

City of Victoria Governance Review

Report of Recommendations – Summary Presentation

July 21, 2022



Wherever business takes you

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Introduction

- MNP conducted a review of the governance structure, bylaws and processes of the City of Victoria, to consider ways the current model is effective and how it may be improved to further enable responsible and accountable government.
- MNP recommended the scope of the review to Council based on Council interest and stakeholder engagement (Phase 1)
- The Final Report includes recommendations informed by:



Principals of Good Governance



Regulatory Framework

- Provincial legislation
- City bylaws, policies, processes, structures



Internal Stakeholder Engagement

- Interviews with Members of Council and Senior staff



Other Jurisdiction Scan

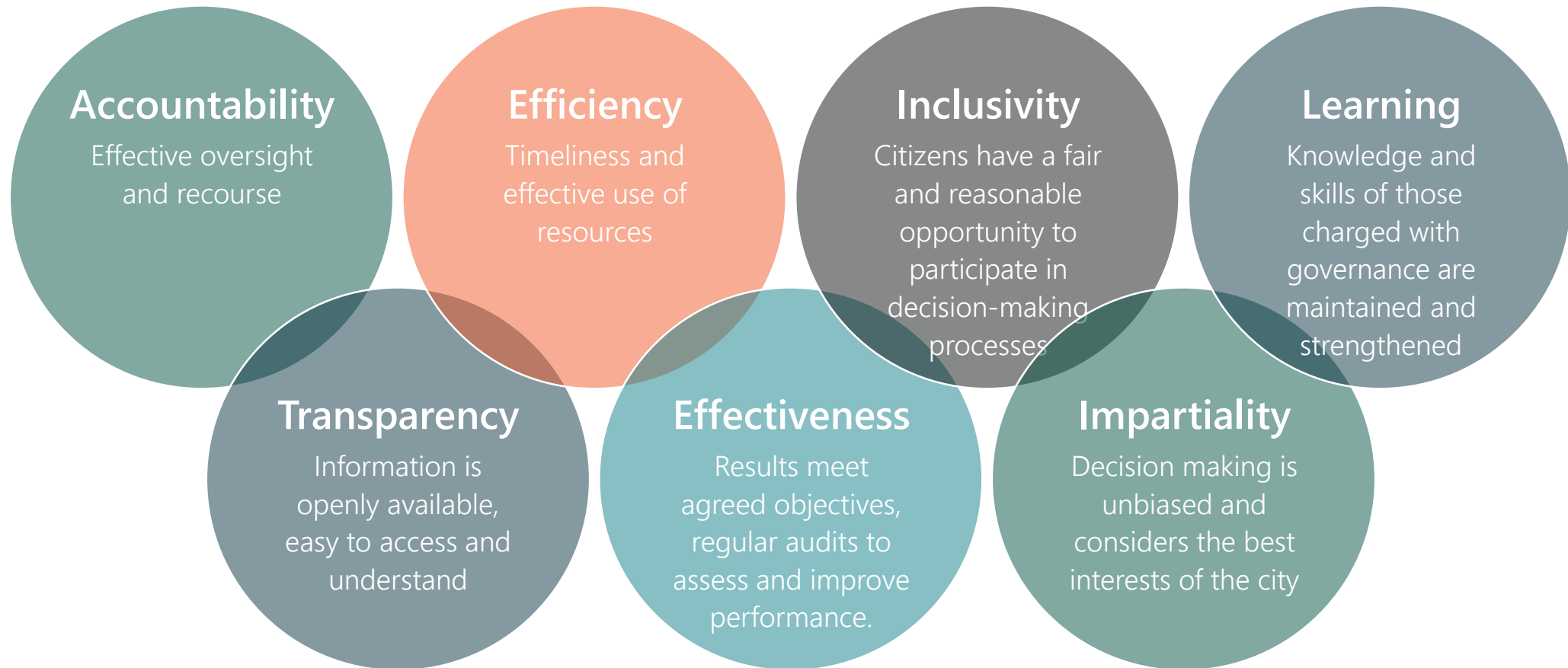
- Canadian cities of similar size and/or with practices of note



Public Engagement

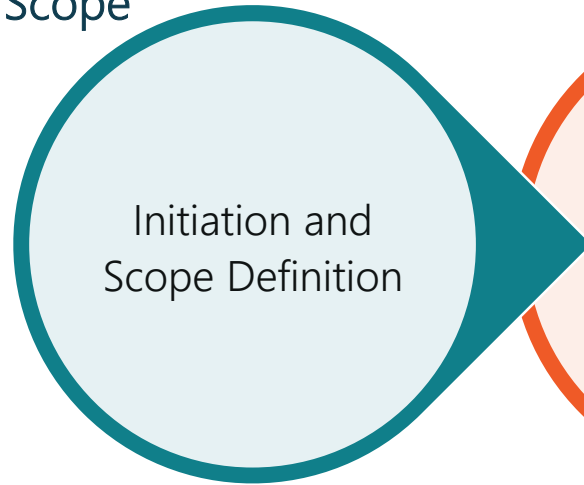
- Public survey, in-person and online public sessions
- Stakeholder focus groups, written submissions

Principals of Good Governance



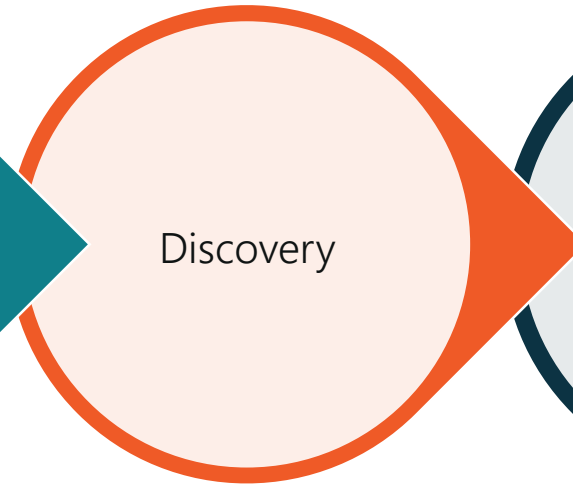
Overview of Approach

Phase 1 – Define Scope

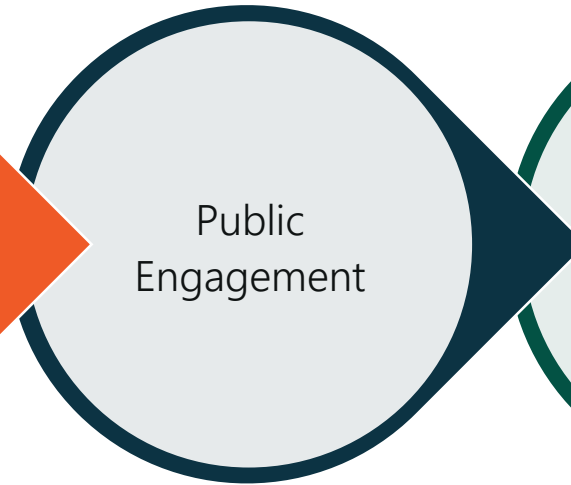


- Confirm, approach, timeline, stakeholders
- Initial internal and external engagement to define scope
- Summary of engagement findings, report and recommendations to Council for Scope of Review

Phase 2 – Governance Review



- Complete interviews with members of Council and Senior staff
- Complete cross-jurisdictional scan
- Complete review of legislation, bylaws, policies, structures and processes



- Key Stakeholder groups
- Public



- Current state summary including practices in other jurisdictions and public engagement
- Recommendations, rationale, required amendments to governance documents
- Presentation of Report to Council



Structure of Report

- Findings are based on information drawn from the following:
 - Formal Structures, Current Practice
 - Insights from Internal Engagement, Insights from Public Engagement
 - Insights from Other Jurisdictions
- Organized under 6 topics:

5.1 Role of Mayor and Council	5.4 Council and Committee Decision-Making Processes
5.2 Council Remuneration	5.5 Public Access and Input to Council Decision-Making
5.3 Committees and Advisory Bodies	5.6 Transparency and Accountability

Public Engagement Results

Purpose: To obtain feedback from the public (stakeholder groups and general public) on the City's governance structures and processes and priorities for improvement

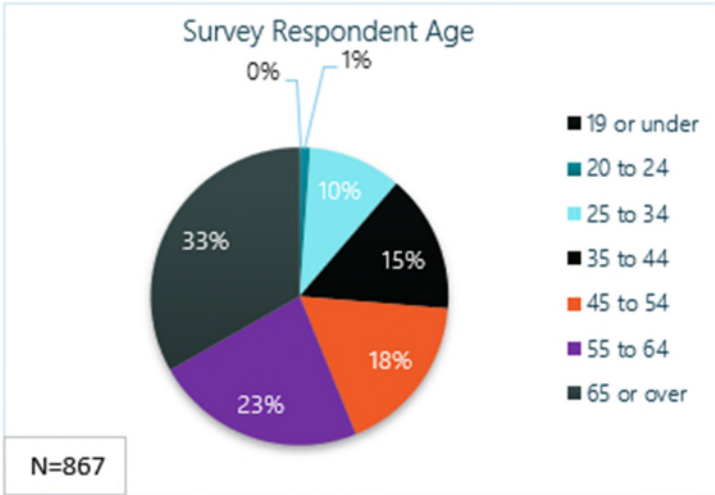
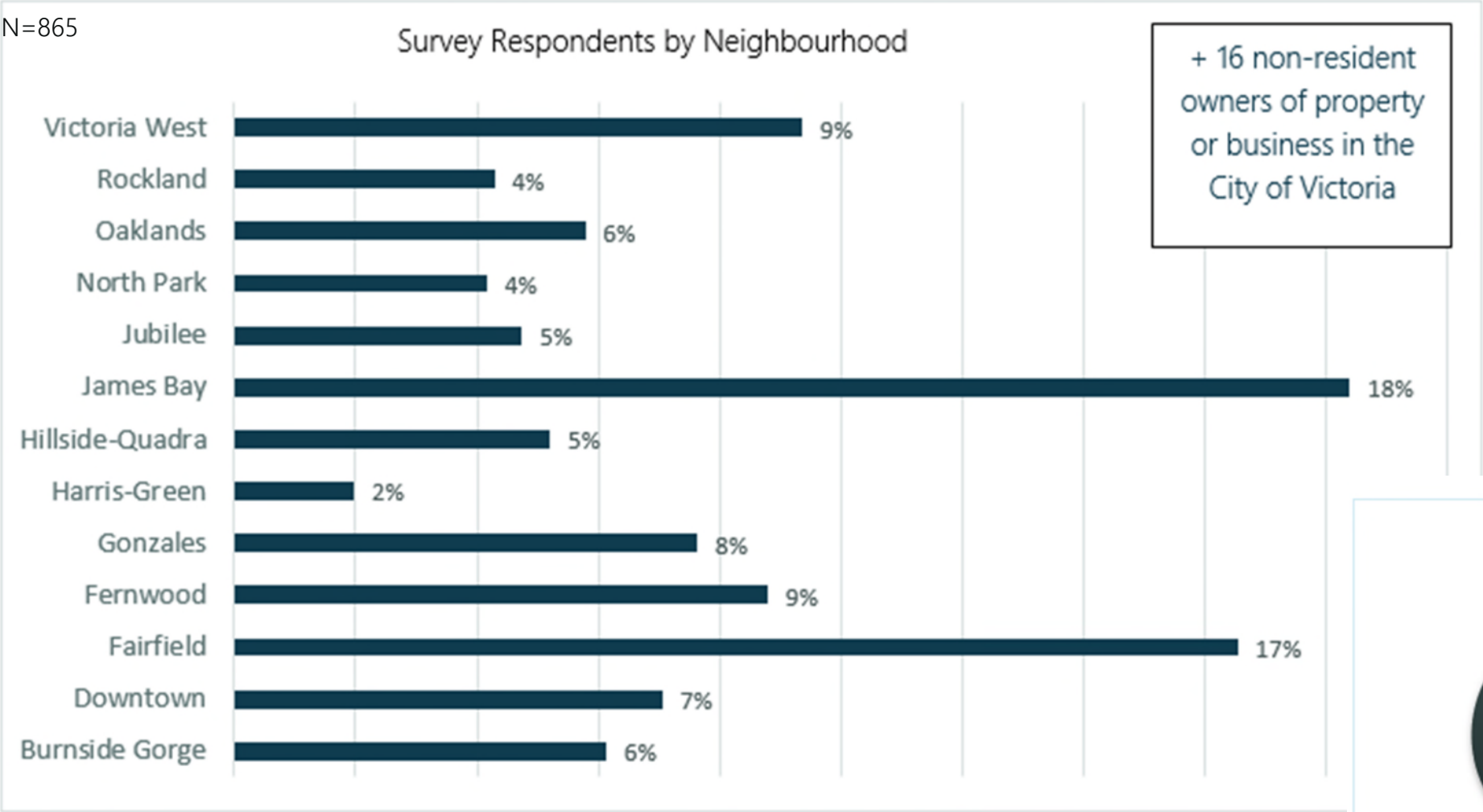
Engagement Activities

- Residents
 - Online survey - 881 (residents, property/business owners)
 - In-person and online public sessions - Brief overview of City and other jurisdiction governance structures, decision-making processes followed by group discussion – *13 participant*
- Stakeholder organizations
 - Focus groups (virtual) - *23 participants from 18 organizations*
 - Written submissions - *3 submissions*
- **Background information** on the City of Victoria “Have Your Say” Governance Review project webpage
 - 2-page summary of Current Governance Structures - City of Victoria and other Canadian cities
 - Relevant legislation and bylaws
 - Links to City documents and webpages (Council Meeting Dashboard, Council and Committee meetings, Board and Committees, How to Participate in a Public Hearing, Engagement Framework)

Communication

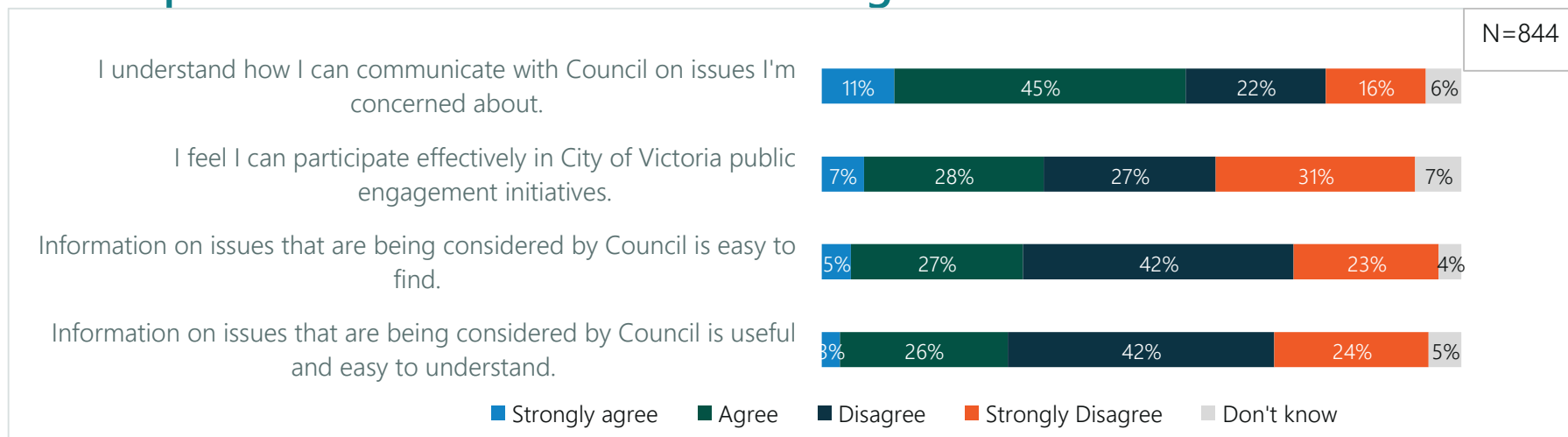
- Notice in City e-news, on Have Your Say website
- News release
- Office of Public Engagement social media
- Print ads
- Direct invitation from MNP (Stakeholder groups)
- Relayed by stakeholder organizations to their members (voluntary)

Survey Respondents



What We Heard

Participation in Council Decision-Making



Top barriers encountered by respondents who have presented to Council

- Takes too long (including waiting time)
- Didn't believe my concerns would be taken into consideration
- Meeting schedule is inconvenient

Key Themes

The public is not provided with adequate time and information to effectively participate in Council decision-making.

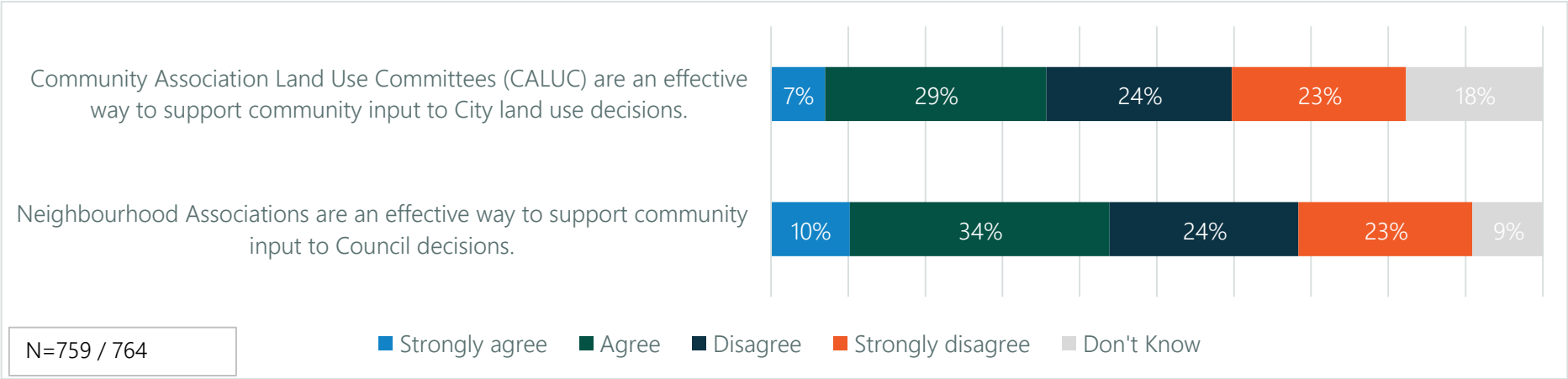
- Time between published agendas (and updates) and meetings is not enough time to absorb lengthy, complex materials.
(Advance notice and information available also applies to public engagement)
- Long, late Council meetings a barrier to participation

Public input (individual and representative) not considered in decision-making

Technology has enhanced the ability to participate in Council decision-making, could be improved further

What We Heard

Neighbourhood Associations and Advisory Bodies



Key Themes

Stronger terms of reference and understanding of roles and responsibilities are required for Advisory Committees.

Forgoing income, low income or incurring direct costs to participate on an Advisory Committee may be a barrier to participation.

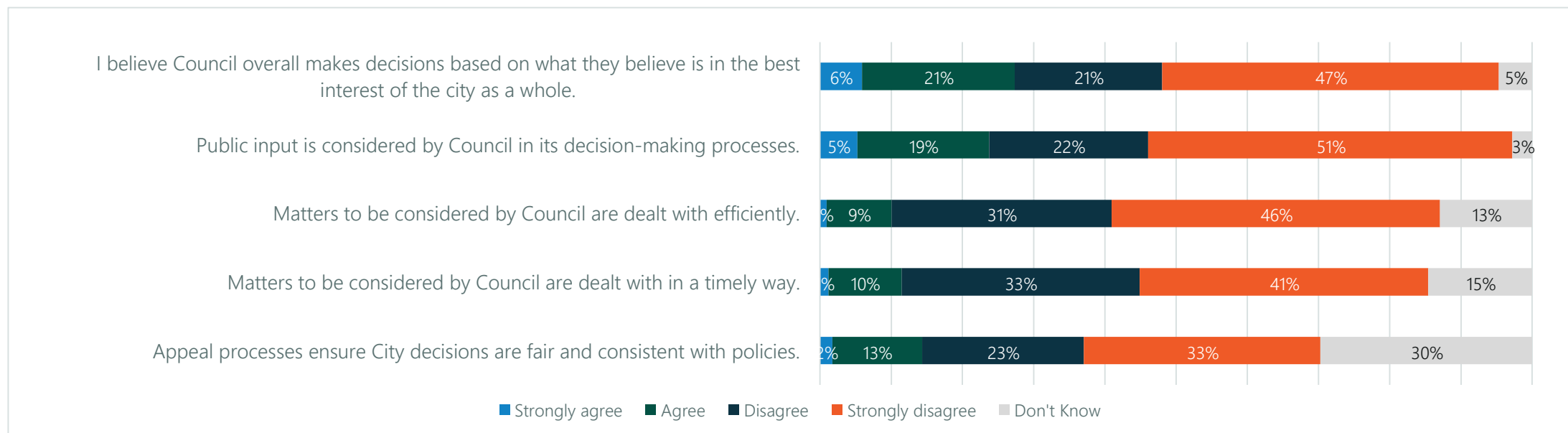
Feedback from Advisory Committees, and Neighbourhood Associations is not incorporated into staff reports.

Advisory Committee recommendations are not being received or considered by Council.

Reporting from CALUC meetings may be influenced by the personal views of the CALUC members.

What We Heard

Council Decision-Making Processes



Key Themes

Council makes decisions based on personal agendas, the vocal interests of a few rather than the majority of the public.

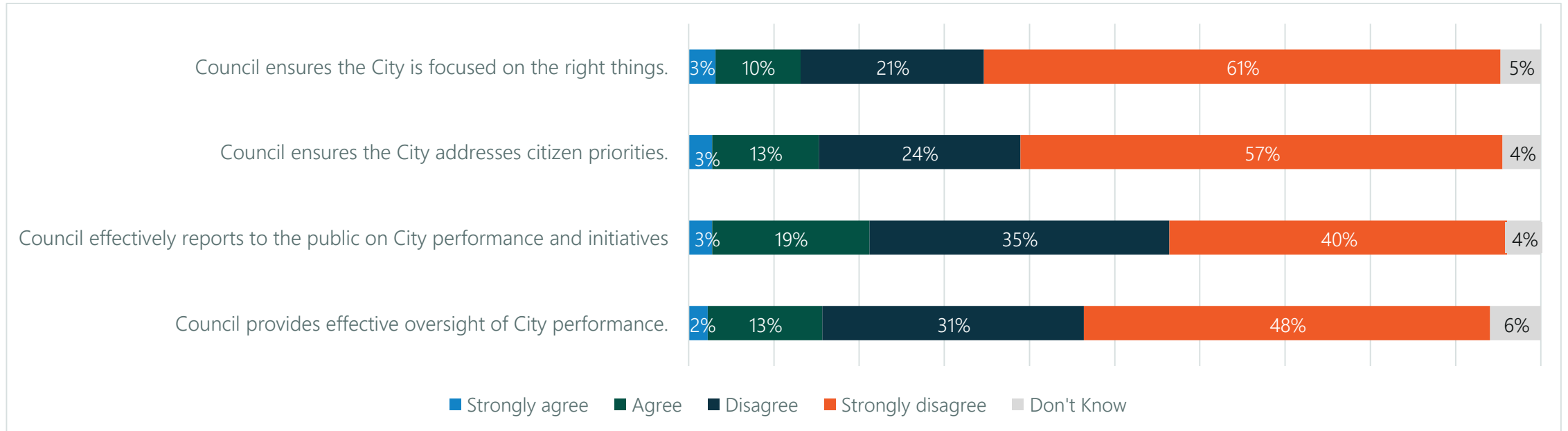
- Public input not considered in Council decision-making

Council meetings are not efficient, overly long

- Getting into administrative detail, matters outside of municipal responsibility, grandstanding, endless debate

What We Heard

Council Oversight



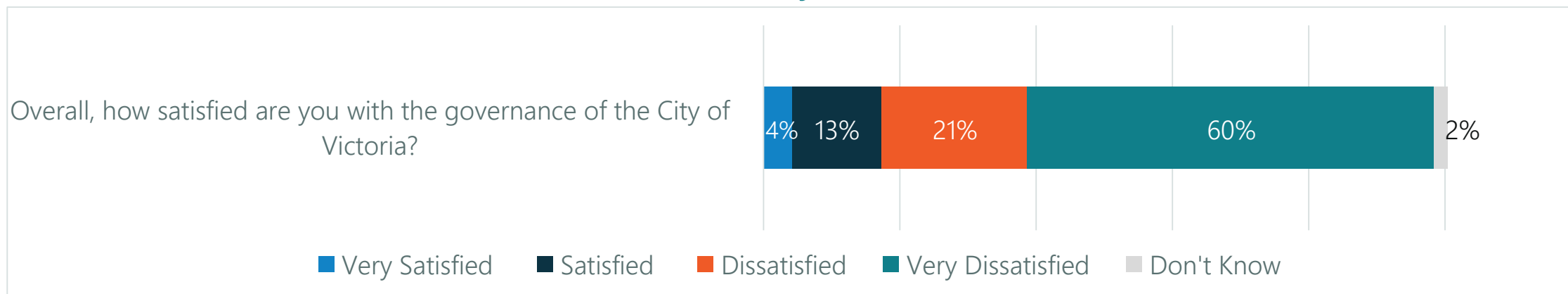
Key Themes

The City's strategic plan is very detailed, unfocused

- Measurement and reporting appears to be outputs not outcomes.

What We Heard

Overall Satisfaction with Governance of the City



Top 3 Survey Comment Themes

Most Needs to be Improved . . .		Most Satisfied with . . .	
Council focused on personal, ideological agendas vs. long-term, core municipal needs. • Misalignment with majority public opinion	186	Progressive, forward-looking Council with socially responsible priorities	39
Council straying into matters beyond its municipal mandate	125	Variety of opportunities for public input	28
Public input provided not considered in decision-making process	118	Individual access to Mayor and Councillors	19

Summary of Recommendations

Recommendations should be taken as a set for greatest impact.

Alignment with Contemporary Practice

- Current elements of the City of Victoria's governance framework (formal structures and practices) consistent with contemporary practices in other municipalities and that support principles of effective governance include:
 - Established, current bylaws governing Council procedures
 - Commitment from Council and the public service to effective, accountable municipal governance
 - Open meetings and publicly posted council meeting schedules, agendas, information packages and minutes
 - Adaptive response to continue the functions of government and support a rapid recovery from the pandemic
 - A regular, predictable meeting schedule
 - Active public engagement guided by IAP2 principles
 - Deliberate efforts to support equity and inclusion of the diverse communities that make up the City of Victoria
 - A commitment to reconciliation with Indigenous people and a respectful, collaborative relationship with neighbouring First Nations
 - Use of public advisory bodies to provide advice and recommendations to Council
 - A published strategic plan and annual report
 - Proactive use of municipal tools to support community well-being
 - Council member orientation processes
 - Publicly posted information on council remuneration, at a level comparable to other municipalities

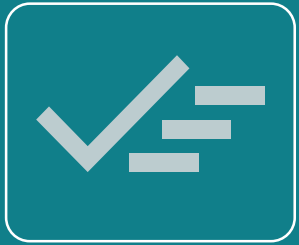
Role of Mayor & Council

- Role and Responsibilities
- Delegation of Authority
- Code of Conduct
- Role on External Committees

Final Report Section 5.1

Recommendations in Section 5.1.6

1. Consolidate and expressly delegate administrative authority to the City Manager in an updated bylaw.



Rationale

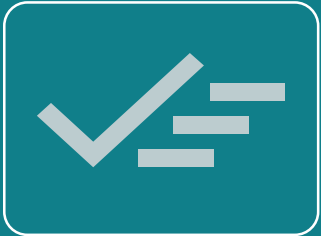
- The current authority of the City Manager is found in multiple historic bylaws, some dating back to 1949.
- Council (including the Mayor) may delegate any or all of its authority with specific regulatory exceptions. The Mayor's responsibilities as outlined in the Charter may create confusion without clear delegation of authority.
- Lack of clarity regarding the authority of the City Manager can contribute to Council entering areas of administrative authority, creating confusion and impacting efficiency, public expectations, and accountability of the public service.



Implementation Considerations

- Consolidate and replace Bylaws 18-106, 3470 (1949), 3847 (1953), 09-031, 19-116, 21-039
- A user-friendly public facing position profile will help Council, the public service, and the public to understand the role.

2. Establish processes for Council education and consensus-building regarding governance, relationship to management, and continuous improvement through orientation and annual discussion **MNP**



Rationale

- Council members are frequently noted as becoming involved in administrative matters
- Clear emphasis of council and administrative roles in orientation will enable members of Council to start out 'on the same page' and support an effective relationship with management
- Annual discussion provides an opportunity to refresh, self-assess and continually improve



Implementation Considerations

- Enabled by Recommendation 1 to clearly delegate authority to City Manager
- Discussion of the difference between policy and operational matters, when a matter is appropriately before Council, and processes for referring citizen concerns on operational matters will assist in mutual understanding
- Beneficial to have in place in time for new Council following fall election

3. Establish a Code of Conduct and appoint an Integrity Commissioner.



Rationale

- Ethical conduct is critical for citizen confidence in municipal government.
- It is a requirement to consider a code of conduct in recent amendment (Bill 26) to *Community Charter*
- Some concerns were identified regarding the tone of questions or comments to the public service during Council meetings
- An Integrity Commissioner supports public confidence in an unbiased review of concerns, accountability and transparency



Implementation Considerations

- Guidance is available from UBCM for development of a code of conduct
- The process of developing a code of conduct enables discussion among members of Council regarding mutual expectations for behaviour and decorum in Council chambers
- Bill 26 requires consideration or review within six months of a new council term.

4. Consider establishing a policy regarding the City of Victoria's and Council's role in matters beyond core municipal responsibility.



Rationale

- The Community Charter provides broad powers to Council to provide any service Council considers necessary or desirable, within provincial legislation
- Council members encounter competing expectations from citizens regarding matters that should be addressed by the municipality
- A deliberate debate and policy position may assist in providing clarity and guidance regarding future debates, and aid public understanding and expectations



Implementation Considerations

- This type of policy would best be considered following the election in the context of the next strategic plan

5. Evaluate Council appointments to external Boards and Committees in the context of Council's governance role, general municipal mandate, and workload.



Rationale

- City of Victoria Council members have a relatively high number of committee appointments and Council member workload is a concern



Implementation Considerations

- There is a natural opportunity to consider committee appointments following the election and in the context of the strategic plan

6. Amend the terms of reference for Councillor Neighbourhood Liaison regarding conveying concerns, advocacy, and representing Association priorities to Council



Rationale

- A requirement to represent an associations interests and priorities creates challenges for a member of council to impartially consider matters in the best interest of the City as a whole.
- Communication on behalf of an Association that relies on a member of Council's recall or interpretation may not fully represent a topic as the Association themselves would.



Implementation Considerations

- A clear procedure for Neighbourhood Associations to present their own information or advocacy positions to Council

Council Remuneration

- UBCM recommendations
- Current compensation
- Future compensation

Final Report Section 5.2

Recommendations in Section 5.2.6

1. Adopt UBCM recommendations for review of council remuneration with each term, annual indexing in an established review framework



Rationale

- A scheduled, ongoing cycle of review ensure remuneration levels remain current
- Reduces the potential perception of conflict of interest
- An established review framework enables an efficient, transparent, administrative review process



Implementation Considerations

- Amend or replace Bylaw 08-103
- Standard review framework to be informed by comprehensive review in recommendation 3.

2. Maintain current levels of Council remuneration pending completion of more comprehensive review



Rationale

- Comparison to set of municipalities with similar population and budget indicates Victoria lags by a small percentage, insufficient to warrant a mid year adjustment
- Council decision to forgo 2021 adjustment would account for the majority of the lag



Implementation Considerations

- Current policy to adjust remuneration based on the CPI to continue to apply pending comprehensive review in recommendation 3.

3. Establish an independent task force for a comprehensive review of time commitment, appropriate comparators and positioning



Rationale

- The Councillor role is widely recognized as currently requiring more than a part time commitment. Considerations of time commitment and implications of a full time councillor role as well as related barriers to diversity require more thorough consideration and a process for informed public input
- Other recommendations in this review may reduce the overall time commitment of Council



Implementation Considerations

- A comprehensive review is warranted early in the next term of council given concerns regarding the fairness of the time commitment and potential barriers to diversity on Council.
- Recouping the forgone increase for inflation in 2021 could be considered with this review
- The appropriate set of comparators and Victoria's relative position (percentile) identified in this review should be included in the ongoing standard review framework (recommendation 1).

Committees and Advisory Bodies

- Structures
- Role of Council
- Administrative support
- Recommendations to Council
- Public information
- Remuneration
- Orientation

Final Report Section 5.3

Recommendations in Section 5.3.6

1. Update Council committees and related processes to comply with bylaws, and to support efficient and effective use



Rationale

- Terms of reference for some committees are out of date and do not fit the established Committee structures in the Bylaw
- Focusing committees on policy matters will help manage expectations, maintain administrative accountability
- Refresh of committees with each strategic plan will support alignment with municipal priorities and enable consideration of demands on Council and administrative resources
- A standard policy framework for advisory committees help support consistency, effectiveness, and standards for inclusive participation
- Transparency and accountability are important for all official Council activities



Implementation Considerations

- Amendments/replacement of bylaw 97-104 (Heritage Advisory Committee)
- Review of Committees and appointments as part of strategic planning process of new Council

2. Relieve members of Council from formal appointments as liaisons to advisory committees



Rationale

- Purpose and value of Council liaison is unclear and can diminish the voice of public members of committee. Attendance adds to time commitment.
- Council liaison role to represent committee recommendations to Council creates challenges for impartial decision-making



Implementation Considerations

- Requires amendment to Committee Terms of Reference
- Committees that require Council participation may be designated as a Select Committee
- Council members may attend any Advisory Committee to listen, observe within current bylaws

3. Formalize the expectations of the administration with respect to engaging and supporting Advisory Committees.



Rationale

- Committees have expressed frustration that they are not consistently engaged on topics within their mandate or early enough to inform the City's decision.
- The City identifies Advisory Committees in its Engagement Framework at the "Collaborate" level and associated processes should fulfil the corresponding commitment to members of the public providing their time
- The degree of administrative support to committees currently varies, impacting the effectiveness of the committee and availability of public information



Implementation Considerations

- Administrative effort is required to provide a summary of 'what we heard' back to the Committee and to include this summary with Council reports
- Administrative resources are required to provide meeting support to all committees
- Clarity of committee purpose and focus on policy matters per recommendation 1 is complimentary to this recommendation.

4. Formalize the process for bringing Advisory Committee recommendations to Council



Rationale

- The City asks for a commitment of time from public members of Advisory Committees and has made a commitment to Advisory Committees in its Engage Framework to 'incorporate your advice and recommendations into decisions to the maximum extent possible'



Implementation Considerations

- Complimentary to recommendation #3
- Advisory Committee recommendations could be included with regular meeting materials as part of consent agenda for transparency that the recommendations have been received by Council

5. Publish meeting schedules, agendas and supporting materials for **MNP** all council committees



Rationale

- Open meeting requirements apply to all committees of Council. Meetings can only be considered 'open' if information is available.



Implementation Considerations

- Additional staff resources may be required. Complimentary to recommendation 3 regarding staff support.

6. Establish a standard policy for remuneration and expenses for public members of Council committees to remove barriers to participation



Rationale

- Members of the public may need to forgo income, have limited personal income, or incur direct costs to participate on an Advisory Committee.
- A consistent policy will help address potential barriers for all committees



Implementation Considerations

- Remuneration will create additional costs for the City and should be considered as part of the process of establishing advisory committees

7. Develop and implement a common orientation process for Advisory Committees



Rationale

- Council, staff and committee members expressed frustration with the lack of clarity around committee purpose, mandates, roles and reporting structures
- Orienting all involved to the established structures, policies and norms before the work of the committee gets underway will help support an effective working relationship where all parties feel valued.



Implementation Considerations

- Standard orientation materials could be used for all committees, and customized as required based on terms of reference
- Complimentary to recommendations 3 - 6.

Decision-making Processes

- Committee of the Whole
- Public hearings
- Land Use Matters
- Agenda materials
- Proclamations
- Public presentations to Council

Final Report Section 5.4

Recommendations in Sections 5.4.6

1. Review purpose and use of Committee of the Whole – focus on fewer, more complex matters; enable public delegations; ratification at next Council meeting (immediately following)



Rationale

- Reduce duplication, workload and be more efficient with Council and staff time
- Enable more in-depth informal discussion on fewer matters
- Benefit of public delegations / input when considering all information
- More timely, efficient decision-making without two week delay



Implementation Considerations

- Amendment to Council Procedures Bylaw 16-011
- Longer advance notice on COTW agendas to allow Council member preparation and public delegations time to prepare
- Public communication of change in meeting processes important to maintain transparency

2. Create a separate, distinct meeting for Public Hearings; evaluate scheduling



Rationale

- Current meeting schedule creates an extremely long day, undue fatigue for Council members and staff, and public frustration
- Separating public hearings (vs as part of a Council meeting with business before and after) allows more predictability in scheduling for members of the public to appear at hearing
- Allows for more efficient use of management time
- Scheduling on a separate day would also allow for shorter days, improved attention and decision-making capacity



Implementation Considerations

- Requires an amendment to Council Procedures Bylaw 16-011
- Establishing and adhering to adjournment times for other meetings may reduce the need to schedule hearings on a separate day.

3. Streamline land use matters by delegating more authority and dispense with public hearings where not required



Rationale

- Improve timeliness of decisions on land use applications and reduce 'red tape'
- Requiring Council review and a public hearing of land use applications that are consistent with the OCP undermines the OCP and creates the potential for decisions that may be inconsistent with policy that had broader public input in its formation.



Implementation Considerations

- Required amendment to Council Procedures Bylaw 16-028
- Public communication on the change in process
- Maintain public visibility of applications through current posting process

4. Streamline Council agenda materials with high-level summary, standard decision-support content



Rationale

- User-friendly summarized information will reduce required time for review by both Council and the public
- Standard information on financial, administrative and stakeholder impacts and summarized results of public engagement will assist in balanced decision-making and is consistent with previous Council direction
- Significant volumes of information tend to diminish, not improve the ability to use it for decision-making



Implementation Considerations

- Templates and administrative staff training and coaching would facilitate standard user friendly decision-support information
- A trial period with feedback from council will help ensure the packages are effective and allow for continuous improvement

5. Limit submissions to already published agendas to only matters determined to be emergent by the Mayor



Rationale

- Improve transparency and efficiency for both Council members and the public
- Reduce administrative handling of the agenda and related postings.



Implementation Considerations

- Requires amendment to Council Procedures 16-011, and a process for review by Mayor of emergent items

6. Change process for proclamations to be handled under the **MNP** authority of the mayor



Rationale

- Removal of unnecessary items from multiple council agendas that add to Council and administrative work load



Implementation Considerations

- Authority already exists under the Community Charter
- A resolution by Council is warranted to acknowledge the change in process

7. Consider identifying specific meetings where citizens can bring forward issues that are not related to matters on Council's agenda



Rationale

- Allowing public delegations to bring matters to Council's attention at a designated time, such as during the triannual review of the strategic plan, maintains openness while allowing for more efficient regular meeting agendas, and enables Council to hear this input in the context of other strategic priorities



Implementation Considerations

- Amendment to Council Procedures Bylaw 16-011 for agenda order

Public Access & Input to Decision-making

- Engagement feedback
- Equitable engagement
- Supporting technology
- CALUC reports

Final Report Section 5.5

Recommendations in Sections 5.5.6

1. Summarize engagement feedback in Council materials with analysis of how input is reflected in recommendations



Rationale

- Public concerns that council is not considering public input undermine trust and discourage future participation
- Clear, concise summaries of what was heard and how it informed the recommendations will better allow it to be considered by Council and allow the public to feel their input was heard and valued.



Implementation Considerations

- Incorporate the requirement to communicate back to participants how input has been reflected in recommendations to Council.

2. Incorporate principles of equitable engagement in and develop relationships to co-create engagement processes



Rationale

- Municipal policies and programs may have significant impact on people who experience barriers to participate in standard engagement processes
- Formal engagement processes are only one of the ways in which the public may access council decision-making processes. Equity considerations should be applied to all.



Implementation Considerations

- Training for staff involved in public engagement (beyond the public engagement office) and time to enable development of valuable relationships may assist in supporting inclusive, authentic engagement.
- Advisory Committees may also be able to help develop relationships within equity deserving communities to help co-create inclusive engagement processes.

3. Update technology to enable use of video for virtual presentations to Council



Rationale

- The ability to include visual capabilities will enhance the quality of the communication and engagement with the public.
- It has become a broad public expectation to be able to see a speaker in virtual sessions.



Implementation Considerations

- The cost of upgrading technology, if significant, may need to be considered as part of the overall budget process

5. Continue to allow pre-recorded video submissions for public hearings and delegations on matters before Council



Rationale

- Pre-recorded video is just another tool to enable communication from the public and may be helpful to remove barriers to participation.
- Not all members of the public may be comfortable or experienced with public speaking and would be able to better communicate their information efficiently with the opportunity to practice and edit their submission.
- A recorded video submission may also be much easier for people with literacy barriers, or simply less experience with written communication



Implementation Considerations

- Pre-recorded video submissions could be treated in the same manner as a written submission, and used for advance viewing, not live at the hearing.
- The process for submitting a video could include requirements to provide information that identifies the residency status or other necessary information.

5. Require record of CALUC meetings to be available to participants / publicly posted



Rationale

- Improve trust that community input was heard and accurately relayed.



Implementation Considerations

- The CALUC could use several methods, similar to posting the notice of the meeting.
- Meeting participants that register with their email addresses could also request to receive the notes directly by email

Transparency & Accountability

- Strategic Plan
- Progress Reports

Final Report Section 5.6

Recommendations in Sections 5.6.6

1. Maintain higher level for municipal strategic plan, with focus on results and specific measures to evaluate progress



Rationale

- The strategic plan is an important tool to demonstrate accountability to the public
- A short set of high priority outcomes and measures helps focus resources on both achieving and measuring the result
- Council's focus on results enables professional public service to determine the best way to achieve the desired results within the available budget, and maintains their accountability



Implementation Considerations

- A full update of the strategic plan following the election will be an important exercise for the next elected council

2. Develop public-friendly materials for strategic plan and progress reports



Rationale

- The strategic plan and reports are important tools to demonstrate accountability to the public
- The volume of information created in triannual updates is both a high administrative burden and has lower value to the public
- Providing user friendly summary information will better deliver on both transparency and accountability



Implementation Considerations

- User-friendly interactive materials on the City's website will require some investment, offset by administrative burden in preparing extensive, highly detailed reports

Priorities

- Priorities for System Integrity
- Priorities for Efficiency / Effectiveness
- Generally Important

Priorities for System Integrity

High Impact – Important

City Manager Bylaw (5.1-1)

Council education and consensus building on governance (5.1-2)

Public-friendly strategic plan focused on results with clear measures (5.6-1,2)

DARK - Address SAP

★ – Quick wins, no bylaw change required

BLUE – SAP Post-election

Low-Medium Impact - Important

Code of Conduct and Integrity Commissioner (5.1-3)

Committee compliance with bylaws (5.3-1)

Council role on Neighbourhood Associations and Advisory Committees ★ (5.1-5,6)

Handling of Advisory Committee input ★ (5.3-3,4)

Handling of Public Engagement input ★ (5.5.-1)

Disallow late Council agenda submissions (5.4-5)

Consistently publish Advisory Committee meeting schedules, agendas, minutes ★ (5.3-5)

UBCM recommendations for review of Council remuneration (5.2-1)

Priorities for Efficiency / Effectiveness

High Impact

Use of Committee of the Whole (5.4-1)

Streamline land use matters (5.4-3)

Streamline Council agenda materials (5.4-4)

DARK - Address SAP

✦ – Quick wins, no bylaw change required

BLUE – SAP Post-election

Low-Medium Impact

Use of committees (5.3-1)

Scheduling of Public Hearings (5.4-2)

Proclamations process ✦ (5.4-6)

Council appointments to Advisory Committees (5.3-2)

Standard policy, orientation for Advisory Committees (5.3-1,7)

Generally Important – Less Urgent

Comprehensive review of council remuneration (5.2-3)

Specific meetings “open” for public delegations (5.4-7)

Principles for equitable engagement (5.5-2)

Policy regarding role in matters beyond core municipal responsibility (5.1-4)

Committee remuneration (5.3-6)

Public posting of CALUC meeting record (5.5-5)

Technology for video submissions, allow pre-recorded submissions (5.5-3,4)

Appointments to external committees (5.1-5)

Questions



Wherever business takes you

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