



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, resilient city where everyone can thrive.

CITY COUNCIL WORKSHOP

MINUTES

Monday, April 22, 2024, 3:00 p.m.

Meeting held in Council Chamber

City Hall

PRESENT:

Mayor Patrick Johnstone
Councillor Ruby Campbell
Councillor Daniel Fontaine
Councillor Tasha Henderson
Councillor Paul Minhas
Councillor Nadine Nakagawa

ABSENT:

Councillor Jaimie McEvoy

STAFF PRESENT:

Lisa Leblanc	Acting Chief Administrative Officer and Director of Engineering Services
Dennis Back	Acting Corporate Officer
Leya Behra	Manager of Climate Action
Hanieh Berg	Corporate Officer
Richard Fong	Director of Human Resources and Information Technology
Blair Fryer	Acting Director of Community Services
Dean Gibson	Director of Parks and Recreation
Jeff Gill	Deputy Chief, New Westminister Fire and Rescue Services
Indeep Johal	Manager of Financial Services
Craig MacFarlane	City Solicitor
Shehzad Somji	Director of Finance and Chief Financial Officer
Denise Tambellini	Intergovernmental and Community Relations Manager
Jackie Teed	Director, Climate Action, Planning and Development
Erin Williams	Chief, New Westminister Fire and Rescue Services
Marius Miklea	Assistant Corporate Officer, Legislative Services

GUESTS:

Carolyn MacEachern

Young Anderson

1. **CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

Mayor Johnstone called the meeting to order at 3:24 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. **APPROVAL OF THE AGENDA**

MOVED and SECONDED

THAT Council receive all On Table material as presented; and

THAT Council adopt the Council Workshop agenda of April 8, 2024, as circulated.

CARRIED UNANIMOUSLY

3. **PRESENTATIONS**

3.1 **Reporting Serious Misconduct Policy**

Young Anderson counsel, Carolyn MacEachern, Director of HR, Richard Fong, and City Solicitor, Craig MacFarlane presented to Council a Reporting Serious Misconduct Policy (also known as a "Whistle-Blower" Policy). The policy will facilitate the disclosure of wrongdoing that is contrary to public interest (see Attachment #1) and bring the City into conformity with generally accepted corporate governance, accounting, and auditing standards.

Discussion ensued on:

- The City's union, CUPE 387, has not been given a copy of the proposed policy. This was intended to take place after Council endorsement. Importance of Council providing an opportunity for dialogue with the public, staff, and labour unions active in the City;
- Policy Section 3.3.3 determines the process to deal with alleged misconduct by the CAO but there may be a potential conflict of

interest as the City Solicitor reports to the CAO. Staff indicated that the only appropriate party to deal with such cases is the City Solicitor.

MOVED and SECONDED

THAT Council endorse the Reporting Serious Misconduct Policy for implementation at the City.

Procedural note: An amendment was proposed.

MOVED and SECONDED

THAT the Serious Misconduct Policy be amended at Section 3.3.3 to read:

City Solicitor / City Council: In the event an allegation of serious misconduct involves the Chief Administrative Officer, the matter will be dealt with in camera by City Council who will, in conjunction with the City Solicitor, determine and assign responsibility for the investigation and disposition of the matter to an independent third-party investigator. All allegations of serious misconduct regarding the CAO will be brought to the attention of Council, regardless if they are considered frivolous or vexatious.

CARRIED UNANIMOUSLY

Procedural note: A motion was made to refer to a future meeting.

MOVED and SECONDED

THAT Council refer this to the Regular Council meeting of May 6, 2024.

DEFEATED

Mayor Johnstone and Councillors Campbell, Henderson and Nakagawa opposed

Procedural note: The question on the main motion, as amended, was called.

MOVED and SECONDED as AMENDED

THAT Council endorse the Reporting Serious Misconduct Policy for implementation at the City; and

THAT the Serious Misconduct Policy be amended at Section 3.3.3 to read:

City Solicitor / City Council: In the event an allegation of serious misconduct involves the Chief Administrative Officer, the matter will be dealt with in camera by City Council who will in conjunction with the City Solicitor determine and assign responsibility for the investigation and disposition of the matter to an independent third-party investigator. All allegations of serious misconduct regarding the CAO will be brought to the attention of Council, regardless if they are considered frivolous or vexatious.

CARRIED UNANIMOUSLY

4. END OF THE MEETING

Mayor Johnstone terminated the meeting at 4:11 p.m.

Patrick Johnstone
MAYOR

Hanieh Berg
CORPORATE OFFICER