unless it is adopted as such. So, the Public Art Program and Policy (2013) is a comprehensive document, but it does not appear to be a Council policy. Such would have to be written as a policy and precede the report or be found in a Council agenda as a recommended policy.

The fact that the District has such a manual is encouraging and reflects their recognition of the importance of policies as the statements which guide the actions of the administration on key topics. We have included in the Appendices a list of (in our opinion) relevant policies which should be in the ‘Manual’ for consideration.

The attention to policies and the development of a policy mindset in the administration is a very healthy step to good governance.

9.15 Code of Conduct

The District originally established a Code of Conduct (Policy # 1.1.10) (August 1st 2018) by resolution of Council. The Code/Policy was established pursuant to Community Charter s.113.1 which gives permission to a Council to establish the Code.

9.15.1 Rationale

The purpose of the Code was outlined in section 1 and it states the following:

1. Purpose

- a) *Public business is to be conducted with integrity, in a fair, honest and open manner*
- b) *Members and appointees respect one another, the public and staff and recognize the unique role and contribution each person has in making the District of Sechelt a better place to work and live*
- c) *The conduct of members and appointees in the performance of their duties and responsibilities with the District is above reproach*
- d) *Decision-making processes are accessible, participatory, understandable, timely and just*
- e) *Members and appointees avoid any real or perceived conflict of interest*
- f) *Members and appointees respect and uphold confidentiality requirements.*

2. Application of the Council Code of Conduct

2.1 The Council Code of Conduct is applicable to all members of Council (“members”) and to any person appointed by Council to boards, committees, commissions, panels or task forces, whether they are members of Council or appointees by Council.

While the Code has been in effect since August 2018, it has not been engaged by members of Council with respect to any concerns regarding the behaviour of one or more members.

The Code was revised and adopted in 2023 due to revisions that were required (e.g., Council remuneration) and therefore with legal support, management brought a revised Code of Conduct for decision to Council. The background in the RFD says:

“In 2022 the Government of BC amended the Community Charter to include a requirement for all newly elected Councils to consider establishing a new code of conduct or reviewing their existing code of conduct. The District of Sechelt currently has a Code of Conduct Policy, which Council decided to review within the six months following the election.”

9.15.2 Action Taken

The Code was discussed by the CAO and Director of Community and Corporate Services with Council in a closed “council collaboration” session on December 6th 2023, and then not

again until very recently. On May 1st, the Council-staff communication policy was brought to Council as an RFD, and it references the Code of Conduct. This policy passed.

The Code of Conduct as written is quite solid with one exception: the Code hardly addresses the possible sanctions to be imposed by Council on any member who is found to have violated the Code. The only section which speaks to this matter is as follows:

5.2 Council may impose sanctions on members and appointees whose conduct does not comply with the District of Sechelt's ethical standards. Council may impose a motion of censure on a member and may rescind the appointment of an appointee to a committee if he or she is found to have breached the Council Code of Conduct.

In order to carry some degree of clout, the Code should speak to the varying degrees of sanction which the Council can impose at their discretion. Sanctions used by other municipalities include: reduction in compensation for a certain period; removal of the member from important boards and committees; public letter of apology on website/social media; removal of Mayor's authority to chair meetings; requirement for the Mayor to have another Council member in attendance at all meetings with the CAO; etc. These should all be incorporated in your Code.

9.15.3 Code of Conduct Bylaw

The District has subsequently introduced a **Code of Conduct Bylaw** which provides somewhat greater clarity and adds additional elements vis-à-vis its implementation should it be utilized at some point in the future. From our perspective, having reviewed several such bylaws, this looks quite clear and sufficiently comprehensive. It sets out the following:

- The bylaw is not a permissive document; that is, it applies to all Council members (Part 1, (1))
- There are certain public expectations of a member of Council (Part 1, (2) (3))
- The bylaw is intended to guide but not stifle (Part 1, (5))

"District of Sechelt Council Code of Conduct Bylaw No. 619, 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 District of Sechelt 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.*

The Code of Conduct Bylaw should, under normal circumstances, be made known to all members of Council but seldom referenced because all members are adhering to its provisions. Where that is not the case, Council needs to bring it forward and cite what the concerns are vis-à-vis the conduct of any member of Council which appears to be beyond that which is recommended by the bylaw. Where a Councillor or the Mayor fails to adhere to the Bylaw, a complaint can be lodged and properly investigated. Such an action should only be taken wherein the incident is egregious and the Council member cited has not shown any inclination of changing their behaviour.

9.16 Council Communication Principles

In addition to any Bylaw or Code, it would be useful for Council to adopt a set of principles which it feels underscores the commitment to good governance. We have articulated the following series of principles which this Council would be wise to endorse:

1. Decisions of Council

- a. The decisions of the Council as stated in its resolutions/policies and bylaws constitute the will of Council.
- b. Any decision of a former Council as conveyed by resolutions/policies and bylaws stands as the decision of the Council until such time as it has been revoked by motion of Council.

2. The Mayor

- a. The Mayor, as chief elected official, is the senior spokesperson of the Council and the community.
- b. The office of Mayor is to be respected by all members of Council and administration. The title to be used by all in verbal or electronic communication with the Mayor is, in this instance, “Mr Mayor” or “Your Worship”.
- c. The Mayor, like all other members, is entitled to hold a view on any matter which may be contrary to the opinions of other members of Council. Such views on any agenda issue should be expressed during the run-up to a decision by Council. There is nothing in legislation to suggest that divergent views are to be suppressed.
- d. However, the Mayor will always respect the will of Council on any issue, regardless of how the Mayor voted on that issue(s). That is, in any subsequent communication regarding a subject which has been dealt with by Council through policy or bylaw, the Mayor will voice support for the policy or bylaw.
- e. The Mayor is NOT entitled to voice his personal opinions on a matter which has already been decided by a Council resolution if those opinions are contrary to what Council has decided. Such opinions should be expressed before any decision of Council, not afterwards.

3. Respect within Council

- a. The Mayor and members of Council will treat each other with respect. None will knowingly violate the Code of Conduct bylaw by speaking to each other in Chambers or out in a disrespectful manner.
- b. The Mayor and members of Council will support a decision of Council when in attendance at any agency, board or committee (ABC) and will not adopt the stance of the ABC if they know that to be contrary to a policy or bylaw of Council.

4. Respect to the Administration

- a. All members of Council agree that they will speak, text, email or otherwise communicate with the administration through the CAO, unless prior approval has been given to speak directly with a member of SMT.
- b. All such communication will be respectful and will not be crafted in such a way as to demean or undermine the CAO or members of SMT.

5. Respect to the Public

- a. All members of Council will treat the public with respect. Personally offensive/aggressive commentary must not be a part of the discourse of any member of Council. Explaining a Council decision is always acceptable providing that the tone of the Council member's remarks is appropriately respectful.
- b. Council members are not expected to accept threatening, aggressive language from the public and should report same to the next in camera portion of a committee of the whole or Council meeting or to the Mayor privately. The Mayor will discuss this with the CAO or Corporate Officer in terms of what next steps are appropriate.

The foregoing "Communication Principles" should be discussed by Council at its next meeting and adopted as Council's policy.

10.0 Council's Relationship to the Chief Administrative Officer

We have covered the need for a respectful, professional relationship between Council members and the CAO in various sections of this Report. Our argument for doing so is the absolute importance of this relationship between those setting the direction and the policies and the person mainly responsible for carrying these critical matters out. A healthy municipality would not function as it ought if it allowed dysfunctional behaviour to prevail. If this relationship is “normal”, we would expect to find the CAO front and centre relative to Council's decision-making and governance model. He (in this instance) would be careful to hear what his Council is saying about the key issues and what they may be struggling with in terms of having their agenda completed.

We did not find this to be the case here in the District. The CAO is experienced within a local government setting and thus has a reasonable comprehension of what a good working relationship should be like. He appears focused on providing leadership to his colleagues and acting as a buffer between them and the Mayor. Where this has not worked well, the CAO has deferred to his Director of Corporate & Community Services as the latter appears to have a more respectful relationship to the Mayor.

We were advised during the course of our engagement that the CAO was personally criticized at a COW meeting by the Mayor. As a result, the CAO walked out and did not return to that meeting. By that time, things had already been simmering between the Mayor and CAO and some members of Council had enough.

We were advised that tensions had been building since the Mayor was elected; however, it was increasing in the spring of 2023 as the Mayor was beginning to ask more of staff and promoting his ideas/plans with staff and Council. The November 22nd budget deliberations meeting is the meeting when the CAO quickly left at the end of the meeting seemingly upset. Some described it as having “stormed out”. There was obviously considerable frustration that the Mayor would say things that would be out of line with Council priorities e.g., Dusty road well, highway etc. and Council would often just let him speak without debating the topics.

Before the November 22nd meeting, the Mayor had accused the CAO of having secret meetings with Councillors. Councillors had come to meet with him to ask about agendas/topics etc, with an open door. When the Mayor found out that this happened, he was upset that he was not included or informed. The Mayor was aggressive in his tone and language, to the point that the CAO wrote about his experience and was considering an harassment complaint. There was and has been the belief that the Mayor wanted to know everything before Council does, so a meeting without him was perhaps even worse for him. This resulted in a meeting of Council (December 6th 2023) where Council members discussed what they and senior management saw as problem areas for Council to deal with; these were outlined on the wall. One of the Councillors chaired the session.

The problem areas cited included the following:

1. “Moving forward without consultation with Council
2. Mayor does not want to collaborate with Council
3. Community assumes the Mayor speaks on behalf of all Council
 - a. Frustrated that the Mayor will “throw other organizations under the bus” and it appears on behalf of council
4. Agendas are no longer reviewed by Councillor Rowe
5. Solution papers are put out without Council approval
6. Concern that District staff are being directed by the Mayor without Council consultation
7. Mayor is directing our SCRD involvement including asking us for closed information and written reports as an update
8. Mayor tells us (Council) that he is disappointed in us
9. Suggesting incentives if a Councillor would see things the “Mayor’s way” more often
10. Dysfunction in the group feels toxic
11. One Councillor does not feel heard and finds it difficult to confront their issues in front of public, or in the office
12. Overall worry that the Mayor’s behaviour is damaging Sechelt’s reputation

- a. Biggest concern was the Districts relationship with the shíshálh nation and retention of District staff
- 13. Scared to ask staff for information, at risk the Mayor might question this
- 14. Access to municipal hall is limited for Council but not the Mayor
- 15. Council are finding it uneasy to be in council chambers
- 16. Council reminded the Mayor:
 - a. We are not YOUR council
 - b. We are not YOUR staff
 - c. You are not a solo act
- 17. Council would like any documents to come to Council table for discussion before they are made public”.

The following resolutions were put forward and approved.

- "that staff bring forward amendments to the Council procedure bylaw, including, but not limited to changing language in section 15(2) to replace presiding member with CAO, the changing of unanimous voting requirements for amended agendas under section 15(5), the re-ordering of agenda items of business under section 16(1), and any other outstanding housekeeping amendments at staff's discretion"
- "that staff reply to all of Council when responding to operational inquiries from any member of Council".

After December 6th, the Mayor asked for more time for his reply; however, he never replied. He was asked at the next closed session if he wanted to speak to it and he said he was not ready. Council has yet to hear his response.

Recently, in a closed session, after the CAO had walked out and left, the Mayor asked that Council speak together alone. Council agreed but said they would only speak as a group if the Director of Corporate Services stayed for what was described as a closed “Council collaboration” session. Arising from that meeting was the development of the Council communication policy. The resolution from that closed session was that Cuff & Associates Ltd. be called as soon as possible and next steps for the CAO and Mayor be discussed. This

discussion between Council and the Director also led to the creation of the Council Communication Policy. This also had the advice of the District's legal counsel.

The message(s) to the Mayor regardless of how abrupt, do not always land well. The Mayor continues to seek additional information from management which may be confidential or of a nature to challenge the management who are expected to respond.

Based on our interviews, it has been made clear to us that the relationship between Councillors and the CAO has been sound with Councillors expressing their thankfulness for the advice and reports they have received and the evidence they feel they have seen of the administration abiding by the policies and priorities of Council. Most are concerned (to varying degrees) with respect to the Mayor-CAO relationship and have, as a result, attempted to mitigate the downside of any consequences by placing caveats on the Mayor's authority to direct the CAO.

While we commend the Council for attempting to "make it work", this is not as it should be and is extremely limiting at best. The CAO has tried to avoid dealing with the Mayor whenever possible, choosing rather to have one of his subordinates stickhandle that relationship. This is a "makeshift" arrangement at best and limits the potential good which the position and person should bring to the District.

Can it be changed? Yes, but not likely with the two people currently occupying the roles of Mayor and CAO. The former has very fixed views on what a CAO should be like and what he should be doing. This would include a very subservient relationship to the Mayor rather than one of respect for professionalism and consideration of a challenging role. The only likely change there will be limited to an absolute commitment to change in the ongoing relationship, beginning with a public apology by the Mayor or the resignation or retirement of the CAO. If the latter were to occur, we have little to no confidence that the next relationship, after a honeymoon period of about 2-3 months, would be any different.

10.1 Performance Reviews

Conducting an annual performance assessment of the CAO should be considered one of the "absolutes" in the yearly calendar of every Council. This District is no exception. The issues

which have arisen between the Mayor and CAO are indicative of larger problems in the organization and as such they need to be evaluated during the annual assessment.

Council now has access to a performance review process endorsed by CAMA (Canadian Association of Municipal Administrators) for its use in assessing the CAO. This review process was given to senior management by way of a Council resolution. The obligation was to complete an analysis of the CAMA process and ensure it was suitable for the District of Sechelt. We are advised that this format was sent to the Mayor in November 2023 which is where it has resided since that time. We are not aware of any explanation to Council for the delay in acting on this matter.

Regrettably, the most recent performance review of the CAO by Council occurred in 2021. The current Council has not conducted a review, but it is hoped by management that this will occur soon and that all members of Council will be encouraged to participate in the Review. The CAO will also be asked (and has agreed) to participate by sharing his own assessment of goals/targets/progress/etc. The CAO review will be conducted solely by members of Council.

This delay or oversight should not be deemed acceptable by members of Council or by the CAO. A review of performance should be considered as both an essential obligation of Council (all members and not just the Mayor) and it should involve the CAO right from the outset. There should not be any surprises nor hidden agendas.

The format which we were provided focuses on:

- Accomplishment of goals
- Leadership and Relationships
 - Relationship with Mayor and Council
 - Leadership to the Organization and Staff
- Staff Effectiveness
- Policy Facilitation
- Functional and Operational Expertise and Planning
- Service Delivery Management
- Strategic Leadership

- Democratic Advocacy and Citizen Participation
- Diversity
- Budgeting
- Financial Analysis
- Human Resources Management
- Strategic Planning
- Advocacy and Interpersonal Communication
- Presentation Skills
- Media Relations
- Integrity
- Personal Development.

While we are not arguing with the CAMA model in terms of being thorough relative to all of the requirements and expectations of a CAO, this identifies a lot of what a CAO does. However, much of what is done internally by a CAO is largely beyond the purview of the Council. This places the Council at a disadvantage as most would want to fully understand what assessment is being asked of them and thus have clarity in terms of providing useful and honest feedback on the CAO's performance.

It is our opinion that the key elements or criteria of an assessment of the CAO for a Council are trust, confidence and respect. These lie at the core of a Council's basis of evaluation. While all these other criteria are obviously important and reflect much of what a CAO does on a daily basis, it has been our experience that a Council makes its judgment on more subjective factors.

We would argue that these criteria need to be embedded in the format currently utilized or a rewrite of the assessment format is warranted. Council as a whole is at fault for allowing this process to stagnate by leaving it with the Mayor to initiate any steps forward. (We will provide a somewhat different and streamlined format for Council to utilize which we recommend happen immediately.)

Given the dynamics at play here, we recommend that Council employ an external advisor to guide them through the process. (We will provide a name or two of possible resources in this regard).

10.2 Council-CAO Covenant

We suggest the need for a fuller commitment to strengthen relationships between Council and the CAO by establishing a **Council-CAO covenant** which commits both parties to seeking trust in the relationship. Such a model will not resolve all of the outstanding issues (including the rift between the Mayor and CAO) but would, at the very least, give other members of Council a template of what this relationship should be.

The Covenant is built on the principles of common decency and respect so everyone should be able to accept its precepts. We have appended the Covenant to this Report. This will be recommended to Council for adoption. We have also appended a **Mayor-CAO Covenant** which, while similar, is intended to strike at the heart of what is currently missing and to commit both parties to a fresh start or a combined conclusion.

10.3 Protocols

We have developed a set of what we refer to as “**Council and Administration Protocols**”. These are useful instruments which set out the expected relationships and reporting protocols that staff will follow, and which Council will respect. Clear protocols clarify how the relationship is intended to work and what to do in the event things go off the rails between and/or among Council, Councillors and the administration. These protocols can be amended or added to as circumstances arise which point to an inadequacy.

10.4 Council’s Relationship to Management

We have described in the background sections the relationship which a Council and its individual members should have with their administration. This relationship is expected to be grounded in trust and respect and not constant involvement in their daily activities. Proper oversight can be attained by learning to ask the appropriate “governance questions” at committee and Council meetings.

Council members ought not to:

- Seek to become friends of any or all members of management

- Spend more than a few minutes in any of their offices during the workday and then to perhaps seek added understanding as to the background to an issue (where appropriate, the department head should ensure that all members of Council receive the same information)
- Counteract any direction given to a manager by their own supervisor
- Speak ill of any colleague on Council or to question their motives
- Answer an inquiry from a member of management with anything more than “that would be a very good question to ask your supervisor”.

It is our understanding that most of Council is very supportive of the senior management team and thus also the rest of the administration. Some of their voiced support appears to be due to their desire to push back on any direct criticism which they may be hearing from other members. While this support is needed, the reasons it is are of concern. It is one thing for Council members to question their CAO and senior management team on the issues being presented to Council. This is normal behaviour providing that the questions are asked for serious reasons and in a sincere effort to get questions resolved. It is quite different if members are questioning management based on a desire to “find them out”.

10.5 Expectations of Management

Management should be expected to:

- Provide good advice through the CAO to Council
- Do nothing to hinder, interrupt or otherwise undermine the close relationship which a Council (and Mayor) is to have with the CAO
- Ensure that the CAO is front and centre with Council; be reluctant to take on the face-to-face roles which the CAO might wish to avoid (doing so is not good management but rather, in our opinion, reflective of a desire to avoid difficult relationships)
- Act always in a way which brings credit to the District; avoid any comment in public or even what seems to be in private which would diminish your respect for all members of Council
- Commit to the efficacy of legislation and agree to adhere to it

- Understand that there are distinct and separate roles described in the legislation and further substantiated by bylaws and position descriptions and policies and that these are to be followed by all members of Council and management
- Recognize that Council is a policy governance body and that management functions best when it participates in the development of draft policies which the Council ultimately approves (with or without change)
- Guide Council through the implementation of the District's strategic plan (vision, goals, and priorities), the business plan, budget and its policies
- Be respectful in all of its dealings and comments relative to its Mayor and Councillors
- Act as professionals who are thankful for the opportunity to work for the District in service to its citizens
- Support the CAO's efforts to manage resources effectively and efficiently
- Strive for the best in management practices: i.e. plan carefully; communicate daily, effectively and graciously; use resources prudently; work collegially; stay within budget; hold regular staff meetings; delegate with confidence; conduct regular performance reviews; channel questions and concerns up and through the CAO
- Act at all times with integrity.

The foregoing statements will be included in the recommendations as statements which Council and management will be asked to formally endorse.

As management has advised us, this has been a difficult Council to serve in large measure because of the tension within Council's ranks due largely to the poor relationship to the Mayor and, in lesser degrees, to one of their Council colleagues. These are personality matters which management will need to tolerate and to seek to find ways wherein they can best serve the District. These challenges will not, in our minds, change unless Council determines to make the necessary changes as identified in this Report.

While not a part of our Governance Audit, we did ask the question regarding current manpower and were advised as follows:

1. Number of fte's when this Council entered office: November 2, 2022: **66 FTE's**
2. Number of fte's at December 31st 2022: **66 FTE's**
3. December 31, 2023: **64 FTE's**. There were several hires and terminations from 2022-2023 as listed below:

Terminations		New Hires
RCMP Operations Support Coordinator (Retirement)		Public Works Operator I (Replacement)
Parks Manager (Retirement)		Public Works Operator I (Replacement)
Public Works Manager (Retirement)		Wastewater Operator (New 2022 FTE)
Corporate Officer (Retirement)		Executive Assistant (Replacement)
Bylaw Enforcement Officer (Resignation)		Building Official (Replacement)
Senior Development Planner (Resignation)		Senior Policy Planner (Replacement)
Parks Labourer (Resignation)		Bylaw Enforcement Officer (Replacement)
Senior Policy Planner (Resignation)		
Building Official (Resignation)		

4. Number of fte's as at the current date (June 3rd 2024): **64 FTE's**. There were some hires and terminations during this period:

Terminations		New Hires
Finance Clerk, Revenues (Retirement)		Public Works Operator II (Replacement)
Finance Assistant, Disbursements (Resignation)		Senior Development Planner (Replacement)

RCMP Admin Assistant, Computers (Resignation)		Finance Clerk, Revenues (Replacement)
--	--	--

The fact that there are various personnel changes should not be viewed with any degree of alarm unless there is evidence that quality people are leaving because of a poor organizational culture resulting from inadequate leadership by management, or as a result of Council interference in the duties and authorities of management. Diving more deeply into this matter is beyond our terms of reference but should be tackled over the ensuing 6 months by way of a “culture survey and analysis”.

11.0 Council Meeting Procedures

Effective meeting procedures speaks to the need for a Council to ensure that its Procedural Bylaw is clear and comprehensive and that it enables good decision-making to occur. Because of the importance of the Bylaw, this will need to be reviewed and likely improved on at least once during a term of office.

Meeting Protocols/Procedural Bylaw

The Community Charter section 124 establishes that:

- (1) A council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business.
- (2) Without limiting the matters that may be dealt with under this section, a council must, by bylaw, do the following:
 - (a) establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted in accordance with Division 3 [Bylaw Procedures] of this Part;
 - (b) establish rules of procedure for meetings of council committees;
 - (c) provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;

- (d) provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice;
- (e) identify places that are to be public notice posting places for the purposes of section 94 [public notice];
- (f) establish the procedure for designating a person under section 130 [designation of member to act in place of the mayor];
- (g) establish the first regular council meeting date referred to in section 125(1)[council meetings] as a day in the first 10 days of November following a general local election.

(3) A bylaw under this section must not be amended, or repealed and substituted, unless the council first gives notice in accordance with section 94 [public notice] describing the proposed changes in general terms.

11.1 Some Observations

Section 16 (1) of the District's Procedure Bylaw #568/18 (as amended to #568-04, 2023) outlines the Council meeting agenda. The following format (with some modest amendments in terms of the terminology used) (see actual agenda packages) was agreed to:

1. Land Acknowledgement
2. Call to Order and Declaration of Conflict
3. Adoption of Agenda
4. Appointments, Delegations and Proclamations
5. Business Items
6. Bylaws
7. Adoption of Minutes of Previous Meetings
8. Business Arising from the Minutes
9. New Business
10. Reports from Councillors
 - a. Sunshine Coast Regional District Representatives
 - b. Councillors

- 11. Correspondence
- 12. Items for Information/Release of Closed Meeting Items
- 13. Mayor, Council & Staff Emergency Items
- 14. Adjournment

The agenda appears to be fairly consistent with that used by other District communities and small cities/towns. We note that the meeting minutes make reference to various staff members presenting reports. The observation which we make, and which would be of greatest concern is that of who staff are expected to report to and in no instance, save one, is it to Council. While we would expect that certain senior staff (and subject matter experts) would speak to items under their purview, the fact that the CAO appears to be largely silent will potentially result in greater direct access by individual members of Council to members of your administration.

It is at a Council meeting that the work of the Mayor and Councillors is regularly seen by the public and thus it is important that they be given the primary place of attention. It is also at a Council meeting that the advice of the administration is read and heard and carefully considered. While individual items may not appear to some to be all that important, the fact that these are being considered in a formal setting by the elected governors of the community adds a sense of gravitas to the gathering.

It is for this reason that the CAO and his department heads should be seen by both Council and the public. Is it the staff member in the Planning Department who interprets the rezoning application or is that by guidance from the Director? Are business licenses to be approved by a staff member in Finance or are those guided by the relevant department head? Are the quarterly division reports approved by the division directors or is the CAO the deciding or approving authority?

If the “presence” of senior managers and the CAO are not needed in such meetings, does this undermine the need for such senior, well-qualified people or are these examples of effective delegation? We inquired and were advised that *“all items on an agenda are approved by Directors (department heads) and the CAO. At Council we offer various subject*

matter experts to speak to reports they have written, with their Director there to answer any follow up questions or to add any additional information”.

The current Procedure Bylaw #568-04,2023 should be reviewed and amended in keeping with the recommendations in this Report and as follows:

- a) Eliminate s.16 and place this matter in a “Council Agenda Policy” thereby facilitating or enabling further changes as times and new Councils might require
- b) Edit s.9 as follows “(1) Council members, staff and members of the meeting gallery shall silence electronic data or communications devices during Council and Committee proceedings, and not refer to their devices except in matters of possible emergency and then only after the member has received verbal authorization by the Mayor as presiding officer”
- C) Edit s.12 with regard to minutes as follows “(1) Minutes of the proceedings of Council must be: legibly recorded and reflect resolutions passed by Council without commentary with the exception of that section of the meeting wherein a delegation(s) may make a presentation and any commentary will be kept to a minimum to describe the core of their presentation”
- D) Edit s.18 (2) Eliminate the phrase “Delegations shall be limited to two per meeting.” (Circumstances and urgency might require more to be permitted which would require amending the bylaw).
- E) The District should eliminate some of the potential for spending too much time on issues of no consequence by adopting a “consent agenda” which could be used to cover off a number of minor matters under one agenda item, such as the following: minutes of past meetings, correspondence, release of closed meeting items.

11.2 Council Procedures

These procedures are very important as they impact all of Council’s formal business and how it presents itself to its public. These are not intended to inhibit but to facilitate; nor are they intended to become a target for those who cannot agree to personal restraint or public diplomacy. Procedures should be straight-forward, capable of being followed by all and

which lend themselves to a firm guiding hand by a chair (and someone who may start off quite green but who would grow into such a role with a reasonable degree of time and the assistance of an able Clerk/department head).

The Procedural Bylaw is a critical piece of Council's governance mandate. It needs to speak clearly to behaviours and Council/staff/public practices during the course of Council meetings. Where issues are noted during the course of any year, this Bylaw needs to be reviewed (preferably by an ad hoc committee of Council, supported by Legislative Services) and updated.

The key to remember here, and a point missed by many Councils, is that the decisions around how such meetings are to be guided, directed and managed are those as established by Council i.e., these are not expected to be a repeat of Roberts (or Bourinot) rules.

11.2.1 Decorum

It is our understanding that the meetings of Council have become more fractious over time and likely to result in emotional outbursts and expressed disappointment. While we understand that Council meetings and public hearings can become emotionally charged by those on either side of an issue, each Councillor should do all in their own way to act in a supportive manner without trying to sound as equally charged as the strongest spokesperson for one side or the other. Being persuasive in a summary statement does not require anyone on Council to bash or dismiss those who report to the CAO/Council. Language of that sort should be immediately ruled out of order by the Mayor and an apology issued. Councillors ought to recognize that they rely on their administration for ongoing quality service to their residents and that fulfilling their roles and obligations professionally is what they are expected to do.

As we have stated repetitively, such meetings are not intended as "mini baptisms" whereby management provides a report and Council approves the recommended action. Healthy dialogue and disagreement should be featured on a regular basis. What should not occur would be what we have had described in terms of outbursts, personal undermining and criticism, questioning of motives, etc. This serves no other purpose than to create or increase enmity between members and/or management.

When meetings of Council are not procedurally sound and are prone to being hijacked by one or more members who are focused on placing blame or carrying the torch for others, then good governance can be said to have gone silent. Much of the onus for this is a function of the following:

a) a sound procedural bylaw, b) quality chairmanship by the Mayor, c) agreement to abide by reasonable rules by all in attendance, d) an agenda which makes sense and properly describes the issues, and e) a meeting process which makes sense to all in attendance (for example, no item is “on the table” unless it has been properly moved so that order is created).

Development of Agenda

The current approach for developing the agenda is as follows:

1. Issues are brought forward by a department head to a meeting of SMT and discussed as a group with the CAO.
2. Issues requiring the attention and/or approval of Council are prepared as an RFD and reviewed by the Department Administrative Assistant, Corporate Officer, Manager of Communications, SMT, and reviewed and signed off by the CAO.
3. These issues are added to the agenda of the next meeting of Council.
4. The order paper for each meeting is reviewed by all member(s) of Council in consultation with the CAO, Director of Corporate Services and Corporate Officer.
5. The agenda and attachments are prepared and then circulated to all of Council on the Friday preceding a regular Council meeting.
6. The agenda follows the format required by the Council Procedure Bylaw #568-2018

This process should be re-examined as a result of our commentary relative to the proposed Agendas Committee and the Governance & Priorities Committee (GPC).

11.3 Human Resource Practices

The CAO does the ultimate hiring of department heads; however, he follows the hiring practices set out by Human Resources. The hiring committee for department heads includes the senior management team. The rating sheets from the interview process are discussed and collaborated on as a shared responsibility but the CAO owns the ultimate responsibility.

We were advised that there have been examples where the CAO has taken the advice but moved in a different direction from his colleagues (e.g., for example, a department head hire where the CAO and management differed, and the CAO chose the different direction from the recommendation of Human Resources and other members of the senior management team). We commend him for having retained his independence. We are uncertain as to the need for a “hiring committee” as that suggests that the views of those reporting to the CAO are likely to be as important as that of the CAO.

11.4 Reviews of Administration

The staff of the District are also evaluated on a regular basis. This work is coordinated through the office of the HR Advisor. The office sends out a reminder to employees to complete and review their work plans; to complete their performance reviews; to supervisors to review the position descriptions of their employees; to review the documents once completed and to discuss any discrepancies; to collaborate on a final document; and to set a time to meet again. This approach was described to us as being recognized as generally useful and followed by supervisors and employees alike.

The format has been subject to ongoing/annual reviews by the HR Department. A separate format is utilized for supervisory staff and District managers. It is our opinion that staff performance reviews on an annual basis are critical to the overall health and morale of the organization and show that the supervisors recognize that face to face assessments of their employees, while difficult at times, are an essential plank of effective management and quality organizations.

Findings & Recommendations

F.1 Council Roles and Responsibilities

The potential for meaningful change in most organizations (if not all that we have surveyed and assisted) resides with its leadership. The challenges which we heard about and confirmed during our study of the District are well-known to the Mayor and Councillors as well as the CAO and senior management. The resolution of these and the opportunity to move forward will require changes to the style of governance and leadership exercised by the Mayor and a willingness to work together on these changes by the rest of Council. The management of the District will also need to consider how it can adjust to this Council without compromising its commitment to ethical management.

It is our opinion that Councils function well when **they pay attention to their mandate as the governors of the system**. This is an elected body which is established to reflect and represent the citizens of their jurisdiction to ensure that the desires of the public are considered in all decisions being made by their Council.

Council members **require time to grow into their positions** and fully grasp all the nuances offered by both elected life and by local government. Most new members of Council are struck by how different both are in relation to the world in which they function on a daily basis (or, if retired, formerly experienced in their chosen occupation). While each member has the same rights, privileges, and expectations, most function quite differently.

How a Council functions as a body is **a reflection on the maturity of its members**. It does not take long for newly elected Council members to recognize that their colleagues think quite differently on a multitude of subjects. The challenge in every Council is marked by the degree of willingness to accord each other a spirit of respect regardless of disagreement; a spirit of inquiry when hearing an explanation of the matter before Council; and a spirit of thankfulness for the professionals who serve the organization in roles which are often maligned or challenged by those being served. The latter, while compensated for their work, are generally very committed to professional public service and keen to serve well and honourably. Seldom have we found managers or staff members who are self-serving or complacent in their approach. Most are continuous learners who see the complexity of

issues and recognize the challenges of meeting the expectations of a public whose views and needs differ.

We find that:

- All members of Council had access to some degree of orientation after the 2022 municipal election.
- The sessions offered regionally were useful but muted in terms of Council's governance roles.
- The sessions offered locally similarly covered a lot of territory but also failed, in the eyes of those attending, to offer much guidance to the roles of good governance and its key processes.
- The advice offered to the Mayor was either inadequate as to his roles and the constraint on those roles or the sessions failed to engage him sufficiently to be of much value (part of the responsibility is on the Mayor relative to his degree of engagement in these sessions).
- The onus on the Mayor to adhere to the decisions of Council and to speak in support of those, needs to be made abundantly clear.
- The relationship between the Mayor and the CAO needs to be re-built.

F.2 Commitment to Good Governance

We find that:

- Most members of Council are keen to better understand their roles and how they can contribute to the governance of their municipality.
- There is a decent base of understanding relative to the key concepts and what might be missing will be quickly grasped when presented.
- The administration needs to gain a better appreciation of what information the Council needs; how to translate that into draft policies; when to present current bylaws and policies which need to be updated.
- Greater respect is needed by both parties if the District is to have the future it desires.

- Most, if not all, are committed to seeing the District move ahead on its key challenges (e.g., water security, affordable housing, community safety, relationships within the region).
- Some members seem unaware as to how one gets an item on the agenda.
- Council members are unsure of what conferences they can attend and at what cost.
- Some believe that progress has been made in spite of the internal bickering.

F.3 Council Relationships

We find that:

- There is considerable tension and uncertainty within Council.
- Some express a lack of trust in each other.
- Relationships with the First Nation seems essential to move forward; this will require a more positive, proactive response by the Mayor .
- Most Councillors if not all desire a “reset” of some sort but express uncertainty in terms of how to bring that about; most express doubt that any significant improvement in relations will occur in the remainder of this term.
- One or more members of Council seem unwilling to incorporate the remainder into their decision-making processes.
- Some members and management seem to feel that next term will be more of the same unless personalities change.
- Council needs to express support for staff or may lose those of highest quality.
- There is uncertainty as to what the Mayor will say to groups outside of Council chambers and whether or not the positions of Council will be supported.
- Concerns were expressed that the Mayor has a certain group of residents who will support his every statement regardless of its merit and despite its lack of support within Council.

F.4 Management Relationships to Council

We find that

- The CAO has seemingly taken the approach that the less he is visible, the better the atmosphere will be for everyone else; his lack of control is pronounced; his colleagues appear to fill in as necessary.
- There is considerable uncertainty as to the reaction management will receive as it presents its best advice on any issue.
- There is considerable certainty that any hint of support for a measure by the CAO will be undermined and/or resisted by particular members of Council for no other reason than personality conflicts or lack of confidence.
- A majority of Councillors believe that the District organization really turned around by hiring of the CAO & Community & Corporate Service Director.
- There is fear amongst members of senior management that their reports will be targeted and ridiculed without much opportunity for explanation.
- Some members of management and some Councillors express the view that reports could be better prepared; options should be cited more clearly.
- Management expresses their desire to work collegially with this Council but are fearful that the opinions of some relative to their professionalism and desire to serve will derail any progress; several examples of management trying to support Council were cited (e.g., meetings at UBCM, some Cabinet Minister meetings).

F.5 Governance Model & Processes

We find that:

- The decision-making processes currently used by Council allows for indecision and uncertainty.
- There is little evidence that proposed decisions have been adequately discussed by members of Council before they feel they are being rushed into decisions.
- The focus of Council appears to be largely operational and thus very limited in terms of the impact on good governance.

- Some believe that Council is made aware of policy impacts and where a policy review might be useful.
- The understanding of how ABCs are to be incorporated into the decision-making process lacks clarity and consistency.

F.6 Council Communication

We find that:

- Council members are uncertain as to what messages the Mayor will communicate to his various audiences even after Council has passed a motion on the subject.
- Council members express concern regarding the Mayor attending meetings on even an impromptu basis wherein he might decide to pass along his opinions on a key issue while knowing that Council as a whole has not approved of those views.
- Council as a whole has a number of key audiences, primarily the public and the District's administration. In order to deliver and receive messages effectively, the Council will need to rely on clear and current policies and procedures.
- Policies are established by Council typically on the advice of the CAO/senior management (SMT). Because there is little else that a Council does which is more important, the handling of communication must be according to very clear processes and according to a well-developed policy.
- Council's communication of its decisions should be based on certain clear principles which guide Council, and which ensure that no member, including the Mayor is able to claim a degree of uncertainty in how messages were to be directed/received.

F.7 What Needs to Change (the Mayor & Councillors)

1. Democracy needs to prevail over interpersonal disputes; this Council has been and may continue to be divided due in large measure to very difficult personalities making a sense of legitimate teamwork very difficult. If acceptance of legislated roles remains elusive, and maturity difficult to obtain, then every issue needs to be argued, moved and voted. The administration will act on your votes, not on any discussion.

2. All of Council needs to meet and put their issues on the table. These should be discussed in an honest yet respectful manner. Storming out or raising voices should be deemed unacceptable. While this is also unlikely to resolve all difficulties, it will also inhibit those who say, “I never expressed what was on my mind”.
3. All of Council needs to recognize how their behaviour vis-à-vis management makes its roles and careers very troublesome. Yes, they are paid reasonably well for their work; but no, most others in the municipal sector do not have to put up with the constant sense of “this is not good enough”. Your location keeps people; your treatment of your management makes them question their priorities.
4. Your governance/decision-making model should change as one step in striving to reset the tone. The recommended GPC model should be adopted and tested for three to six months in order for Council to assess whether or not this will make a difference in how issues are debated, and ideas tested.

What Needs to Change (the CAO)

1. The CAO is Council’s chief policy advisor and the administrative head of the organization. As a result, he needs to be more visible in front of Council and in terms of taking responsibility for the administrative reports going to Council. The current system should be changed to permit his signature to appear on all reports. Simply saying “if the report is on the agenda, I approve” is not sufficient. His degree of accountability is currently lacking and needs much greater clarity.
2. Where the CAO sees Council’s discussion on an agenda matter going off the rails, the CAO needs to indicate his desire to be recognized and then speak to the issue from his position as the senior administrator.
3. The CAO and Mayor need to be able to meet privately so that the Mayor can be briefed on any outstanding or unfolding Council issues. If this cannot be done without rancour creeping in, the CAO should be accompanied by one other senior manager to all such meetings and should request that the Deputy Mayor accompany the Mayor.

4. Any correspondence coming into the District which is addressed to the “Mayor” or “Mayor and Council” should be copied to the intended party(s) with a note where applicable to state that a response is being developed by management for consideration by the targeted audience (i.e., either Mayor or Mayor and Council). All such responses should be based on the current District policy, or legislation or bylaw. If the current policy (or practice) does not state this, it should.

Recommendations (based on the information contained in the preceding sections of this Report):

1. Report

- a. We recommend that this Report be approved “in principle” by Council and referred to the CAO and management team for an implementation plan.
- b. We recommend that our Executive Summary (to be forwarded) be made available to the public through whatever means the District uses to publish notices including (but not limited to) placing this on the District’s website for a minimum of 30 days.

2. Commitment to Action

- a. We recommend that the Council and CAO/Senior Management undertake a “reset” relative to roles, responsibilities, style of leadership and governance.
 - i. We recommend that Council approve the Mayor-CAO Covenant (Appendix A) and that it be referred to the Mayor and CAO for their signatures indicating their approval and commitment to following these principles.
 - ii. We recommend that Council approve the Council-CAO Covenant (Appendix B) and that all be requested to sign indicating their approval and commitment to following these principles.
- b. We recommend that Council direct the CAO/SMT to begin now to develop a fresh approach to the orientation of the subsequent Council(s), including the provision within ten days of the next municipal election of an orientation for all members of the new Council (i.e., whether a returning member or not).
- c. We recommend that the Council direct the CAO/SMT to develop a “So You’re Thinking of Running for Office” briefing to be delivered about 30 days prior to the next municipal election. This function should be delegated to the Director of Corporate & Community Services and Corporate Officer.
- d. We recommend that Council endorse the “Council Communication Principles” (Report 9.16) (Appendix C).

3. The Mayor

- a. We recommend that the Mayor issue a public apology for his role in the dysfunction within Council and include in his statement his commitment to a renewed effort in becoming a more effective team player.
- b. We recommend that his statement be publicized via the District's website, social media and local newspaper.
- c. We recommend that the Mayor establish a regular meeting schedule with the CAO including an agreement to act in a supportive, respectful manner such that the administration can once again function as a professional and respected body.
- d. We recommend that the Mayor provide a verbal and written statement to Council at a regular meeting indicating his acceptance of the need for changes in how he perceives and delivers his important role; his willingness to work with all members of his Council; his willingness to develop respect for the role of CAO and his willingness to expect a reasonable working relationship with the CAO. (While this may never be the ideal, considerable improvement in respect and relationship building ought to be the mutual goal).
- e. We recommend that the Mayor (and Councillors) endorse the "Commitments by the Mayor" (Appendix D).
- f. We recommend that the Mayor accept that his role requires him to support the approved policy decisions of the Council and that any comment which he makes or writes will indicate his support for the position of Council.
- g. We recommend that the Mayor request the approval of Council to visit any Cabinet Minister (or senior official) and that another member of Council be asked to accompany the Mayor, as well as the CAO.

4. Approach to Governance

- a. We recommend that Council adopt a revised Governance Model and begin immediately to employ a Governance & Priorities Committee model (GPC) (see purpose & terms of reference attached) (Appendix E).

- b. We recommend that the Mayor and Councillors request the CAO to develop appropriate guidelines (including the agenda for the first meeting of the GPC) for how the Model will be implemented.
- c. We recommend that the Mayor create a “Standing Committee on Governance Policy Review” for the purpose of reviewing any current governance policies and recommending new policies to the full Council. Their report should be circulated through the GPC to Council.
- d. We recommend that the CAO and his management team provide assistance to the Standing Committee by reassessing the current “governance policies” and by providing draft policies for its review. (Once reviewed and approved by the Standing Committee, these should then be forwarded to Council for their approval).
- e. We recommend that the CAO and his management create a new manual of “Managerial Directives” for circulation to the administration. This should be targeted for completion in 60 days.
- f. We recommend that the CAO and management utilize an RFD (request for decision) (Appendix F) on all request for Council’s decision (see attached format).
- g. We recommend that the Council-Administration Protocols (Report 10.3) (Appendix G) be endorsed “in principle” and referred to the CAO for additional draft Protocol Statements.
- h. We recommend that Council review and approve the role statement for a Councillor serving on one of the District’s ABCs (Report 9.10); and that the Corporate Officer review each ABC of Council and prepare a Committee Charter for each for circulation to Council (Appendix H).

5. Strategic Priorities

- a. We recommend that the Council annually set aside time (prior to October of each year) to establish its strategic priorities such that the administration can then ensure that the proposed capital and operating budgets are in alignment.

- b. We recommend that the CAO recommend to Council the names of 1-2 experienced municipal strategic planning facilitators for their consideration as the independent voice to appropriately steer this process.

6. Council Members' Approach to Itself and its Administration

- a. We recommend that all Council members abide by a protocol to treat each other with respect. This includes:
 - i. Not speaking disparagingly of any member either directly or by innuendo
 - ii. Properly addressing each other in public and particularly in Chambers (i.e., Mr Mayor, Councillor XYZ, CAO Yeates, etc.)
 - iii. Refraining from criticizing the author of any report as opposed to focusing solely on the report's findings/recommendations
- b. We recommend that all members of Council review and agree to the "Statement of Council Principles" (Appendix I) which have been drafted for this instance. While these Principles may not add much to the legal envelope within which Council must function, they would be useful to be held up should they be purposely violated by one or more Councillors or the Mayor.
- c. We recommend that Council review their Code of Conduct Bylaw to ensure that all members are made aware of their expectations in the context of the bylaw and also of the consequences of breaching the bylaw.
- d. We recommend that an experienced "code advisor" or legal counsel be engaged as soon as practical and that clear sanctions for any violations be incorporated into the Code.
- e. We (reluctantly) recommend that Council members utilize the Code of Conduct to single out the Mayor or any Councillor in terms of behaviour which is deemed counter-productive, disrespectful, contrary to its principles.
- f. We recommend that Council members share whatever information which they have received from residents on Council issues with the Mayor, other members of Council and the CAO, on a concurrent basis.

7. Meeting Procedures

- a. We recommend that the Council members and Administration (Director of Corporate & Community Services & Corporate Officer) discuss and review the matters contained herein with respect to the Procedure Bylaw and recommend forward to Council those changes which will enable Council to focus most of its meeting time on significant policy/bylaw matters.
- b. We recommend that Council request the assistance of experienced legal counsel in determining “the rules of procedures” governing in camera meetings. The District’s experienced legal counsel will be able to ensure that all Council members are fully conversant with what issues are legitimate for an in-camera meeting, who is entitled to be present and whether or not Council has the authority to exclude any or everyone from such a meeting, and how and when the subject matters discussed in camera are to be made available publicly.
- c. We recommend that reports from any ABC be circulated first to the CAO/SMT for their review and comments prior to being placed on the next Council agenda.

8. Correspondence

- a. We recommend that any correspondence directed to the attention of the Mayor and Council should immediately be forwarded to them. If simply an informational request, the CAO/administration can draft a response for the signature of the Mayor. If the matter should be subject to a decision of Council, the matter should be concurrently forwarded to the CAO & Corporate Officer (together with a recommended course of action) for inclusion on the Council agenda.
- b. We recommend that questions on other matters being received from members of the public and addressed to Council should have the courtesy of a response by Council (i.e., under the signature of the Mayor). Unless members of Council feel that questions posed to the administration are

frivolous, then resident inquiries should be answered to the best of the administration's abilities and resources. We would expect the Mayor to support such requests unless the Mayor is convinced that such questions are a matter of "gotcha" and are not serious.

9. CAO/Administration

- a. We recommend that Council pursue a CAO Performance Review (see 10.1) within the next 60 days; that the format be as attached to this Report or as sent separately by this consultant; that an independent advisor be retained to assist in coordinating this work.
- b. We recommend that the CAO endorse all "requests for decision" and any other business items going to Council by including his signature on each item.
- c. We recommend that the generic roles (Report 7.3) of the CAO be endorsed by Council and the CAO; that these be utilized during any subsequent performance assessment of the CAO by Council.
- d. We recommend that the CAO and his administration undertake to endorse the "Roles of the Senior Management Team" (Report 7.6)
- e. We recommend that the series of "Senior Management Operating Principles" (Report 10.5) should be reviewed by the CAO and his management team and subsequently recommended to Council for formal endorsement (with or without amendments).
- f. We recommend that any report prepared by the administration for Council, or any report prepared by an external agent or considered to be of interest to Council be made to all members of Council on a concurrent basis.
- g. We recommend that the CAO and Corporate Officer brief the Mayor with respect to the items on the subsequent Council agenda a day or two prior to such meetings, as a courtesy to the Mayor in lieu of his requirement to chair meetings. Such meetings will not be used by the Mayor to make any changes to the agenda.

- h. We recommend that the CAO orchestrate an “Administration Culture” Survey by June 30th 2025 with a summary of the results provided to Council.

Summary

The overall goal is to re-establish respectful dialogue both in and outside of Council Chambers and the District Office and to build relationships which reflect a higher standard of behaviour than witnessed in recent months. This will take an adjustment by both Council and the administration (not either or) or these recommendations (and this Report) will be, unfortunately, without much lasting value.

Thank you for the opportunity to provide our advice to both the Council and administration of District of Sechelt. This has been written in our usual style of clarity, cohesion and comprehension. The recommendations are interdependent, that is, it would not be wise to try to “cherry-pick” these as each one presumes that all are being accepted.

Respectfully Submitted



George B Cuff, FCMC

**District of Sechelt
Governance Audit
Appendices to Main Report
April-June 2024**

©George B Cuff & Associates Ltd.

Appendices

Appendix A: Mayor-CAO Covenant

As the Mayor of the District of Sechelt I will:

- ❖ carry out my responsibilities as set out in the Community Charter to the best of my abilities
- ❖ commit to doing everything in my power to establish a positive, respectful relationship with the CAO
- ❖ engage with members of the senior management team only after receiving the approval of our CAO and then only on matters of policy clarification or a request for information related to a current policy
- ❖ minimize my expectations of the CAO in terms of time availability so as to protect his considerable obligations in terms of managing the District
- ❖ refrain from offering any advice on his management practices unless specifically requested by the CAO
- ❖ review all reports from the CAO and management in light of the need for clear policies for Council's consideration
- ❖ respect the CAO's right to offer any observation or input in any meetings with others in which we are both present
- ❖ seek the advice of the CAO prior to any effort to engage other jurisdictions
- ❖ refrain from any public or private criticism of our CAO or his staff wherein individual employees are identified
- ❖ participate in an annual performance assessment of the CAO and offer unbiased, authentic inputs designed to enhance his performance and relationship to the Mayor and Councillors.

Signatures:

Mayor: _____

Date: _____

Appendix B: Council-CAO Covenant**WE, as Council Members of the District of Sechelt will:**

- ❖ carry out our responsibilities as set out in the applicable legislation to the best of our abilities
- ❖ make decisions which we believe to be in the best interests of the citizens of our District
- ❖ review the background information and advice made available to us by the administration prior to rendering a decision
- ❖ seek further input from our CAO when we are unsure of the issues or uncertain as to the recommended course of action
- ❖ refer any complaints, either written or verbal, about the decisions of the Council or the actions of administration, to the CAO for review, comment and follow-up (as appropriate)
- ❖ refrain from making any commitments on behalf of the Council to individual citizens or groups other than to take the request up with the Council or CAO and to respond appropriately
- ❖ seek to participate actively in the decision-making process as it occurs at the Council table; make decisions at the table and not away from the table
- ❖ refrain from any public or private criticism of our administration wherein individual employees are identified
- ❖ act as good stewards of the District and as public servants of our citizens through ethical conduct
- ❖ provide effective leadership through guiding the corporation of the District of Sechelt through annual or longer-term goals and priorities (the Council's Business Plan), through the budget approval process and by agreeing to reasonable policies which reflect, in our views, the best interests of a majority of our citizens
- ❖ ensure that we formally evaluate the performance of the CAO at least once annually and involve the CAO in this process so as to ensure a full understanding of the Council's candid assessment.

Signatures:

Mayor

DISTRICT OF SECHELT GOVERNANCE AUDIT

Councillor _____ Councillor _____

Councillor _____ Councillor _____

Councillor _____ Councillor _____

I, THE CHIEF ADMINISTRATIVE OFFICER WILL:

- ❖ conduct myself as your chief policy advisor in an honest and ethical manner
- ❖ ensure that the Mayor and Councillors are accorded respect in all of my personal and public comments
- ❖ provide advice (on all issues) which is professionally sound, ethical, legal and in accordance to the policies and objectives of Council
- ❖ guide the actions of the administration so that they are in accordance with the policies and objectives of Council
- ❖ act only on the will of Council as a whole as established by the resolutions, policies and bylaws of Council
- ❖ forward any complaints or concerns of Council to the appropriate department and individual so that reasonable and prompt follow-up is assured
- ❖ ensure that Council is made aware of the full picture with regard to each issue at least to the extent that the administration is aware of such information and ensure that Council has access to reasonable decision options as well as my recommendation as your CAO
- ❖ seek to ensure that Council is aware of any key issues as they arise and thus avoid the problems associated with surprises
- ❖ maintain a current understanding of the applicable legislation as well as relevant programs, policies and initiatives of other levels of government
- ❖ attend conferences and seminars which are designed for people at a CAO level
- ❖ admit to any mistakes of substance made by myself or my staff and take corrective action
- ❖ listen carefully to the concerns of Council vis-à-vis my performance and seek to improve any deficiencies on an ongoing basis
- ❖ ensure that all major issues are tracked in sufficient detail so as to advise Council of any progress, anticipated problems or decision points.

Signature:

CAO _____

Appendix C: Council Communication Principles

In addition to any Bylaw or Code, it would be useful for Council to adopt a set of principles which it feels underscores its commitment to good governance. We have articulated the following series of principles which this Council would be wise to endorse:

1. Decisions of Council

- a. The decisions of the Council as stated in its resolutions/policies and bylaws constitute the will of Council.
- b. Any decision of a former Council as conveyed by resolutions/policies and bylaws stands as the decision of the Council until such time as it has been revoked by motion of Council.

2. The Mayor

- a. The Mayor, as chief elected official, is the senior spokesperson of the Council and the community.
- b. The office of Mayor is to be respected by all members of Council and administration. The title to be used by all in verbal or electronic communication with the Mayor is, in this instance, “Mr Mayor” or “Your Worship”.
- c. The Mayor, like all other members, is entitled to hold a view on any matter which may be contrary to the opinions of other members of Council. Such views on any agenda issue should be expressed during the run-up to a decision by Council. There is nothing in legislation to suggest that divergent views are to be suppressed.
- d. However, the Mayor will always respect the will of Council on any issue, regardless of how the Mayor voted on that issue(s). That is, in any subsequent communication regarding a subject which has been dealt with by Council through policy or bylaw, the Mayor will voice support for the approved policy or bylaw.
- e. The Mayor is NOT entitled to voice his personal opinions on a matter which has already been decided by a Council resolution if those opinions are contrary to what Council has decided. Such opinions should be expressed before any decision of Council, not afterwards.

3. Respect within Council

- a. The Mayor and members of Council will treat each other with respect. None will knowingly violate the Code of Conduct bylaw by speaking to each other in Chambers or out in a disrespectful manner.
- b. The Mayor and members of Council will support a decision of Council when in attendance at any agency, board or committee (ABC) and will not adopt the stance of the ABC if they know that to be contrary to a policy or bylaw of Council.

4. Respect to the Administration

- a. All members of Council agree that they will speak, text, email or otherwise communicate with the administration through the CAO, unless prior approval has been given to speak directly with a member of SMT (Senior Management Team).
- b. All such communication will be respectful and will not be crafted in such a way as to demean or undermine the CAO or members of SMT.

5. Respect to the Public

- a. All members of Council will treat the public with respect. Personally offensive/aggressive commentary must not be a part of the discourse of any member of Council. Explaining a Council decision is always acceptable providing that the tone of the Council member's remarks is appropriately respectful.
- b. Council members are not expected to accept threatening, aggressive language from the public and should report same to the next in camera portion of a committee of the whole or Council meeting or to the Mayor privately. The Mayor will discuss this with the CAO or Corporate Officer in terms of what next steps are appropriate.

Appendix D: Commitments by the Mayor**I as the Mayor of the District of Sechelt, will:**

1. Accept the constraints on the power as a Mayor and abide by the Community Charter in terms of what authority the Mayor has in relation to the rest of Council
2. Understand that the Mayor is “one of” Council albeit a position of considerable respect in the community and distinguished from that of Councillor by the Charter and by public expectations
3. Recognize that the citizens thought that they were electing a Mayor, not choosing a corporate CEO; and that they chose someone who they thought capable of working in harmony with others
4. Accept that my colleagues on Council strongly support their senior managers and the CAO and will not tolerate any further attempt to undermine their roles
5. Agree to meet weekly with the CAO in the presence of the Deputy Mayor to discuss current or pending District issues; to ask questions respectfully, and to avoid any suggestion as though a decision is being pushed that has not been endorsed by the Council
6. Work towards a Council-endorsed and driven set of strategic priorities and agree to place the priority of the Mayor’s priorities within that chosen by Council for the community
7. Refrain from any public pronouncements which have not received the prior endorsement of a Council resolution
8. Will not pursue individual project preferences which have not received the prior endorsement of Council (e.g., water wells)
9. Accept that only Council’s resolutions/bylaws will be acted upon by management
10. Refrain from any public criticism of the Regional District or individual Council member which has not received the prior endorsement of a Council resolution
11. Listen carefully to any concerns of colleagues on Council and respond after pausing to consider their concerns/intent
12. Appreciate that the Mayor is not entitled to, nor expected to, direct staff (including the CAO) but will be available for counsel and input as requested

13. Understand that as Mayor, that I will act as the leader of Council; will seek consensus on any policy matter(s) and Council resolutions and will recognize the validity of a democratic vote; and
14. That as Mayor I will be in the municipal office from time to time as my schedule and the needs of the office permit but will not “manage” the office (nor be expected to).

Appendix E: Governance Model

1) An Agendas Committee

While many municipalities overlook the importance of the agenda to good Council decision-making, the agenda is central to the process of local government and one of the key instruments by which Council controls the decisions which impact upon the District. Without a thoughtful approach to building an agenda, the decision-making process will quickly appear mechanistic and stale. It will also be dominated by the administration that, while central to the process, should not be the only players involved in determining what is or is not on the agenda.

The agenda should be seen as your instrument in making sound decisions and for ensuring that important issues are constantly kept in the forefront of Council. Although the physical preparation of the agenda should be the responsibility of the CAO and Corporate Officer/Clerk, the agenda itself should still be seen as Council's decision-making tool and that of its principal advisor, the CAO. Rather than solely being a list of issues derived by management based on its need for certain answers, or responses to correspondence from the public and others, the Council agenda should also contain any issues which arise which are of concern to members of Council.

- **Mandate and Guidelines for the Agendas Committee**

The proposed mandate of the Agendas Committee is:

- to ensure that the business of Council is being dealt with fairly and expeditiously
- to review potential agenda items and ensure that these are appropriate for inclusion on a Council and/or the Governance and Priorities Committee agenda
- to ensure that the voice of individual Council members is heard and reflected in the agenda
- to advise Council as to why any particular matter should not be brought forward for Council review at the present time.

The Agendas Committee should consist of two members of Council (Mayor, the Deputy Mayor)(If one of the foregoing is not available, a roster of alternates should be

established which the CO utilizes to determine who to call to fill in). Advising the Agendas Committee should be the responsibility of the CAO (or designate) and the Corporate Officer (or designate). This committee should meet about 3-4 days prior to a Governance & Priorities Committee meeting and review the agenda items as put forward by either the CAO, members of Council or by the CO. This committee should operate by consensus. Agenda items should include:

- those submitted by the administration (and which require Council's policy review and approval)
- those which Council members agree by a resolution of Council to refer to either this Committee or to the GPC agenda for consideration
- those issues which an individual Council member might submit which the Committee believes warrants a report by the administration (and thus which the Committee places before Council in the form of a "notice of motion")
- those which external boards/agencies believe require the guidance of Council before they can take a particular course of action.

The Agendas Committee is not intended to act as a censor for agenda items. Rather, it is to serve as a sounding board for both Council and the senior administration to ensure that issues are dealt with effectively and in the proper course of time. The Committee is charged with ensuring that the time a Council spends considering Council's business is used wisely and that business is conducted as openly as possible so as to be transparent before the public.

The Committee will ensure that the focus of Council is placed on "higher order" issues that potentially can impact current Council direction and policy. These "higher order" issues, for the most part, will likely be those of a strategic policy nature dealing with those issues which we outline as being within the purview of a Council.

The Agendas Committee will not have authority to defer any proposed agenda matter for longer than one regularly scheduled meeting without the prior consent of Council (by resolution). The CO should be responsible for establishing a mechanism for tracking these issues and for advising the Council as to their eventual disposition.

Any staff report intended for Council should be directed through the appropriate administrative channels to the CAO and thus becomes “his” report. As noted earlier, the CAO is expected to sign off all reports that are tabled at a committee or Council meeting.

A further important role for the Agendas Committee is the determination of which items ought to be referred to the Governance and Priorities Committee (GPC) for its review. Such items should be those which are policy-oriented or are perceived to generate controversy in the community or which the administration believes will likely take more time for Council to fully digest and appreciate. The GPC is not intended to be a “dry run” for a Council meeting where the latter forum becomes simply an exercise in baptising. The items on a GPC should be viewed by the Agendas Committee as significant and a cause to ponder.

- **Governance and Priorities Committee (GPC)**

The GPC is expected to become a very important component of Council’s decision-making as Council gains familiarity with its usage. The GPC is **NOT** intended to be an extension of a Council meeting. It will have a distinctly **different agenda** which may feature only one or two priority business items which will also appear on the regular Council meeting agenda. In addition, it may include a reporting process for any external committees to report on matters which they believe ought to be considered by Council for a decision.

The GPC could be utilized as well for dealing with an initial review of issues which individual Councillors have asked to be placed on the Council agenda.

The GPC should also be used by Council as an opportunity to hear from potentially a wide array of speakers on topics of some concern locally but on which the Council has yet to take a strong policy position. In such instances the GPC may decide to simply recommend the matter forward to Council “for information” or that it be referred back for further consideration by the GPC prior to a formal policy recommendation being presented to Council.

Advantages of a GPC

A GPC model makes a lot of sense from a number of perspectives:

- it brings all of Council together at the same time and venue to discuss “larger order” policy issues which will then be moved forward to a Council agenda. Council is afforded time to ponder.
- The GPC is primarily a discussion, information-seeking forum; that is, it is not intended as a dry run for the next Council meeting. Its agenda ought to be very different in that it might normally only have a few items which have been identified by the Agendas Committee (see terms of reference) as most likely to generate the more significant discussions.
- Council and its administration can determine how best to seek community input on significant issues but certainly the GPC is one useful mechanism. The GPC is open to the public although the GPC members could decide to move in camera on legitimate confidential matters. Council can use this committee in innovative ways through structuring of the agenda; through inviting specific individuals or groups to make presentations; etc.
- The GPC should be seen as more of a working committee where there will be less formality but still procedures being followed. It could take place in a boardroom (if one exists which is large enough) and Council and management might be seated at the same table (whereas they would be at separate tables in a more formal Council meeting).
- The GPC is not a decision-making committee. All issues discussed at GPC go forward to a regular or special meeting of Council and will be accompanied by a management report which has been signed off by the CAO.
- The GPC should eliminate the need for any or most standing committees and will assure all members of Council that regardless of what ABCs (agencies, boards and committees) they serve on as a liaison of Council, such agenda matters requiring Council’s attention would first be addressed at the GPC as necessary.

- **Terms of Reference**

The following are proposed as the appropriate terms of reference for the Governance & Priorities Committee. **The GPC** may:

- Hear from delegations and/or refer these on to Council
- Review matters forwarded to it by the Agendas Committee or by Council
- Require that all agenda matters on the agenda be supported by a draft report from the CAO or as delegated
- Recommend that a new policy be approved by Council in order to deal with the matter under discussion
- Review reports or minutes containing action items from external boards and committees so that there is some degree of consistency as to how each is treated by the Council
- Invite guest speakers to attend and present on the topic(s) or stage a debate between two organizations or speakers known to hold varying views on the topic at hand
- Meet publicly at least monthly at a time which is deemed by a majority of Council to enable any interested public to attend
- May determine to meet in-camera on a vote of the committee at the conclusion of a meeting; in-camera matters are limited as per the legislation
- Meet principally as a forum for discussion rather than as a decision-making arena (enables all of Council to review and discuss key issues without the requirement to decide)
- May refer an item to the CAO for more information or clarification but must move the issue forward to Council for its consideration and decision upon receipt of the clarifying information (in other words, the referral process if used is intended to be limited on a normal basis to two weeks).

Administrative Review of Agenda Issues

While the agenda and tone of a GPC meeting is not as formal as that of a regular meeting, the quality of any debate will depend on the quality of the input. This requires that the CAO and his department heads as appropriate establish their own timeline such that a meeting of the SMT occurs several days prior to the Mayor, CAO and CO who will review any agenda for the GPC and Council.

The key for the CAO and his SMT is to keep the focus on the broader and more strategic issues. The key determinants of whether or not an issue goes forward to the GPC meeting should incorporate consideration of:

- Is this a matter that we require Council's endorsement of?
- Is this a matter of a new or a revised policy?
- Does the issue have broad community significance?
- Is this an issue that it can be reasonably argued that Council would expect to see and provide direction to even though it may be within the parameters given to the CAO to act?

Appendix F: Request for Decision Format

Request for Decision (RFD)

Meeting:

Meeting Date:

RFD Originated By:

Topic/Issue:

A) The Proposal:

What is the essence of what is being proposed? Why is this important for the senior management team (SMT) to review; for the CAO to agree; for the Council to approve?

What would justify this being beyond the authority of the CAO to respond?

B) Governance Implications:

What are the policy consequences or impacts of this decision? What new policy is being recommended? What current policy is being set aside if we go in this direction?

C) Background To The Proposal:

What are the key preceding events? Has Council seen the issue previously? What gives rise to this being placed before Council?

D) Discussion / Options / Benefits / Disadvantages:

What are the key options in terms of action? The District can stay with the status quo (option a) which is...? The District can proceed with option b, c, d...which are and which result in...

The advantages and disadvantages from the perspective of senior management are???

E) Costs / Source Of Funding (If Applicable):**F) Impact on Citizens, Local Businesses****G) Impact On Staff Resources:****H) Impact On Approved Business Plan:****I) Recommended Action:**

That the Council accepts the proposal of the CAO/senior management team (SMT). This proposed course of action has been identified as Option XXX which succinctly stated is as follows:

J) Additional Background Information:

There is a file of background information which Council members have access to relative to this report. The executive summary of that information is attached hereto. Additional information can be accessed by following this link:

K) ADDED COMMENTS BY CAO (as applicable):

Initials show support -	Initiator: _____
Approved by:	Department Head: _____
	CAO: _____
	Date: _____

Appendix G: Council-Administration Protocols

- **Protocol: Council Treatment of the CAO**

Background

We as a Council recognize that the relationship of Council with its CAO as being critical to the success of both parties. We are keen to ensure that this relationship is solid, continuous and, where possible, enhanced.

Statement of Protocol

We agree to respect the apolitical nature of the office of the CAO and to receive their advice as being in the perceived best interests of the municipality and/or organization. We will respectfully listen to comments in response to questions posed at Council meetings and will ensure that the CAO is accorded a respectful audience. We will not bypass the CAO in our search for information and will coordinate any questions/concerns relative to the jurisdiction of the administration through the office of the CAO.

Application

This protocol will apply to the Council and CAO.

Effective Date

This protocol is effective immediately upon approval by resolution of Council.

Date: _____

Protocol: Treatment of the senior administration**Background**

The relationship of Council to its management team is of critical importance to this Council. As a result, Council will expect the treatment of any and all members of senior staff to be respectful at all times.

Statement of Protocol

We agree to respect the apolitical nature of our senior staff and will treat their advice and reports with respect. We will not knowingly or wilfully interfere with their work but will coordinate any of our concerns as a Council through the office of the CAO.

Application

This protocol will apply to the Council, CAO and senior management.

Effective Date

This protocol is effective immediately upon approval by resolution of Council.

Date: _____

Protocol: Access to staff information**Background**

We as a Council recognize that we need information to support all of our decisions. We also recognize that the information we request needs to be properly vetted by senior management so that it is comprehensive and clear. We also accept that all such information ought to be made available to all members of Council.

Statement of Protocol

We will agree to access information developed and or possessed by our administration by requesting such information through a motion of Council or by direct request to the office of the CAO. We agree that we will not demand reports from individual staff nor expect that any report being sent to us is being sent in confidence (i.e. to one member of Council and not to all others).

Application

This protocol will apply to the Council, CAO and senior management.

Effective Date

This protocol is effective immediately upon approval by resolution of Council.

Date: _____

Appendix H: Committee Charter

Committee Charter (External Agency)

Name of Committee: XYZ Agency/Board/Committee

Mission: The mission of this ABC is to ...

Mandate/Terms of Reference: The mandate of this ABC is stated in its charter/constitution asincluding: provide advice to the Council on matters pertaining to its mandate

Authority: This ABC has its own powers as stated in its constitution/charter which includes that of advising the Council relative to matters related to...

Membership: The membership of the XYZ Agency is as follows:

- Two members of Council appointed by _____ Council
- Two members of Council appointed by _____ Council
- Two members of Council appointed by _____ Council
- Three members of the public appointed by Council

Chair: The chair will be chosen by its members and will be a member of the public and not a member of a Council; in the absence of the chair, an acting chair will be appointed from the remaining two members of the public.

Role of a Council Member: The representatives of Council will be expected to voice the view of their Council (where that is known by resolution of the sending Council) before the issue is decided by the Agency. The member of Council is then expected to decide any issue based on what the member feels is in the best interests of the Agency.

Membership and Rotation: All members of Council appointed to such an agency accept that their term shall not exceed two years without the consent of the sending Council. No member of Council will serve continuously on any such ABC for longer than a four year term but may be re-

appointed by the next Council public committee members will be appointed for a 3 year term with the exception of the Council representative who is subject to an annual appointment.

Tenure: This Agency is an independent body and as such will be deemed to be continuous subject to any legislative change impacting this Agency.

Reporting: The XYZ Agency will provide its minutes to the Clerk of each Council within 48 hours of any regular or special meeting of the Agency. Where the Agency feels it is necessary, the Agency chair may be asked to meet with the Council(s) and brief the Council(s) on any issue(s) within its purview.

Contact with the Media: Any contact with the media shall be handled by the Agency on issues where it votes to make the matter available to the media through a media opportunity (i.e. press conference, media briefing, etc.). Such a briefing will be conducted by the chair unless delegated to another member of the Agency board.

Public Meetings: Unless otherwise provided for in the Agency constitution/bylaw, its meetings shall be deemed to be open to the public.

Appendix I: Council Principles**1) Clarity of mandate and authority (Roles)**

- a) Is there a clear understanding of what the legislation says the District is to deliver and what the Council and management therefore must do to ensure that these things occur?
- b) Are Council and management acting within the parameters set by the law?
- c) Does our Governance Model ensure respect for these distinct roles?

2) Effective orientation

- a) Was this new Council (every Council is new as a consequence of the most recent election) properly oriented to its roles, duties and obligations?
- b) Do Councillors understand what is required versus what might be permissible?
- c) Did the primary roles receive sufficient attention (i.e., Mayor, Councillor, Council, CAO)?
- d) Does everyone understand our Model?

3) Clear decision-making (governance) processes

- a) Has this Council been made aware of how decisions evolve and are eventually decided?
Has the Model been properly explained?
- b) Is Council able to discern the roles of the CAO and the senior managers who report to the CAO?
- c) Is the Council clear that it is to receive advice and then act as the conscience of the community in carrying out its decision-making functions?

4) Full disclosure by CAO/administration to Council

- a) Is the CAO committed to ensuring that this Council receives the information it needs to make a clear decision to guide the delivery of services or the handling of a community issue?
- b) Has the relevant information been made available to this Council in a timely manner?

5) Independence of the governing body

- a) Do the community and the administration respect the fact that this Council acts as it should not as it is told?

- b) Do Councillors understand that the decisions Council makes are the ones rightly ascribed to this Council and not to any other body? Does our Governance Model support the independence of our Council?

6) Primacy of the Council table

- a) Are Council's decisions made at the Council table?
- b) Are they unfettered by any advice received or any discussion held in advance?

7) Intentional leadership on the key issues

- a) Is Council made aware of the key issues in the community domain which require the guidance and decision-making of the governing body?
- b) Has this Council communicated its principal priorities for the year and/or term?

8) Open to the public

- a) Are all Council and committee meetings (except as may be restricted by law) open to the public?
- b) Is the public made aware of the time and place of a Council meeting?
- c) Is the public aware of how it can have an impact on the Council's decisions?

9) Apolitical administration

- a) Is Council served by a professional administrative body which is separate and apart from the political Council?
- b) Is it clear that the Council answers to the public for its decisions?
- c) Is it clear that the administration's advice is always presented as being the best apolitical advice it can make available based on its training, academic preparation and experience?

10) Oversight to policy decisions

- a) Is the role of this Council in providing oversight clear to all?
- b) Is it expected to review the impact of its decisions as seen in terms of how these were implemented by the CAO and administration?

11) Stakeholder (citizen) values and concerns

- a) Does our Model ensure that the decisions of Council have taken into account the perceived values of the residents and stakeholders?
- b) Is public input sought on what the Council views as key issues?

12) Effective advocacy to other levels of government and to neighbours

- a) Does this Council understand that one of its roles is to act in the best interests of the District in any discussion with both levels of government, neighbouring municipalities (e.g., Regional District), and other agencies)?

13) Ongoing and effective fiduciary monitoring

- a) Does Council have access to the applicable information as to how the District is being managed from a fiscal perspective?
- b) Can and does Council seek external professional advice from an independent auditor?
Does our Model support the fact that the Auditor works for Council?

14) Continual reporting on results; accountability

- a) Does Council make an effort to report back to its citizens as to how its decisions are impacting the functioning of the municipality?
- b) Does Council act in such a manner which communicates that it is accountable to the public?

15) Succession planning

- a) Is Council made aware that one of its inherent obligations is to ensure that it has a policy and plan in place to ensure that if its CAO is no longer available to fulfill their duties, that someone else has been designated to step in during the interim period until a replacement CAO has been chosen?

CAO Principles

- **Principle: One Employee**
- What does this mean??
 - Reports to all of Council as the administrative head of the corporation; acts as Council's primary linkage to the administration
 - Questions at Council meetings are directed to the CAO
 - Questions from the public are passed along to the CAO and through the CAO to department heads
 - The Council's authority to recruit or assess is limited to the CAO
 - The Council establishes the framework for the compensation plan and the CAO determines where each department head fits and what movement they make on an annual basis within the parameters established by the Council
- **Principle: Ensures a Healthy Council-CAO Relationship**
- What does this mean??
 - The relationship of the Council to its chief officer (CAO) is one of the most significant keys to any system hoping to reflect good governance. Such a relationship must be founded on trust, respect, understanding of roles, open communication, transparency of decision-making, and no surprises.
- **Principle: Respectful Relations**
- What does this mean??
 - Maintains an open, fair, collegial and respectful relationship with the Mayor and Councillors
 - Stays in regular contact; shows no favouritism to individual Councillors; acts in a respectful manner
- **Principle: Implement Decisions**
- What does this mean??
 - Ensures Council's directions are being followed and implemented regardless of any individual feedback/input to the contrary, unless that input has been provided

by authorized legal counsel (in that case, the CAO will bring the matter back to Council with a full report)

- **Principle: Concurrent Information**

- What does this mean??

- Any request to a department head or to the CAO by a member of the Council will be concurrently sent out to all Council members unless otherwise directed by the CAO
- Council members will be encouraged to forward their requests for background information related to key policy matters to the CAO
- The agenda package will be made available to all members concurrently

- **Principle: Personal Relationship to the CAO**

- What does this mean??

- All Council members are encouraged to develop a positive relationship to the incumbent CAO as the principal employee of the Council
- Where convenient to both parties, a Council member should feel free to drop by and visit the CAO in their office
- The CAO will regularly advise the Mayor of all “out of office” contacts with Council members to the Mayor
- The CAO will not encourage anything other than a professional relationship by a member of Council to the CAO

- **Principle: Complaints about the Behaviour of a Council Member**

- What does this mean??

- Where the CAO becomes aware of any complaint by a member of staff or by a member of the public with a member of the Council, this will be communicated to the Mayor on an immediate basis; if the matter pertains to the Mayor, the CAO must report the matter to the Deputy Mayor or full Council
- The Mayor is required to brief the Council member involved as soon as possible and preferably face-to-face; where the matter is significant the Mayor (or Deputy Mayor) should brief all Council members in an in-camera session of the Council

- **Principle: Complaints about the Behaviour of a Staff Member**

- What does this mean??

- Where a member of the Council becomes aware of any complaint by a member of the public vis-à-vis a member of the staff, they must report that instance to the CAO on an immediate basis; if the matter pertains to the CAO, the member must report the matter to the Mayor or full Council
- The Mayor is required to discuss the matter with the CAO as soon as possible and preferably face-to-face; where the matter is significant, the Mayor should brief all Council members in an in-camera session of the Council
- Council members will not criticize members of the administration to the public or at public meetings but will defer any such criticism to either a private meeting with the CAO or an in-camera meeting with the Council

- **Principle: “No Surprises”**

- What does this mean??

- The CAO agrees to ensure that all members of Council are made aware of emerging issues that are deemed by the CAO to have potential significance
- The CAO will to the extent they are capable, address this matter, and ensure that the Council is not confronted by a surprise release to any media of information on a policy matter

- **Principle: Treatment of the Public**

- What does this mean??

- The CAO agrees to treat all members of the public alike and will not show any favouritism in their response to requests for service from the public
- The CAO will be cordial and helpful in their approach to requests for service by outside agents, land developers, consultants, and those advocating for both residents and non-residents
- The CAO will draft a “public engagement strategy” for review and approval of Council

- **Principle: Regular Briefing of Mayor, Council Members**

- What does this mean??

- The CAO will ensure that the Mayor is provided with a briefing of upcoming and current projects and policy issues at regularly scheduled meetings with the Mayor
- Similarly, the CAO will ensure that all members of Council receive an adequate briefing on all key emerging policy issues on a concurrent basis
- The CAO will ensure that Council has the best apolitical advice in all reports and recommendations being considered by Council for its approval; signs off on all reports going forward to indicate that the CAO believes these reports to be sufficient in summarizing the issues under review and that the recommendation is supportable; is available at all Council regular and committee meetings to fulfill his role as the primary policy advisor to Council

- **Principle: Mayor's Primary Linkage to Organization**

- What does this mean??

- Acts as the Mayor's primary linkage to the organization and as the person who is regularly in touch providing updates on what is happening on issues about which, in the opinion of the CAO, the Mayor needs to be kept abreast

- **Principle: Monitoring/Updating the Council "Agenda"**

- What does this mean??

- The CAO will assist the Council in establishing its "agenda" of priorities for each year and term
- The CAO will ensure that these priorities are viewed as significant guideposts for all the senior staff and will provide the Council with regular briefings on progress relative to these priorities

- **Principle: Organization Structure**

- What does this mean??

- The CAO will develop an organization structure (based on policy) which allocates staff to the required functions and service areas

- The CAO is obliged to recommend to Council the position titles and number of key functions reporting directly to the CAO
- The CAO continually reviews the structure and the quality of senior management members and understands that as CAO he is accountable for their performance
- **Principle: Management of All**
- What does this mean??
 - The CAO ensures that “managerial directives” have been created which empower supervisory staff to take action within their areas of responsibility; oversees department heads in the performance of their duties; ensures departmental collaboration/cohesion
 - The CAO ensures that the services of the organization are clearly defined and are in concert with the expectations of Council (and thus the residents)
 - The CAO coordinates the efforts of the administration through regular meetings with the department heads; ensures that management are meeting regularly with their own staff in order to communicate issues/plans & discuss/resolve problems
 - The CAO defends the work and responsiveness of senior management to Council whenever and wherever that is necessary
 - The CAO provides performance feedback on a regular basis to direct reports; grooms possible successors at the next reporting level in the organization
- **Principle: Promotes a Healthy Environment**
- What does this mean??
 - The CAO ensures that the District has appropriate human resource policies and procedures which reflect it as a fair employer interested in the well-being of its employees; ensures that all positions have updated position descriptions
 - The CAO ensures that the District’s compensation plan and personnel policies are current, appropriate, and fair for all employees.

- **Principle: Current Skill Development**

- What does this mean??

- The CAO agrees to continue their progress as a senior civil servant through attendance at courses and conferences that are suitable to the role of a CAO
- The CAO will advise the Council annually of the courses they plan to undertake and will ensure that adequate funding has been set aside in the CAO's professional development budget

- **Principle: Adhere to the Legislation**

- What does this mean??

- The CAO will follow the applicable legislation in applying all of the foregoing principles and will, if in any doubt, seek appropriately experienced municipal legal counsel.