



PARK BOARD PROCEDURE BY-LAW

Update

Park Board Committee Meeting
December 7, 2020



The purpose of this presentation is to introduce updates to the Park Board Procedure By-law that:

- reflect current practices;
- address gaps;
- clarify procedures that may have led to some ambiguity or confusion; and
- follow-up on “Future Considerations” noted during the last update in January 2019.



Background

- Board enacted current PB Procedure By-law in January 2019, following a comprehensive review completed by staff in 2018 (had not undergone a thorough review since 2002);
- Council enacted new Procedure By-law in November 2019; includes new provisions that would be helpful to include in the PB By-law for alignment & clarity;
- Regular by-law reviews are recommended to:
 - reflect evolving meeting practices & specific Park Board needs;
 - clarify areas that are silent or unclear;
 - maintain best practices.



Proposed Amendments

Majority of proposed revisions are administrative and minor in nature, and intended to reflect current practices and clarify confusing terminology and processes:

- updating Regular Board and Committee agendas to include missing items (e.g. “Unfinished Business and Deferred Items”), and to rename confusing items (e.g. “Motions on Notice” renamed to “Members’ Motions”);
- clarifying terminology throughout for consistency (e.g. “Members” or “Commissioners”);
- adding references to provisions that are regulated by the Vancouver Charter, which will help guide future reviews.

The most significant change included in the proposed by-law updates is to revise the by-law enactment section:

- reflects current Board practice of reading, hearing from Speakers, and amending draft by-laws at Committee meetings;
- removes redundant procedural formality of undertaking three readings and potential amendments during enactment at Regular Board Meetings;
- aligns with the City by-law enactment process to provide consistency.

Some of the more substantive changes include adding or expanding upon sections to reflect current practices, Vancouver Charter regulations, and incorporating relevant provisions from the new City Procedure By-law:

- scheduling of meetings during general election years;
- disqualification from holding office due to prolonged absence unless due to illness or injury or if leave has been granted;
- using meeting recordings to determine the accuracy of the minutes if questioned;
- permitting meeting clerk to correct typos/minor errors in the minutes;
- adding rules and retention guidelines for meeting recordings;

- clarifying rules for Commissioners to ask questions of staff;
- expanding guidelines for conduct of the public during meetings;
- specifying that Speakers may participate/provide comments in person, in writing, or via electronic means (by phone);
- clarifying guidelines for Commissioners when asking questions of Speakers.

Additional Considerations

To follow-up on the “Future Considerations” presented in January 2019, two additional recommendations have been provided for the Board’s consideration:

- 1. Options to hold Electronic Meetings;**
- 2. Criteria for calling Special Meetings.**

- Neither are included in the by-law proposed for approval this evening;
- Both items are regulated through the Vancouver Charter;
- If recommendations to seek Vancouver Charter changes are approved; Board would need to approve related by-law amendments if the Province agrees to charter amendment requests;

1. Options to hold Electronic Meetings;

- a Ministerial Order was issued to allow local governments to hold electronic meetings during the COVID-19 pandemic;
- provides flexibility to safely conduct business using telephone and video conferencing, without compromising the rights of the public to access the decision-making process;
- Park Board demonstrated it is able to effectively conduct its business while holding meetings by electronic means;
- allowing Speakers to participate remotely reduces barriers for those unable to attend in person; a by-law change has been proposed to continue to support this option
- allowing Commissioners the option to attend meetings remotely post pandemic requires a Vancouver Charter regulation;

- Local Government Act and Community Charter provide local governments the ability to include electronic meeting provisions in their procedure by-laws.
- City of Vancouver Electronic Meetings Regulation in the Vancouver Charter authorizes Council to hold special meetings by electronic means (both open & closed);
- Seeking a Vancouver Charter Electronic Regulation for the Vancouver Park Board would provide Commissioners ability to attend remotely when unable to attend in person;
- Reduces barriers to Commissioner participation, particularly for reconvened, In Camera and Special Meetings called on short notice.
- Specific guidelines around electronic meetings would need to be developed and brought forward for Board approval prior to submitting request for Charter regulation.

2. Criteria for calling Special Meetings

- Per the Vancouver Charter, Special meetings can currently be called by the Chair, and also upon receiving written request from two Commissioners;
- A minimum of 48 hours notice is required; more notice is provided whenever possible;
- Unexpected meetings may require Commissioners, Speakers and staff to adjust schedules and reprioritize work commitments on short notice;
- City of Vancouver requires either the Mayor or a Council majority to call a Special meeting;
- Mechanisms in place to ensure the minority voice is protected include:
 - Regular meeting schedule approved annually;
 - Commissioners can add any item to an agenda with a Secorder.

- A. THAT the Vancouver Park Board approve, in principle, the repeal and replacement of the Park Board Procedure By-law, as set out in Appendix A of this report;
- B. THAT the Director of Legal Services be instructed to bring forward a by-law for enactment by the Board, generally in accordance with Appendix A;
- C. THAT staff be directed to seek a regulation, pursuant to the *Vancouver Charter*, to permit the Park Board to hold electronic meetings; and
- D. THAT staff be directed to report back with further information and recommendations on procedural options in addition to, or as an alternative to, calling Special meetings to ensure that a minority of Commissioners have their motions considered and addressed by the public.

