

AGENDA

COUNCIL WORKSHOP

Tuesday, July 16, 2019

5:00 p.m.

Committee Room, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



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COUNCIL WORKSHOP

5:00 p.m.
Tuesday, July 16, 2019
Committee Room, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

1. ADOPTION OF THE AGENDA

1.1. July 16, 2019 Council Workshop Agenda

Recommendation:

THAT the agenda for the July 16, 2019 Council Workshop is adopted as circulated, including the addition of any items listed in the agenda addendum.

2. ADOPTION OF MINUTES

3. REPORTS FROM COUNCIL OR STAFF

3.1. Policy with Respect to Campaign Contributions

p. 7-17

File No.

Report: Councillor Jim Hanson, July 5, 2019
Attachment 1: Staff Report Dated June 4, 2019

Recommendation:

THAT staff is directed to prepare a policy that will require members of Council to declare before voting on any development proposal, campaign contributions knowingly received from the applicant, or from individuals associated with the applicant, and that members of Council are encouraged to recuse themselves where such a declaration is made;

AND THAT an internet link to the campaign financing disclosure statements of all members of Council be placed in a prominent location on the District's web page;

AND THAT for the purposes of this policy, persons "associated" with a development company include a company's owners, directors, officers, employees, and family members of such persons;

AND THAT a procedure be established for the Mayor or Acting Mayor to request the full disclosure of such campaign finance donations prior to discussion and voting.

3.2. Meeting and Workshop Planning
File No.

p. 19

Introduction: Councillor Lisa Muri

4. PUBLIC INPUT

(maximum of ten minutes total)

5. ADJOURNMENT

Recommendation:

THAT the July 16, 2019 Council Workshop is adjourned.

REPORTS

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input checked="" type="checkbox"/> Other:	Date: July 16, 2019

_____	_____	_____
Dept. Manager	GM/ Director	CAO

The District of North Vancouver REPORT TO COUNCIL

July 5, 2019

File:

AUTHOR: Jim Hanson

SUBJECT: Policy with Respect to Campaign Contributions

RECOMMENDATION:

THAT staff is directed to prepare a policy that will require members of Council declare, before voting on any development proposal, or any proposal with a direct pecuniary benefit to the applicant, campaign contributions knowingly received from the applicant, or from individuals associated with the applicant, and that members of Council are encourage to recuse themselves where such a declaration is made;

AND THAT an internet link to the campaign financing disclosure statements of all members of Council be placed in a prominent location on the District's web page;

AND THAT for the purposes of this policy, persons "associated" with a development company include a company's owners, directors, officers, employees, and family members of such persons;

AND THAT a procedure be established for the Mayor or Acting Mayor to request full disclosure of such campaign finance donations prior to discussion and voting;

AND THAT staff prepare an update to the District of North Vancouver Code of Ethics to reflect this policy;

AND THAT the Mayor draft a letter to the Minister of Municipal Affairs and Housing advocating legislative changes addressing concerns about indirect campaign contributions and conflicts of interest.

REASON FOR REPORT:

As a continuation of the discussion at the June 17, 2019 Regular Council meeting, the above noted motion is included to further provide an opportunity for Council to establish a policy to foster greater transparency and accountability for Councillors debating and voting on development applications.

July 5, 2019

Respectfully submitted,

Jim Hanson
Councillor

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		

Attachments:
Council report dated June 7, 2019

AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Other:	Date: _____

_____ Dept. Manager	_____ GM/ Director	_____ CAO
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The District of North Vancouver REPORT TO COUNCIL

June 4, 2019

AUTHOR: Jim Hanson, Councillor

SUBJECT: Policy with Respect to Campaign Contributions

RECOMMENDATION:

THAT staff is directed to prepare a policy that will require members of Council to declare before voting on any development proposal, campaign contributions knowingly received from the applicant, or from individuals associated with the applicant, and that members of Council are encouraged to recuse themselves where such a declaration is made;

AND THAT an internet link to the campaign financing disclosure statements of all members of Council be placed in a prominent location on the District's web page;

AND THAT for the purposes of this policy, persons "associated" with a development company include a company's owners, directors, officers, employees, and family members of such persons;

AND THAT a procedure be established for the Mayor or Acting Mayor to request the full disclosure of such campaign finance donations prior to discussion and voting.

REASON FOR REPORT:

The reason for this report is to provide Council with an opportunity to establish policy to foster greater transparency and accountability for Councillors debating and voting on development applications.

BACKGROUND:

A review of publicly available information regarding 2018 financial campaign contributions to candidates and elected Councillors, combined with background research, reveals that certain candidates and elected Councillors have accepted campaign monies from individuals related to development companies operating on the North Shore. For example, a candidate received funds from the spouse of the President of a major North Shore development company, another candidate received funds from a partner of a development company, while another received funds from the president and founder of a development company. Provincial legislation prohibits candidates from receiving funds directly from corporations and unions, but the legislation does not deal with the issue of corporations seeking to make political donations indirectly through persons associated with the company.

By way of further example, one political entity in the 2018 North Vancouver District Council election, Building Bridges, received numerous donations from persons associated with corporations engaged in real estate development, including donations from persons associated with:

- Cascadia Green Development;
- Mosaic Homes;
- Alyza Homes;
- Baron Projects Real Estate Development;
- Polygon Homes;
- Darwin Construction;
- Domus Homes; and,
- JFR Properties.

This can only be a partial list given the practical challenges in researching who is, and who is not, a person associated with a development company. Certain of these development companies donated to Building Bridges through multiple individuals.

In addition, Building Bridges received campaign finance from others associated with real estate development through their roles as realtors and other professionals engaged in services linked to the real estate industry.

Transparency and accountability are hallmarks of an effective democracy. Without these, the electorate are left to speculate on the motivation behind certain decisions. Decisions on development applications have a profound influence, for better or for worse, on the way of life of voters in North Vancouver District. Increased population density influences not only housing realities, and the potential for development companies to earn profits, but also the efficiency of our transportation networks, access to needed medical and other services, access to parks and recreational amenities, retention of green space, air quality, noise levels, and more generally the overall experience of living in North Vancouver District. By approving development applications, we literally change our community. As locally elected representatives of our community, we must be open and honest about our motivations. Whatever the truth may be, many voters in the District suspect a linkage between the voting records of certain Councillors and their receipt of campaign finance from development companies. Given the current regulations around campaign financing contributions, speculation by residents often, rightly or wrongly, leads to the questioning of the motivation of Councillors who support development.

Since campaign financing disclosure statements are public, we can address matters of transparency and accountability by requiring members of Council to declare when they have knowingly received contributions from persons associated with the applicant at the time when development applications come before Council.

EXISTING POLICY:

The Code of Ethics Policy is attached for reference.

CONCLUSION:

This proposal will convey a serious commitment on the part of Council to regain the trust of the electorate on issues of development, raise awareness of potential corporate influence, and foster an environment of transparency.

OPTIONS:

Council should vigorously debate this and other issues of real or perceived bias and conflict of interest that will hold locally elected officials accountable to a high standard of ethical conduct and the avoidance of the perception of self-interest.

Respectfully submitted,

Jim Hanson
Councillor

Attachments:

- Code of Ethics Policy

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		



The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Administration	1
Sub-Section:	Council - General	0530
Title:	CODE OF ETHICS	11

POLICY

The District of North Vancouver has adopted a Code of Ethics which is applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. The Code of Ethics is outlined in Attachment 1 to this Policy.

REASON FOR POLICY

The purpose of the Code of Ethics is to ensure that:

1. public business is conducted with integrity, in a fair, honest and open manner;
2. members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
3. their conduct in the performance of their duties and responsibilities with District is above reproach; and
4. the decision-making processes are accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

AUTHORITY TO ACT

Retained by Council

Approval Date:	November 28, 2000	Approved by:	Regular Council
1. Amendment Date:	January 19, 2015	Approved by:	Regular Council
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

CODE OF ETHICS

**For members of
District of North Vancouver Council
and Council Appointees to Boards,
Committees, Commissions and Task Forces (“members”)**

**Adopted by the Council of the District of North Vancouver
November 28, 2000**

Preamble

The residents and businesses of the District of North Vancouver are entitled to have fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the District of North Vancouver's Governance Principles and Corporate Values as described in the Corporate Business Plan, the District seeks to maintain and enhance the quality of life for all District residents through effective, responsible and responsive government. To help achieve this goal, members have committed to strive to ensure that:

- public business is conducted with integrity, in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
- their conduct in the performance of their duties and responsibilities with the District be above reproach; and
- the decision-making processes be accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

Application of the Code

To this end, the Council of the District of North Vancouver has adopted a Code of Ethics applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. Unless otherwise specified, “members” is intended to include both members of Council and committees. The bodies which Council can appoint members to are referred to collectively as “committees” in the Code.

1. Act in the Public Interest

Recognizing that the District seeks to maintain and enhance the quality of life for all District residents through effective, responsive and responsible government, members will conduct their business with integrity, in a fair, honest and open manner.

2. Comply with the Law

Members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the *Constitution Act*; the *Provincial Human Rights Code*; the *Criminal Code*, the *Local Government Act*; *Community Charter*; laws pertaining to financial disclosures, and employer responsibilities; and relevant District bylaws and policies.

3. Conduct of Members

The conduct of members in the performance of their duties and responsibilities with the District must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the staff or the public.

4. Respect for Process

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the District Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by District staff. Members of committees shall be aware of the mandate of their respective committee, and act in accordance with it.

5. Conduct of Public Meetings

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body; or otherwise disturb a meeting.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Subject to paragraph 10, members shall publicly share substantive information that is relevant to a matter under consideration by the Council or a committee, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

The Mayor and Councillors shall be aware of and act in accordance with Division 6 of the *Community Charter*, and shall fulfil part (c) of their *Oath of Office*. Other Members shall act in accordance with the Conflict of Interest provisions of Corporate Policy 1-0360-3.

9. Gifts and Favours

Members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the District, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member. A member may participate in District programs open to the public and may purchase District property or goods offered for public sale.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or legal affairs of the District. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Advocacy

Members shall represent the official policies or positions of the District Council or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council, their committee or the District of North Vancouver, nor will they allow the inference that they do.

13. Policy Role of Members

Members shall respect and adhere to the council-Chief Administrative Officer structure of government as practiced in the District of North Vancouver. In this structure, the Council determines the policies of the District with the advice, information and analysis provided by the public, committees, and District staff.

Members, therefore, shall not interfere with the administrative functions of the District or with the professional duties of District staff; nor shall they impair the ability of staff to implement Council policy decisions.

14. Positive Work Place Environment

Members shall treat other members, the public and District staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Members shall be aware of and act in accordance with the Positive Workplace Environment: Anti-bullying and Harassment Policy.

15. Implementation

The District of North Vancouver Code of Ethics is intended to be self-enforcing. Members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions.

For this reason, the Code of Ethics will be provided to candidates for Council and applicants to committees. Members elected to Council or appointed to a committee will be requested to sign the Member Statement affirming they have read and understood the District of North Vancouver Code of Ethics. In addition, Council and committees shall review annually the Code of Ethics, and Council shall consider recommendations from committees and update the Code as necessary.

16. Compliance and Enforcement

The District of North Vancouver Code of Ethics expresses standards of ethical conduct expected for members of the District Council and committees. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the District of North Vancouver.

Council may impose sanctions on members whose conduct does not comply with the District's ethical standards, such as motion of censure. Council may also rescind the appointment of a member to a committee for breaching the Code of Ethics.

To ensure procedural and administrative fairness, a member who is accused of violating any provision of the Code of Ethics with the exception of paragraph 14 shall have a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare his or her case to respond to these allegations. Before considering a sanction, Council must ensure that a member has

1. received a written copy of the case against him or her;
2. a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. an opportunity to be heard.

The procedures outlined in the Positive Workplace Environment: Anti-bullying and Harassment Policy have been adopted by Council for dealing with a complaint under the Positive Workplace Environment: Anti-bullying and Harassment Policy (see paragraph 14, above).

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council or committee decision.

* * * * *

MODEL OF EXCELLENCE

**Council of the District of North Vancouver
and Council Appointees to Boards,
Committees, Commissions and Task Forces**

MEMBER STATEMENT

As a member of the District of North Vancouver Council or of a District committee, I agree to uphold the Code of Ethics adopted by the District and conduct myself by the following model of excellence. I will:

Recognize the diversity of backgrounds, interests and views in our community;

Help create an atmosphere of open and responsive government;

Conduct public affairs with integrity, in a fair, honest and open manner;

Respect one another and the unique role and contribution each of us has in making the District a better place to work and live;

Strive to keep the decision-making processes open, accessible, participatory, understandable, timely, just and fair;

Avoid and discourage conduct which is not in the best interests of the District;

Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read and understood the District of North Vancouver Code of Ethics.

Signature _____

Date _____

Name (please print)

Office / Committee

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Meeting and Workshop Planning

Introduction: Councillor Lisa Muri

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