METRO VANCOUVER REGIONAL DISTRICT (MVRD)

BOARD OF DIRECTORS

SPECIAL BOARD MEETING
Wednesday, March 25, 2020
9:00 A.M.
28th Floor Boardroom, 4730 Kingsway, Burnaby, British Columbia

Purpose: to consider the Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020.

Membership and Votes

AGENDA

A. ADOPTION OF THE AGENDA

1. March 25, 2020 Special Meeting Agenda
That the MVRD Board adopt the agenda for its special meeting scheduled for March 25, 2020 as circulated.

B. REPORTS FROM COMMITTEE OR CHIEF ADMINISTRATIVE OFFICER

1. MVRD Procedure Amending Bylaw No. 1305, 2020
[Recommendation a): simple weighted majority vote.] and
[Recommendation b): 2/3 weighted majority vote.]

That the MVRD Board:
a) give first, second and third reading to Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020; and
b) pass and finally adopt Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020.

C. RESOLUTION TO CLOSE MEETING

Note: The Board must state by resolution the basis under section 90 of the Community Charter on which the meeting is being closed. If a member wishes to add an item, the basis must be included below.

D. RISE AND REPORT (Items Released from Closed Meeting)

E. ADJOURNMENT OR CONCLUSION

That the MVRD Board adjourn/conclude its special meeting of March 25, 2020.

1 Note: Recommendation is shown under each item, where applicable. All Directors vote unless otherwise noted.

March 17, 2020

Metro Vancouver Regional District
To: MVRD Board of Directors

From: Chris Plagnol, Corporate Officer

Date: March 11, 2020
Meeting Date: March 27, 2020

Subject: MVRD Procedure Amending Bylaw No. 1305, 2020

RECOMMENDATION
That the MVRD Board:

a) give first, second and third reading to Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020; and

b) pass and finally adopt Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020.

EXECUTIVE SUMMARY
Metro Vancouver is reviewing organizational readiness in the event of a public health emergency that could impede business continuity, including meeting participation by elected officials at board and committee meetings. This review was precipitated by the Covid-19 pandemic recently confirmed by the World Health Organization. Meeting participation by electronic means is authorized by a Local Government Act Regulation provided provisions are included in the Procedure Bylaw. Currently, electronic participation is restricted to special Board meetings. The proposed bylaw amendment is to extend electronic meeting participation to any member at Board or Committee meetings during a public health event as determined by the Board Chair.

PURPOSE
To seek Board approval of the Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020, a bylaw to authorize electronic participation in board or committee meetings in the event of a public health event or emergency that precludes onsite participation.

BACKGROUND
At its meeting held March 11, 2020, the Finance and Intergovernment Committee was informed about business continuity efforts by staff related to organizational readiness in the event of a public health emergency, such a coronavirus called Covid-19 recently confirmed by the World Health Organization as a pandemic. One aspect of that readiness relates to participation at board and committee meetings where members are unable to attend in person due to a public health emergency.

This report brings forward a proposed amendment to the Procedure Bylaw related to a provision to authorize electronic participation in board and committee meetings. In light of the timing considerations, this matter is being brought directly to the Board for consideration.
PROPOSED BYLAW AMENDMENT

The Board’s Procedure Bylaw establishes the general proceedings to be followed by the Boards and Committees in conducting their business.

Authorization for Electronic Meeting Participation

A Local Government Act regulation titled Regional Districts Electronic Meetings Regulation [B.C. Reg. 271/2005] provides authorization for electronic meeting participation for regional districts in two circumstances: first, for special Board meetings, and second for a member of a Board or a Committee unable to attend a meeting. To give effect to this Regulation, specific provisions must be set out in the Procedure Bylaw.

The Board’s Procedure Bylaw currently includes a provision (section 3.6.1) under this Regulation in the first circumstance: that is, restricted to electronic meeting participation to special board meetings only, and was intended for emergency use only.

Proposed Bylaw Provision

To address the issue of continuity of Board and Committee meetings during major health situations where in-person attendance is of concern, the current provision for electronic meetings could be broadened beyond the restriction of special board meetings only. It is proposed that the section 3.6 of the Procedure Bylaw be amended to include reference to public health events or emergencies and be a participation option for Board or Committee members. The following provision is proposed:

3.6.2 Pursuant to B.C. Reg. 271/2005 [Regional Districts Electronic Meetings Regulation] of the Act, a member of the board or board committee may participate in a meeting of the board or board committee by means of electronic or other communication facilities due to a public health event as determined by the Chair of the Board.

Adding the condition of “a public health event as determined by the Chair of the Board” is flexible enough to address any type of health emergency or situation that may arise in the region, to enable a member to participate by electronic means, with the added requirement of Board Chair approval. The purpose of this proposed amendment will ensure the continuity of the work of the Committees and Boards in light of the current widespread infection situation.

ELECTRONIC MEETING LOGISTICS

There are number of requirements related to electronic meeting participation set out in the Regional Districts Electronic Meetings Regulation, notably the facilities to enable the participants and the public to hear, or watch and hear, the proceedings. The technology does exist currently to enable electronic participation in both the 28th floor boardroom and the committee room to allow members to participate in a conference call.
ALTERNATIVES
1. That the MVRD Board:
   a) give first, second and third reading to Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020; and
   b) pass and finally adopt Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020

2. That the MVRD Board refer the report dated March 11, 2020, titled Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020 to staff for further options related to electronic meeting participation.

FINANCIAL IMPLICATIONS
The proposed amendment to the Procedure Bylaw does not have a financial impact. There are sufficient funds in the approved 2020 Budget to cover the remuneration costs of meeting attendance regardless of whether the meeting is held onsite in a meeting room or held electronically through telecommunications technology.

CONCLUSION
To authorize electronic participation in Board or Committee meetings in the event of a public health event or emergency, the Board’s Procedure Bylaw requires an additional provision to comply with the Regional Districts Electronic Meetings Regulation. The proposed bylaw amendment is to extend electronic meeting participation to any member at board or committee meetings during a public health event as determined by the Board Chair. This provision would support business continuity for the work of the Board and its Committee during a health emergency and is the basis for the proposed amendment. Staff recommend alternative 1.

Attachments
1. Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020

References
1. Metro Vancouver Regional District Procedure Bylaw Number 1205, as amended (Unofficial Consolidation)
2. Regional Districts Electronic Meetings Regulation [B.C. Reg. 271/2005]
METRO VANCOUVER REGIONAL DISTRICT
BYLAW NUMBER 1305, 2020

A Bylaw to amend “Metro Vancouver Regional District Procedure Bylaw Number 1205, 2014”

WHEREAS the Board of Directors of the Metro Vancouver Regional District has adopted “Metro Vancouver Regional District Procedure Bylaw Number 1205, 2014”, a bylaw to regulate the proceedings of the Metro Vancouver Regional District Board and Committees; and

WHEREAS the Board of Directors of the Metro Vancouver Regional District wishes to amend “Metro Vancouver Regional District Procedure Bylaw Number 1205, 2014”;

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District enacts as follows:

1. The “Metro Vancouver Regional District Procedure Bylaw Number 1205, 2014” (the “Bylaw”) is hereby amended as follows:
   a) In Part 3 (Meetings), after section 3.6.1, by adding a new section 3.6.2, as follows:

      3.6.2 Pursuant to B.C. Reg. 271/2005 [Regional Districts Electronic Meetings Regulation] of the Act, a member of the board or board committee may participate in a meeting of the board or board committee by means of electronic or other communication facilities due to a public health event as determined by the Chair of the Board.

2. This bylaw shall be cited as “Metro Vancouver Regional District Procedure Amending Bylaw Number 1305, 2020”.

   Read a first, second and third time this _______ day of ____________________, _______.

   Passed and finally adopted this _______ day of ____________________, _______.

________________________________________
Sav Dhaliwal, Chair

________________________________________
Chris Plagnol, Corporate Officer

Sav Dhaliwal, Chair