

EXECUTIVE COMMITTEE OF COUNCIL

TO: *MAYOR AND COUNCILLORS*

**SUBJECT: DELEGATION TO COUNCIL AND COUNCIL ADVISORY GROUPS
POLICY**

RECOMMENDATION:

1. THAT Council adopt the “Delegation to Council and Council Advisory Groups Policy No. 1160-00-2023-002” as attached.

REPORT

The creation of a Delegation Policy provides clear procedures for staff to ensure equitable responses and scheduling to all individuals and organizational groups when requesting a delegation before Council or Council Advisory Groups.

The Executive Committee of Council, at its Open meeting held on April 5, 2023, received the above noted Policy and referred the same to staff for further review and revision.

The Committee, at its Open meeting held on May 2, 2023, received and approved the attached “Delegation to Council and Council Advisory Groups Policy”. The revised Policy is being forwarded to Council for adoption.

Delegation requests will be handled in accordance with the Procedure Bylaw and then administered through this Policy. Council may choose to update or amend the Policy at any time.

On behalf of the Executive Committee,

Councillor S. Dhaliwal
Chair

Councillor R. Lee
Vice Chair

COUNCIL POLICY

Policy Name: Delegation to Council and Council Advisory Groups

Policy Number: 1160-00-2023-002

A. POLICY

This Policy relates to Council, Board, Committee and Commission meetings that are both open and closed to the public. In order to speak on a subject in a live meeting, speakers must request to appear as a Delegation. This Policy establishes criteria for Delegations appearing before Council or Advisory Bodies.

Speakers can appear to make a presentation, request an action, provide an update on projects or discuss issues not currently under consideration by Council through an active input process. Items for discussion must be of concern for Council or fall within the scope of the Advisory Body's Terms of Reference. Speakers can appear as an individual or a group.

NOTE: This policy does not address appearances before a public hearing.

B. DEFINITIONS

Advisory Groups	means groups that have membership appointed by City Council that can include Standing Committees, Select Committees, Commissions, Boards and Working Groups.
City	means the City of Burnaby.
CAO	means the employee appointed to the role of Chief Administrative Officer under section 147 of the <i>Community Charter</i>
Corporate Officer	is the employee appointed by Council and has the meaning included in Section 148 of the <i>Community Charter</i> .
Council	means the City Council.
Delegation	means an address to an Advisory Group at the request of the person or organization wishing to speak and relates to

a new item of business on the agenda at which the person wishes to appear

FCM means the Federation of Canadian Municipalities.

LMLGA means the Lower Mainland Local Government Association.

Non-Jurisdictional Items means issues over which the City does not have legal, financial, geographic, or operational effect for decision-making.

UBCM means the Union of British Columbia Municipalities.

C. AUTHORITY

The Corporate Officer or designate retains the authority to schedule Delegations to Council, Boards, Committees and Commissions, based on this policy, and is responsible for the administration of this policy.

D. PROCEDURE

Submission of Request

In order to appear as a Delegation, the speaker must complete an online request form on the City's website or request assistance from a Legislative Services staff member to submit the request. The form must be received by noon at least eight (8) business days before the meeting the Delegation wishes to appear at.

Confirmation of Appearance

Legislative Services will confirm receipt of a delegation request as soon as practicable, and upon review and approval of the request will tentatively schedule the Delegation on the first available or requested Advisory Group meeting, as deemed appropriate according to the subject matter of the Delegation.

Once the date of the meeting at which the Delegation will appear has been confirmed, the Corporate Officer or their designate shall advise the Delegation on meeting procedures.

Procedures for Delegations

Following confirmation, Legislative Services will inquire regarding audio/visual equipment needs, and PowerPoint presentation requirements. Delegations:

- may use their own equipment in the Council Chambers – the City will assist with, but will not be responsible for, the provision of the necessary equipment;
- may use equipment provided in the Council Chambers – the City will provide a clicker/pointer for the Delegation to move the slides;

- appearing via Zoom will be allowed to share their presentation from their own device.

All materials, including an electronic copy of the PowerPoint presentation, to be presented at the meeting (handouts, booklets, etc.) must be provided to the Corporate Officer or their designate by noon Thursday prior to the meeting to become part and forming of the public record of the Advisory Group permanent records.

The Corporate Officer has the discretion to limit additional materials, not including the PowerPoint presentation, to ten (10) pages.

The Delegation will be provided five (5) minutes for their presentation, unless a longer period is approved by a unanimous vote of Council or Advisory Group members present.

Following the presentation, Council or Advisory Group members may or may not choose to ask questions of the Delegation.

The Delegation must behave in accordance with the conduct at meetings as per the City's Procedure Bylaw and the City's Respectful Workplace Policy.

Response to Delegation

Unless Council or the Advisory Group unanimously resolves to immediately address the issue brought forward by the Delegation, no decision on the Delegation's requested action, if presented, will be made during the meeting at which a Delegation is heard.

Following the Delegation, Council or the Advisory Group may take no action, or may refer the issue to one or more of the following:

- the next or another meeting of Council;
- staff for a report; and or
- another Advisory Group.

Subsequent Requests

No person or group shall address Council or Advisory Groups on the same subject within six (6) months without new, significant information being presented.

Non-Jurisdictional Items

Requests to appear as a delegation on Non-Jurisdictional Items will not be placed on an agenda for consideration unless requested by the Mayor or Chair of the meeting.

During review of the agenda review process, the Mayor/Chair, CAO, and Corporate Officer will distinguish Non-Jurisdictional Items from those that will be placed on the agenda. Non-Jurisdictional Items will be circulated to Council or the Advisory Body for information. A member of Council may ask that a Non-Jurisdictional item be placed on a

Council agenda, whereupon Council will vote to determine if the issue will be considered.

For clarification, endorsement of communication regarding issues of municipal concern to other levels of government or local government organizations such as the LMLGA, UBCM, and FCM shall not be considered Non-Jurisdictional Items.

Other Items Not Permitted

Delegations regarding the following will not be allowed:

- a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw (*this provision does not apply where a second or subsequent public hearing is to be held on the matter*);
- the promotion of commercial products or services which have no connection to the business of the City;
- publicly tendered contracts or proposal calls for the provision of goods and services for the City, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or City staff;
- matters in regard to elections, alternative approval processes or referendums where assent of the electorate is being sought (within 60 days of a voting opportunity);
- matters that contain or may contain unauthorized breaches of personal information or privacy for individuals or third party proprietary information in violation of the *Freedom of Information and Protection of Privacy Act*, or
- an issue which is before the courts or on which Council has authorized legal action.