

Council Role Statement



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Council's responsibilities are outlined in the Municipal Act (2001). These responsibilities rest with each member of council, including the Mayor.

Role of council

224. It is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act."

There are certain key and lasting roles that Council is expected to fulfill. While these are generally referenced in the legislation, the descriptors therein are not sufficiently broad so as to fully describe the various roles which seem to be expected of a Councillor on an ongoing basis. There are certain basics however and these are described as follows:

Lead

It is often over-looked but one of the principal roles of a Council is to lead. It is not enough to just respond: a Council must be able to identify opportunities and issues and articulate how it will address them. Leadership is not found in baptizing bylaws prepared by the Planning Department. It is not found in responding to a budget presentation without first having thought through what Council's key priorities are for the coming year. It is not found in blindly approving the minutes of this or that committee. It might be found in determining whether or not the committee is still needed. A Council leads by pointing a direction, a course of action, a new initiative. It leads by taking a position on a difficult political issue. It leads by running against the winds of popularity, not simply going with the flow.

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Representation

A primary task of any Council is to act as the ears, eyes and voice of those he/she represents. This is not accomplished by sitting in Chambers alongside the other members of Council, convincing one another of your importance. Nor is it accomplished by reading background reports on this or that issue. Representation occurs when your voice is heard speaking out on behalf of a community interest that you have researched, that you have visited or where you have met with representatives of the cause. Representation also occurs when you deliberately (i.e. not casually) think about how your citizens would expect you to handle an issue or a challenge. What would the majority of them say if they were all in the room? Are their best interests being reflected in what you believe or have you become so immersed with a particular faction or vested interest group that the voice of common folks has been muted?

Resolve Issues; Pass Judgment

Being on a Council is not at times a very popular thing. Decisions need to be made; choices may result in those viewed as losing as well as winners. A budget needs to be produced and a tax rate established. Costs will likely have gone up and with that unless the assessment base has responded favourably, so too will taxes. Projects will be presented by the various departments: all will look appealing. Not all will be funded. Being an architect of disappointment is not something many Councillors see as something they foresaw as part of the new job description.

Fiduciary Leadership (Business Plan and Budget)

Every Council has an obligation to ensure that proper budgeting and financial management occur; that a business plan is created; that organizational goals and priorities are established; that a realistic budget is approved for funding all civic services; that sources from other levels of government are requested and applied as required. While none of these are particularly exciting to most members of Council, they do represent the core of what any Council is elected to do: provide necessary and desired services and make sure they are adequately funded.

Set Priorities

In order to effectively guide the City and to make use of the budget dollars effectively, the Council must understand its own priorities and determine how the budget ought to reflect those. This requires that each Council develop some mechanism to discuss and debate the key issues and challenges of the day and then determine what is on first base, second and so on. This process is generally described in the literature and by practice as "strategic planning" or "business planning" and indeed is both. On the one hand, the Council needs to determine where it hopes to position the City in the longer term and secondly, what that vision suggests in terms of how to approach the budget choices faced this year.

More and more communities across Canada have adopted some system of strategic planning not as a "checklist" of what to do but rather as the foundation upon which to base good long and short term decisions. This ensures that the budget for each year is considered well in advance of the year to which the budget applies so that the best use is made of scarce and public resources. Further, given that there are always competing

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priorities within every organization, a plan is useful in determining which of those priorities are thought to be of a higher order than the others. This is a decision to be made by the elected officials.

Stewardship

The role of a Council has often been described as that of a steward. That is, one of the fundamental principles of a local governing body is that it will ensure that the resources of the City are being utilized wisely and in accordance with the budget and Business Plan as well as any policies and procedures which may apply. Ensuring that Council has made the best use of resources requires that it:

- Identify clearly “what business we are in”
- Ensure that there are clear lines of delineation with respect to what business unit delivers what service
- Establish clear policies relating to the recruitment and treatment of personnel
- Identify potential risks in the use by the public of municipality-owned facilities and equipment
- Establish a comprehensive tender policy and procedures
- Identify potential suppliers of goods and services.

Policy Guidance

Unless a Council wants to be involved in re-visiting every issue on a regular and often frequent basis, policies need to be approved which give license to management to get on with the business of service delivery. Decisions which are major or repetitive or both should be the subject of a Council policy. Establishing a policy mindset is needed in every Council Chambers and is not necessarily something that comes naturally to any governing body.

In addition to a strategic plan, each municipal organization ought to be governed by a clear set of policies. The business of managing the City’s responsibilities is that of the management and their employees. How that business is managed is determined by legislation in terms of minimum requirements in certain fields of endeavour and by policy of Council. Policies set out “what” is to be done. The “how” it is to be accomplished is determined by regulations and by managerial direction.

A Council needs to be in the business of asking “what is our policy on this matter?” As the policy-making authority, Council needs to understand the policy framework. Council can only do this if it clearly recognizes the issues; understands its own sense of what is best for the City; seeks input on the key issues; and is prepared to stand firm on what it believes to be the right course.

The decisions of a Council effectively become the policies of it. That is, whether the Council decides by way of resolution or by bylaw, its decisions taken together, constitute the “policy bank” of the City. While policies should preferably be presented to Council according to a set format, the key to an effective Council is the recognition that its decisions become the standard upon which the administration functions and makes decisions.

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Delegate to Management

There is an obligation in the legislation for a Council to delegate the implementation of its policies to its chief administrative officer (CAO). The CAO plays the primary role in acting as the link-pin between Council as the policy-makers and the staff as the administrators of those policies. The CAO is viewed as the Council's chief policy advisor and as the person responsible for ensuring that the decisions of the Council are effectively discharged. Thus, all advice to Council from all departments is to be directed through the office of the CAO so that Council can be confident that the breadth of the County's business priorities and policies has been respected and reflected in the advice. That is the CAO acts as the advocate for the advice and opinions of the administration and ensures that the Council has the full picture of all salient points in any decision. Once Council has determined the direction to be taken from a policy perspective, the CAO is charged with ensuring that their administration implements those policies based on Council's directives.

Problems are encountered when those who are elected attempt to replicate the work of those administering and vice versa. Roles must be clearly articulated and well-understood. The mandate of a Council is never properly discharged wherein the Council determines to do the work of the staff members. Council's time needs to be spent on establishing what it wants to see accomplished and within what level of resources. This requires that choices be made between various alternatives all of which might seem to be valid. Those elected are thus faced with the unenviable task of determining which choice is best given the circumstances and the resources available. Such choices should never be made solely by the Council. They are best made when the Council expects the administration to weigh in with their advice based on their training and their experience in this County. While the various options may appear to have at least some merit, it is the duty of Council to make its determination based on what it believes to be best for the majority of its residents. Leadership is all about making difficult choices in an often stressful environment.

Determining What Gets Funded

While some of what every municipality does is required by legislation, there are also aspects of any municipal budget which are discretionary (i.e. up to each Council to decide "do we fund this service or not?"). Each Council should be examining their annual budget on that basis rather than presuming that next year will be a repeat of last year. The funding approved by a Council authorizes the administration to deliver the services. Council is accountable as a result for both the policy choices to fund certain services and the delivery of those funding choices on a day to day basis by its administration.

Monitoring Results

The public should expect to hear from its Council what the elected officials see as working really well and what programs or services might need to be re-thought. This should include the use of good measurement tools.

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Critical to difficult decisions being acceptable to the majority of the public is the process used to make such choices. A Council which recognizes the need to adopt a step-by-step process of decision-making will note that it has more confidence that its decisions will more often than not be in accordance with the wishes of the "community". Inappropriate decisions often result from hasty actions or requests presented to Council at the last minutes and without sufficient administrative analysis or recommendation as to the potential implications to the City as a whole.