



UNION OF  
BRITISH  
COLUMBIA  
MUNICIPALITIES

# **REPORT OF THE STRUCTURE REVIEW COMMITTEE**

**INCLUDING EXTRAORDINARY UBCM  
BYLAW AMENDMENTS**

**AUGUST 2010**

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YOU TO THE ANNUAL CONVENTION**



# REPORT OF THE STRUCTURE REVIEW COMMITTEE

## AUGUST 2010

### 1. INTRODUCTION

UBCM was formed back in 1905 and has now served the local government community for 105 years.

Like all long-standing organizations, over the years it has been necessary for UBCM to adapt to changing circumstances as required. While the advocacy mission of our organization has not been altered, the manner in which we fulfill our mandate has evolved as times have changed. Elements of the organization such as staff complement, communication methods, and the suite of services offered to the membership have changed over time. Governance structure, including the composition of the Executive, has also changed many times over the 100+ years of UBCM's work on behalf of local governments in BC.

For reference, **Appendix C** describes specific changes to the UBCM Executive over time.

### 2. EXECUTIVE STRUCTURE

UBCM is established under a Special Act of the Legislature. The UBCM Bylaws, which are approved by the membership, set the total size of the Executive at 19 members. The current structure of the Executive is detailed below:

- the Officers of the Union: President, First Vice-President, Second Vice-President, and Third Vice-President;
- the Immediate Past President: the last President to have completed the term of office as President;
- a Vancouver Representative: a member of the Vancouver City Council;
- a Small Community Representative: a member of a Council of a Village or a municipality with a population not greater than 2,500;
- an Electoral Area Representative: an Electoral Area Director of a Regional Board;
- a Greater Vancouver Regional District Representative: a member of the Greater Vancouver Regional District (GVRD) Board;<sup>1</sup>
- five Directors representing the five Area Associations; and
- five Directors at Large.

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<sup>1</sup> The legal name of this local government is the Greater Vancouver Regional District (GVRD), though it is commonly known as Metro Vancouver. Because the UBCM Executive composition is set out in the UBCM Bylaws, and because the UBCM Bylaws must refer to the legal entity, for reasons of legality and clarity the name of this position on the UBCM Executive is the Greater Vancouver Regional District Representative.

### 3. IMPETUS FOR THE REVIEW

To a large extent the impetus for the review was a report from Donald Lidstone who had been retained on behalf of the GVRD. The report requested that UBCM review its Executive structure and also recommended specific measures to improve communications and the working relationship between the two organizations. The recommendations proposed:

- A. the addition of three (3) directors to the UBCM Executive, to be appointed annually by the GVRD Board
- B. the City of Vancouver representative on the UBCM Executive should also be a member of the GVRD Board
- C. a rotational nomination and election system for the President and Vice President positions on the UBCM Executive, inspired by the Federation of Canadian Municipalities (FCM) nomination and election system
- D. establishment of a Large Urban Community Caucus of the UBCM, inspired by the "Big City Mayors' Caucus" of FCM

### 4. COMMITTEE COMPOSITION

It was within the spirit of adapting to change that the UBCM Executive created a Structure Review Committee in the past year with a mandate to examine and make recommendations for potential changes to the structure of the UBCM Executive. The Executive provides leadership to UBCM, is the face of the organization and reflects the pulse of the membership. Executive saw the need to continue to review its composition to ensure that its composition remains relevant to the entire membership. This in turn will ensure that UBCM remains, as in the past, responsive, reflective, non-partisan and poised to face the challenges of the times.

The terms of reference of the Structure Review Committee were as follows:

- review the composition of the current UBCM Executive as set out in the bylaws to ensure that it effectively reflects all regions of the province;
- review the history of the Executive structure and related items (including the November 2009 report from Donald Lidstone on behalf of the GVRD, and other correspondence on this topic);
- respond to any related items referred to it by the UBCM Executive; and
- report back to the UBCM Executive within a time period that would allow for sufficient notice to the membership of any potential bylaw changes.

In striking this committee the UBCM Executive decided that the committee membership would need to combine a sense of history of the organization with a geographic blend that represents the diversity of our membership. With this in mind, the following structure was approved:

- the last four active past Presidents, with the Immediate Past President serving as Chair;
- the GVRD representative on the UBCM Executive; and
- the five Area Association representatives on the UBCM Executive.

The following individuals served on this Committee:

Chair Robert Hobson, Chair	Immediate Past President
Director Grace McGregor	AKBLG Representative
Mayor Christopher Causton	AVICC Representative
Mayor James Atebe	LMLGA Representative
Chair Karen Goodings	NCLGA Representative
Councillor Kevin Flynn	SILGA Representative
Mayor Greg Moore	GVRD Representative
Director Susan Gimse	Past President
Councillor Marvin Hunt	Past President
Mayor Frank Leonard	Past President

## 5. FINDING COMMON GROUND

The Structure Review Committee recognized that there are varying perspectives regarding the proposals put forward by the GVRD, but that ultimately any solution must be acceptable to the full UBCM membership, who is required to vote on proposed bylaw amendments. With this in mind, the following general themes emerged:

- There was support for reviewing and updating the Executive structure to maintain currency and address changing trends in BC;
- There was recognition that additional representation of urban communities is necessary – this could be specifically the GVRD, or large communities in general;
- It was noted that structural changes could include increasing the size of the Executive, restructuring the existing positions, or a combination of the two; and
- There was priority support for options in which new or restructured positions would be elected by the membership or a segment of members, as opposed to being appointed by a local government.

## 6. RECOMMENDATIONS OF THE STRUCTURE REVIEW COMMITTEE

### A. *Expanded Representation*

The Committee is in agreement that additional representation is warranted for the GVRD. The area has a population of more than 2.3 million. The GVRD has one representative on the UBCM Executive in addition to the Vancouver Representative. The Lower Mainland Local Government Association appoints a representative to the UBCM Executive, but this position represents an Area Association that includes both

the Fraser Valley and Squamish-Lillooet regional districts and their member local governments, in addition to the GVRD.

The Committee proposes that two additional positions be added to the UBCM Executive from the GVRD area. This would make for a total of three positions from the GVRD. The two new positions would not be selected by the GVRD Board. Instead, the two new positions would be open to all elected officials who are in the GVRD area and would be elected annually at the UBCM Convention by delegates from the GVRD and its member local governments.

If approved, the Executive would then number 21 in total and would be comprised as follows:

- the Officers of the Union: President, First Vice-President, Second Vice-President, and Third Vice-President;
- the Immediate Past President: the last President to have completed the term of office as President;
- a Vancouver Representative: a member of the Vancouver City Council;
- a Small Community Representative: a member of a Council of a Village or a municipality with a population not greater than 2,500;
- an Electoral Area Representative: an Electoral Area Director of a Regional Board;
- a GVRD Representative: a member of the GVRD Board, elected by the GVRD Board;
- **two Vancouver Metro Area Representatives: two elected officials from the GVRD or its member local governments, elected annually at Convention by delegates from the GVRD and its member local governments;**<sup>2</sup>
- five Directors representing the five Area Associations; and
- five Directors at Large.

The membership is asked to consider and endorse **Extraordinary Resolution ER2**, attached as **Appendix A** and also printed in the **Resolutions Book**, which proposes amendments to the UBCM Bylaws in order to implement this change.

#### **B. Vancouver Representative**

The Committee views the appointment of the Vancouver Representative to be a decision of the Vancouver mayor and council, which renders the question of whether

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<sup>2</sup> The GVRD Representative is a member of the GVRD Board, elected annually by the GVRD Board to represent the GVRD on the UBCM Executive. The proposed two new positions will not be related to the GVRD Board, nor will they represent the GVRD as an organization. The proposed new positions are defined as “Vancouver Metro Area Representatives” in order to avoid confusion or any perception that they might be connected to the GVRD, or to the GVRD Representative.

the Vancouver Representative should also be on the GVRD Board as a matter between the City of Vancouver and the GVRD.

The UBCM President has written to Vancouver's mayor and council and indicated that UBCM considers the matter to be between the City of Vancouver and the GVRD.

Because the Committee did not consider this to be within their purview, the Committee has no recommendation on this matter.

### *C. Nomination & Election System*

Pros and cons of adopting a rotational nomination and election system for the President and Vice-President positions on the UBCM Executive were discussed in detail by the Committee. However, the Committee felt that it was important that the members of UBCM should have the right to choose from the entire membership when voting in the elections for President and Vice-President positions. A rotational nomination and election system would curtail this right, so the Committee did not support a rotational system.

### *D. Large Urban Communities*

The Committee recognized the need for UBCM decision-making processes to be inclusive of the perspectives of large urban communities. To address this need, the Committee recommended that the membership of the UBCM Presidents Committee be expanded to include the GVRD Representative. This would ensure a large urban perspective in all areas of UBCM operations and make it easier for UBCM and its large urban local governments to present a common front when communicating with the provincial or federal government, or other agencies.

The Presidents Committee is appointed by the Executive and oversees UBCM operations, including: secretariat management, member services, financial management, best practices and intergovernmental affairs. The President serves as committee chair, and the other members are the three Vice-Presidents and the Immediate Past President. The UBCM Executive has adopted a policy to include the GVRD Representative (elected by the GVRD Board) as a member of the Presidents Committee. The Executive will review this policy after one year.

In addition, the Committee looked at other ways the UBCM could improve the support and resources it provides to large urban communities. The UBCM Executive has committed to working to make the Large Urban Communities Forum at Convention more relevant to members from large urban communities.

## **7. UBCM EXECUTIVE COMMENTS**

The UBCM Executive reviewed the Committee's report and recommendations at their April meeting. The Executive supports all the recommendations from the Structure Review Committee and recommends them to the membership.

In addition the UBCM Executive would like to extend its gratitude to all committee members and in particular, the four Past Presidents who volunteered their time to once again serve the UBCM community.

## 8. RECOMMENDATION

The Committee believes that this review of UBCM governance and the Executive structure supports the necessary and productive evolution of our organization. The UBCM's commitment to staying relevant to the entire membership, through review and gradual change over time, will ensure that we continue to be responsive and proactive advocates for British Columbia local governments.

To support this evolution, the Committee recommends that the UBCM membership endorse **Extraordinary Resolution ER2**, attached as **Appendix A** and also printed in the **Resolutions Book**.



## **APPENDIX A**

### **ER2 Resolution to Amend the Union’s Bylaws respecting Addition of two Vancouver Metro Area Representatives to the Executive**

WHEREAS in the spirit of adapting to change and ensuring that the composition of the UBCM Executive remains relevant to the entire membership, the UBCM Executive created a Structure Review Committee to examine and make recommendations for potential changes to the structure of the UBCM Executive;

AND WHEREAS arising out of its consideration of the historical and current composition of the UBCM Executive, as well as the evolution of local government in BC over time, the Structure Review Committee has recommended changes to the UBCM Executive structure that require amendments to the UBCM Bylaws:

THEREFORE BE IT RESOLVED that the Union’s Bylaws be amended effective January 1, 2011 as follows, with the full wording of the proposed amendments provided for reference as **Appendix B** of the **Report of the Structure Review Committee**:

Sections 3(b) and (d); 4(b), (g), (h) and (i); and 5(a), (c), (d), (e), (f) and (g) be amended to add two additional positions to the UBCM Executive, to be known as Vancouver Metro Area Representatives; with these positions to be open to all elected officials who are in the GVRD area; and with these positions to be elected annually at the UBCM Convention by delegates from the GVRD and its member local governments.

**APPENDIX B****FULL WORDING OF PROPOSED AMENDMENTS TO THE UBCM BYLAWS**

S. 3(a) is amended by adding a new bullet immediately after “five Directors at Large” as follows, “two representatives (“Vancouver Metro Area Representatives”) who must be elected members of either or both of a member municipality of the GVRD or of the GVRD Board”.

S. 3(b) is deleted and the following substituted therefore:

*“3(b) The Officers, the Directors at Large, the Small Community Representative, the Electoral Area Representative and the Vancouver Metro Area Representatives, shall be elected annually at the Annual Convention, and except as herein otherwise provided, shall hold office until their successors are elected at the next Annual Convention. The Vancouver Representative shall be appointed annually by the Vancouver City Council, the GVRD Representative shall be elected annually by the Board of the GVRD, and the five Area Association Directors shall each be appointed by their respective Area Associations as identified in Section 21. All such appointments shall be communicated to the Nominating Committee by the appointing body pursuant to Section 4(b).”*

S. 3(d) is amended in the second bullet by deleting the word, “or”, immediately preceding the words, “the Small Community Representative”, deleting the word, “or”, immediately preceding the words, “the Electoral Area Representative”, and adding after the words, “Electoral Area Representative” the words, “or the Vancouver Metro Area Representatives”.

S. 4(b) is amended by deleting the word, “and”, immediately preceding the words, “the five Directors at Large”, and by adding the words, “and the Vancouver Metro Area Representatives”, immediately after the words, “the five Directors at Large”.

S. 4(g) is amended by deleting the word, “and”, at the end of the first bullet, by deleting the word “Executive” in the second bullet, by adding word, “and”, at the end of the second bullet and adding a new third bullet as follows:

- *“the two Vancouver Metro Area Representatives”*

S. 4(g) is amended in the final sentence by placing a comma after the words, “Electoral Area Representative”, and by deleting the word, “and” following the words, “Electoral Area Representative”, and by deleting the word “Executive” before the words, “Directors at Large”, and by adding the words, “and the two Vancouver Metro Area Representatives” after the words, “for the five Directors at Large”.

S. 4(h) is deleted and the following substituted:

*“4(h) If, at the close of nominations: only one person stands validly nominated for the position of Small Community Representative, or only one person stands validly nominated for the position of Electoral Area Representative, or in the case*

*of the five positions of Directors at Large, only five persons stand validly nominated; or in the case of the two Vancouver Metro Area Representatives, only two persons stand validly nominated, the Chair of the Nominating Committee shall forthwith declare the only candidates in each of the categories to be elected.”*

S. 4(i) is amended by deleting the word “Executive” before the words, “Directors at Large”, and by adding after the words, “more than five persons stand validly nominated”, the words, “or in the case of the two Vancouver Metro Area Representatives more than two persons stand validly nominated”.

S. 5(a) is deleted and the following substituted:

*“5(a) If, at the close of nominations more than one candidate stands validly nominated for each position of the Officers, and for the position of Small Community Representative, and for the position of Electoral Area Representative, or in the case of the five positions of Directors at large, more than five such candidates stand, or in the case of the two Vancouver Metro Area Representatives, more than two candidates stand, the Chair of the Nominating Committee shall case elections to be held as may be required.”*

S. 5(c) is deleted and the following substituted:

*“5(c) The election of Small Community Representative, Electoral Area Representative, the five positions of Directors at Large, and the two positions of Vancouver Metro Area Representatives shall be held on the afternoon of the second day and the morning of the third day of the Annual Convention.”*

S. 5(d) is deleted and the following substituted:

*“5(d) If any election is to be held, ballot papers shall be prepared and distributed. In the case of an election for Officer positions, one ballot shall be used. In the case of elections for Small Community Representative and Electoral Area Representative and the five positions of Directors at Large, and the two Vancouver Metro Area Representatives, individual ballots shall be used for each category. The names of the candidates shall be printed alphabetically in order of surnames on the ballots, and shall show only the candidate’s names, official positions, municipality, regional district or other member affiliation and Area Association. Before any ballot is taken, any person nominated may decline or withdraw his or her name by giving two hours’ notice thereof following the time of the candidates’ speeches.”*

S. 5(e) is deleted and the following substituted:

*“5(e) Scrutineers shall be appointed by the President and it shall be among the duties of such Scrutineers to count the votes on such ballots and declare the result of such elections to the Chair of the Nominating Committee who shall report the results of the elections to the Convention. In the case of a ballot vote being held for the five positions of Directors at Large, and the two Vancouver Metro Area*

*Representatives, all ballots marked for more than the number to be elected shall be counted as spoiled ballots.”*

S. 5(f) is deleted and the following substituted:

*“5(f) All elected representatives from members who are present at the Convention shall be entitled to vote for Directors at Large. Only representatives from Small Communities members who are present at the Convention shall vote for the Small Community Representative, only representatives from Electoral Areas who are present at the Convention shall vote for the Electoral Area Representative, and only representatives of the GVRD and the delegates from its member Municipalities may vote for Vancouver Metro Area Representatives. No vote by proxy shall be recognized or allowed.”*

S. 5(g) is amended by inserting the following before the final sentence:

*“In the case of an election for the position of Vancouver Metro Area Representatives, the Chair shall declare elected the two candidates who receive the highest number of votes. If a candidate cannot be elected because of an equality of votes between two or more candidates, the Chair shall hold a run-off election for the positions remaining undeclared in which the only candidates shall be the unsuccessful candidates in the original election who do not withdraw.”*

[**Note:** Included in this policy book for reference is a copy of the Bylaw of the Union showing the proposed amendments from both Extraordinary Resolution ER1 and Extraordinary Resolution ER2 in bold and underlined, and the consequent deletions lined out.]

## APPENDIX C

### History of Changes to the UBCM Executive

Throughout its history, UBCM has amended its structure a number of times, and there are established procedures for doing so. UBCM's structure is set out in its bylaws, which may be amended through an Extraordinary Resolution that is adopted by a 3/5 (60%) majority at Convention.

#### A. *The First 90 Years*

At its inception in 1905, the UBCM's seven member Executive consisted of a President, Vice President, Honorary Secretary Treasurer and four directors at large. UBCM conducted no major structural review of the Executive during the following 90 years, but did make small additions and changes. By the early 1990s the Executive had 16 members, including:

- President
- two Vice-Presidents
- Honorary Secretary Treasurer
- Past President
- five Area Association Representatives
- Village Representative
- Vancouver Representative
- Electoral Area Representative
- three Directors at Large

The changes to the Executive over time ensured adequate representation of different regions of the province and different types and sizes of communities.

#### B. *Executive Restructure Committee, 1993-1994*

A resolution endorsed at the 1993 Convention prompted the formation of an Executive Restructure Committee to consider the Executive structure and report back to the membership in 1994. The Committee's report, including recommendations for restructure and a proposed Extraordinary Resolution to amend the UBCM Bylaws, was circulated to the membership prior to the 1994 Convention. At Convention, members endorsed all of the Committee's recommendations and the Extraordinary Resolution.

The bylaw amendments brought about changes in two areas: Executive structure and responsibilities, and the nomination and election processes for Executive positions. The changes are summarized below.

#### Structure & Responsibilities

- added 2 Directors at Large, for a total of 5 Directors at Large and 18 Executive members
- re-designated the Honorary Secretary Treasurer as the 3rd Vice-President
- specified that a person could be elected as President twice only
- established procedures for filling vacancies on the Executive, including the rule that no person could be named to an officer position unless elected as an officer by the membership

- specified that a person ceasing to be an elected official during his / her term as Past President could remain on the Executive until the end of the term

#### Nominations & Elections

- defined the Nominating Committee membership: Past President plus the 5 area association presidents or designates
- set procedures for issuing a call for nominations; distributing candidate information; and submitting nominations from the floor
- prohibited the Nominating Committee from endorsing any candidate or slate
- established procedures for run-off election to break a tie vote

#### C. *1998 Changes*

The Executive established a Restructure Committee in 1997-1998 to consider Executive structure. At the 1998 Convention, the membership endorsed several Extraordinary Resolutions on this topic, adopting the following bylaw amendments and changes:

- set a submission deadline for nominations for UBCM Executive
- re-defined the Village Representative as the Small Community Representative, representing and elected by members from communities with populations of less than 2,500
- Added a GVRD Representative to the Executive – a member of the GVRD Board elected by GVRD Board members