

Letting Them Know What They Need To Know

New Council Orientation

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MMAA Conference
April 29, 2014

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- Together have 60 years experience in local government administration
- A few years ago we formed Way To Go Consulting Inc., providing municipal consulting services in Manitoba
- Presenting background and views on Council Orientation
- These are taken from a session we did for the 2010 election that went a full day so we'll just be touching on these today
- This full PowerPoint presentation will be made available to MMAA
- Please ask questions as we go through presentation today

Agenda

- ▶ Purpose and Overview of Council Orientation – Dale
- ▶ Role Statements – Dale
- ▶ Governance Models – Dale
- ▶ CAO/Council Working Relationship – Ernie
- ▶ Leadership – Ernie
- ▶ Communication Process – Ernie
- ▶ Council Meetings – Dale
- ▶ Legislation – Ernie
- ▶ Policies, Budget and Strategic Planning – Dale
- ▶ Current Issues – Dale/Ernie
- ▶ What now?
- ▶ Resource Material
- ▶ Conclusion

Purpose of Council Orientation

- ▶ Training for the new members
- ▶ CAO has a responsibility to provide information and guidance to Council
- ▶ Refresher for the returning members
- ▶ Excellent opportunity to change the way things have been done
- ▶ More unified approach to how Council operates
- ▶ Relationship building

Purpose of Council Orientation

- ▶ Society has this impression that anyone elected to office miraculously understands all current issues and have the leadership and public relations skills necessary to make informed rational decisions – WOW
- ▶ Someone needs to fill in the blanks and provide subtle suggestions and direction to help orient newly elected officials and provide them with the tools they need to succeed
- ▶ Councillors are in effect Directors of a multimillion corporation

Purpose of Council Orientation

When to prepare – when to present

- ▶ Prepare now, not after the election
- ▶ Discuss a date for orientation with the Mayor/Reeve right after the election
- ▶ Alternately, set a date before the election and advise all the candidates
- ▶ Do the orientation as soon after the election as possible

Purpose of Council Orientation

Who to include

- ▶ All members of Council should be there, new and returning
- ▶ Bring in department heads to give overview of their responsibilities

Orientation Manual – Chapter 1

- ▶ Different options for what to include
- ▶ There should be a focus on the important stuff
- ▶ Some possible items to include are:
 - Overview of municipal government
 - Purpose of municipal government
 - Organizational structure – Council/CAO roles
 - Legislation

Role Statements

- ▶ Municipal Act establishes Role of Council, Mayor/Reeve and CAO
- ▶ Each Municipality then provides details on the roles through their Organizational Structure, Strategic Plans, Policies, Job descriptions, legislative by-laws, etc.

Role of Council

- ▶ Council is the ultimate authority, subject to provincial law, for all actions taken on behalf of the municipality
- ▶ Within its mandate, there is clear responsibility for legislative and executive duties
- ▶ Also distinguishable are the more specific roles of representing the electorate, administrative and to a certain extent, management

Role of Council

- ▶ General duties of members
- ▶ 83(1) Each member of Council has the following duties:
 - ▶ to consider the well-being and interests of the municipality
 - ▶ to participate generally in developing and evaluating policies and programs
 - ▶ to participate in meetings of the Council
 - ▶ to keep in confidence in-camera discussions
 - ▶ any other duty imposed by the Province

Role of Mayor/Reeve

- ▶ Role is unique; elected separately
- ▶ Chairs Council meetings
- ▶ Provides leadership and direction to Council
- ▶ Works closely with CAO

Role of Mayor/Reeve

- ▶ Duties of the Head of Council
- ▶ 83(2) In addition to performing the duties of a member of Council, the head of Council has a duty
 - to preside when in attendance at a Council meeting, except where the procedures by-law or this or any other Act otherwise provides;
 - to provide leadership and direction to the council;
 - to perform any other duty or function assigned to the head of Council by the Council or by this or any other Act.

Role of CAO

- ▶ Required by Municipal Act and duties set by By-Law:
 - CAO directs and manages the business affairs of the Municipality in accordance with by-laws , resolution and plans enacted by Council;
 - gives general and specific guidance to staff; and
 - prepares long and short range financial plans.
- ▶ The CAO reports to Council as a whole, rather than the Mayor/Reeve or individual Councilors.

Role of CAO

- ▶ 127 (2) The Chief Administrative Officer must ensure that:
 - Record minutes of every Council meeting;
 - Responsible for recording revenues and expenses and spending ; and
 - Providing information to Province

Governance Models

- ▶ George Cuff
 - local government guru
 - Years as a municipal employee
 - 12 years as elected official
 - 36 years of consulting
 - Has reviewed operations of over 300 municipalities in Canada

Governance Models

- ▶ Present what George Cuff has learned
 - Number one failure of elected officials is they think they are supposed to 'manage'
 - Council deals with the organization through one employee, the CAO

Governance

- ▶ Get Cuff's Guide for Municipal Leaders and/or Off the Cuff – A collection of writings for each member and yourself at
 - municipalworld.com
- ▶ Governance defined as
 - process of exercising corporate leadership by the policy-making authority (i.e. council) on behalf of the public to the organization as a whole, in terms of its purpose, control and future
 - overseeing the organization to ensure that its mandate is achieved

10 Key Governance Principles

- ▶ 1. A clear mandate
 - Council responsible for the direction, actions and outcomes of the municipality's business
- ▶ 2. Clear authority
 - Define who is responsible for what
 - Hire and fire
 - Power to delegate
 - Expenditure approval and to what level
 - Authorities of committees

10 Key Governance Principles

- ▶ 3. Public accountability and responsiveness
 - Decisions must be based on best interests of the public
 - Advise public of decisions made
 - Access by the public to Council
- ▶ 4. Clear sense of purpose
 - Mandates, goals, objectives and strategies
 - Ensure public input

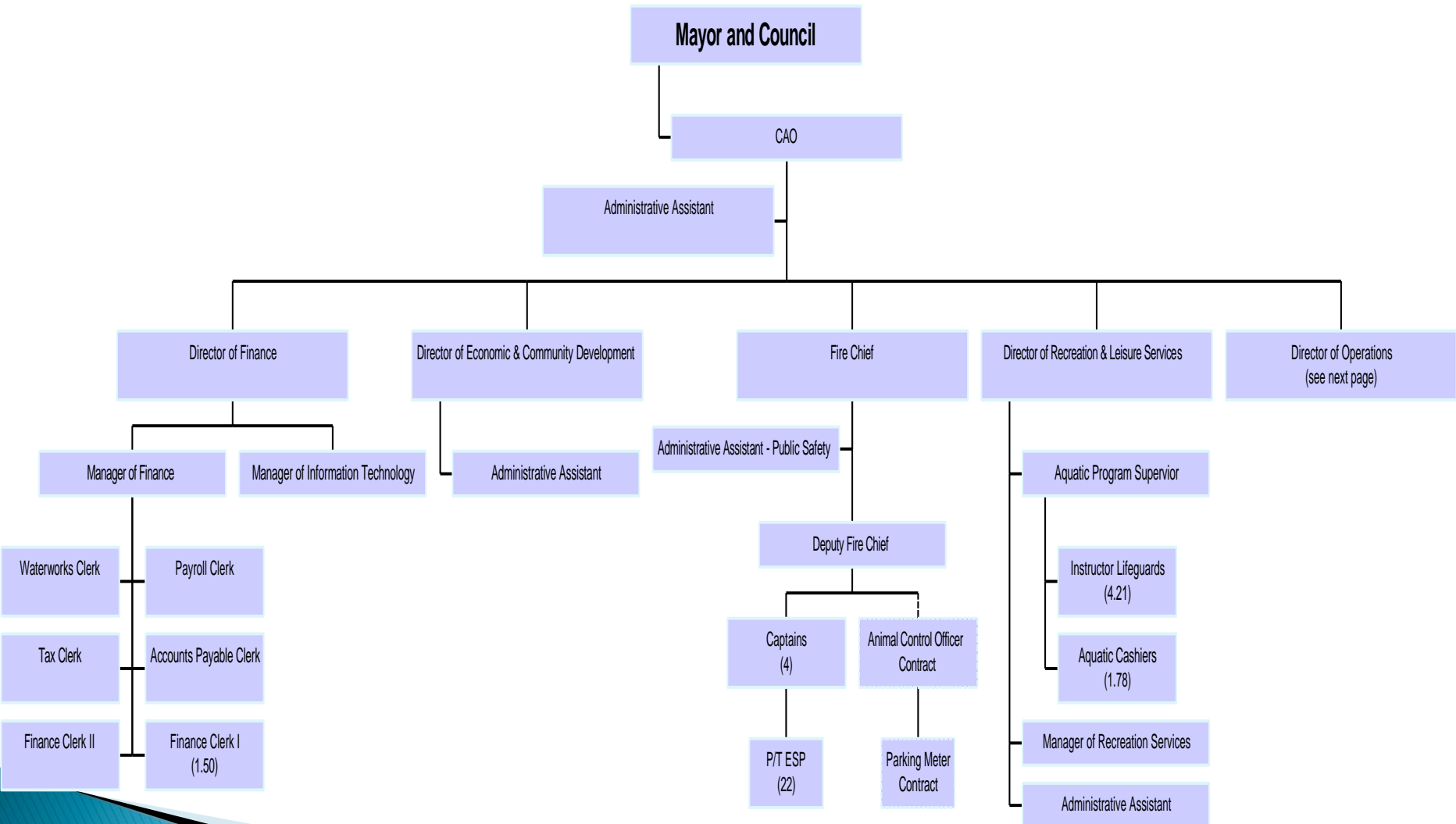
10 Key Governance Principles

- ▶ 5. Full disclosure
 - Full and complete reporting by administration to Council
- ▶ 6. Sense of integration
 - CAO needs to ensure coherence within departments
- ▶ 7. Council/CAO sound relationship
 - Openness, trust, respect, confidence, caring

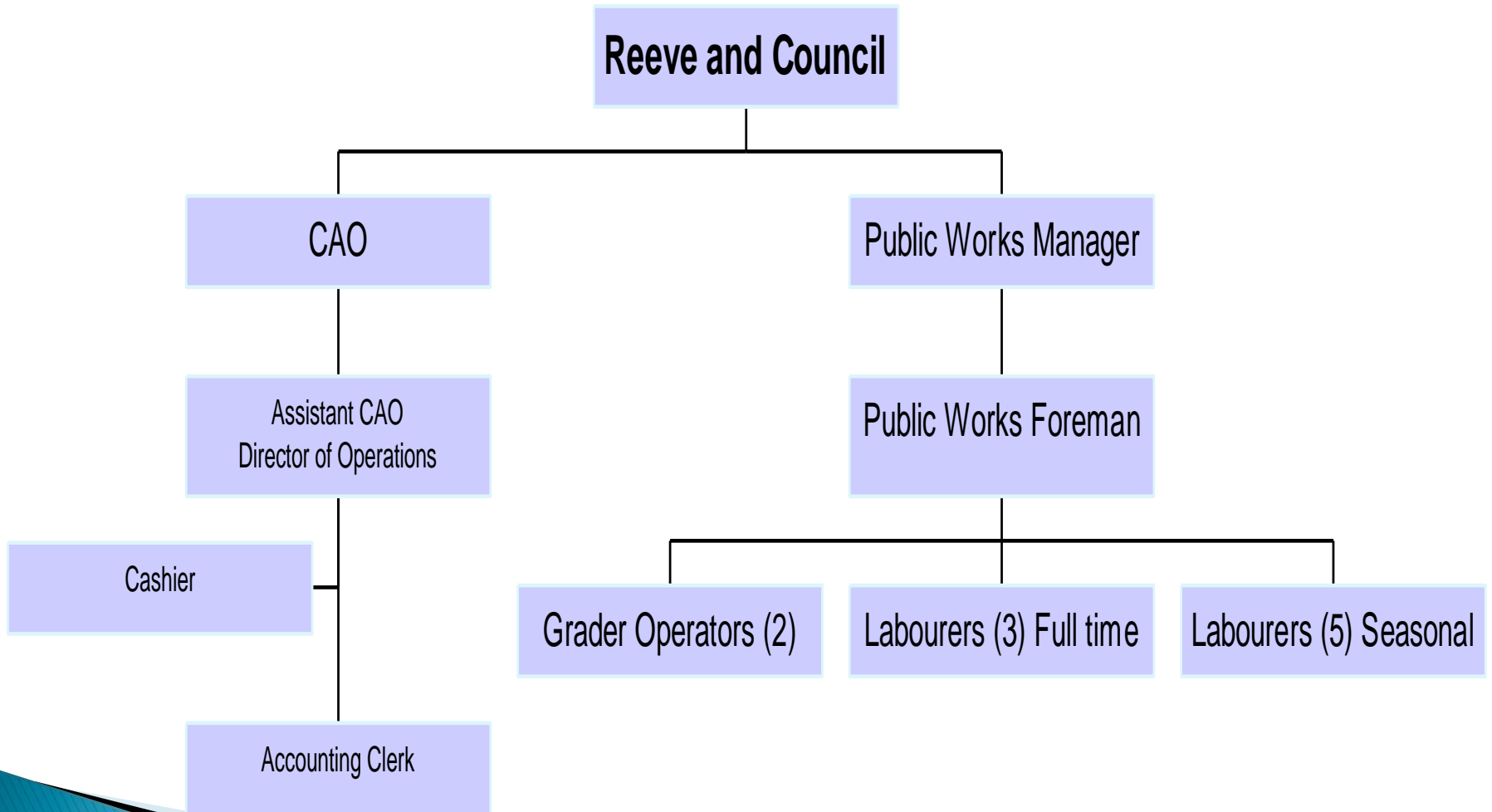
10 Key Governance Principles

- ▶ 8. Independence of Council
 - Act of governing is Council's
 - Must have independence to do its job
- ▶ 9. Orientation and succession planning
 - Both required to ensure a sound governance-administrative system
- ▶ 10. Ongoing performance assessment
 - Annual report card for Council

Governance Models



Governance Models



Council/CAO Relationship

- ▶ Reminder of defined roles
 - Council's is policy direction
 - CAO's is administrative
- ▶ Important to help Council understand why we think differently
 - Administrative people aren't supposed to be political, only supposed to understand politics
- ▶ Need to show them it is OK to think differently, politicians and administrators serve different purposes

Council/CAO Relationship (cont'd)

- ▶ Let Council know right up front their role is important, you'll obtain pocket schedulers for those who need one so they can mark down all their appointments, that your role is not that of personal secretary to each member, and you won't be calling them to remind them of meetings
- ▶ Let Council know the Municipal Act outlines the CAO is responsible for all other employees, as a result Council has only one employee it gives direction to
- ▶ Let Council know that one member can't give direction without Council authorization in advance

Council/CAO Relationship (cont'd)

- ▶ Seek regular feedback from Council
 - Tell them as a group (in camera) what you understand are the priorities and ensure this is correct
 - Ask for feedback on your performance, what do they like, what would they change
- ▶ Open communication is so important
 - When there is some concern then trust and respect begin to slide
 - Let them know you expect to hear from them right away if there is something they aren't liking, if you know then you can fix it

Council/CAO Relationship (cont'd)

- ▶ Council will have more confidence in you if you show confidence in your job
- ▶ Take the time to show members you care
- ▶ Discuss in advance how disagreements will be handled as this will regularly occur between members and between CAO and Council and/or members
 - Ensure they realize this is healthy, if everyone in the world all thought the same it would be a boring place
 - Important to respect others when you don't agree
 - Disagree with the position rather than the person

Council/CAO Relationship (cont'd)

- ▶ Explain why having the CAO in charge outside of meetings is better for them
 - CAO is accountable to Council so the expectation of the majority will govern rather than the desire of the individual
 - Difficult for Council to hold individual members of Council accountable
- ▶ Where changes to operation are being proposed you have to tell them what you're proposing to change from and why, let returning members know in advance so they aren't caught off guard

Council/CAO Relationship (cont'd)

- ▶ The most beneficial relationship available is that of head of Council and CAO
 - CAO benefits from having the Mayor/Reeve to share things with
 - Mayor/Reeve benefits from discussing leadership views and ensuring what will be proposed meets with legislative requirements
- ▶ Advise you'll fulfill their direction whether or not you agree with the direction unless it is illegal, immoral, or unethical

Leadership

- ▶ Applies to Council and CAO
- ▶ What is leadership?
 - The art of motivating a group of people to act towards achieving a common goal
 - Creating a way for people to contribute to making something extraordinary happen
 - Dealing with people by communicating, enabling, equipping, defining morals, having solid character, being ethical
- ▶ Role of a leader is to ensure the performance and well being of employees

Leadership (cont'd)

- ▶ Working leader is to be avoided
- ▶ Leadership is hard, technical is easy
- ▶ People tend to become a working leader because they want it done right
- ▶ The tendency to step down one level and make decisions of person below them because that is easier

Leadership (cont'd)

▶ 1. Head of Council

- Municipal Act states leadership is a responsibility of this position (to provide leadership and direction to the council)
- Head of Council needs to ensure all members of Council are included in discussions and that no one dominates meetings
- CAO should speak with Head of Council even before the orientation about the position's leadership responsibilities

Leadership (cont'd)

▶ 2. Council

- Responsible for providing strategic planning and direction to the organization
- Provide team building
 - Between members
 - With external organizations
- Monitor the behaviour of the Head of Council

Leadership (cont'd)

▶ 3. CAO

- How CAO leadership may be perceived in the community, have to help Council but not be seen as directing Council
- At times you may need to protect employees from Council
- What are your key principles and philosophies and why are they important to you?
- What's important to you?
- What would you be prepared to lose your job over?

Leadership (cont'd)

▶ 3. CAO (cont'd)

◦ Leadership Philosophy examples

- Employees are allowed to question their supervisor
- Will not make a recommendation to Council because that is what it wants to hear, explain

Communication

- ▶ Communicating to the Public
 - Discuss a strategy for keeping the public informed about what Council does
 - Determine who speaks to the media
 - Determine who writes and approves letters going out
 - Letters to politicians should be signed by a politician
 - Letters to government employees should be signed by a government employee

Council Meetings

- ▶ Council meetings
 - When will they be
 - Share current format and suggest what you might change and why
 - Seating arrangements (this could be a big issue)
 - Discuss how you might signal to them without embarrassing them, especially if televised
 - Protocol of meetings
 - Resolutions and by-laws and how they work
 - Delegation protocol and why its so important

Council Meetings

- ▶ Standing Committees
- ▶ Open vs Closed Meetings
- ▶ Protocol

Policies, Budget and Strategic Planning

- ▶ Strategic planning
- ▶ Council and CAO need to review policies, programs and by-laws on a regular basis

Legislation

- ▶ Council can only do what it is authorized to do by legislation
- ▶ Some they need to know well (Conflict of Interest), others not so much
- ▶ Let them know where they can view it (gov.mb.ca, copy in office)

Legislation (cont'd)

▶ The Municipal Act

- Authorizes the existence of municipal government
- Responsibilities of Mayor/Reeve, Council, and CAO as outlined in the Municipal Act
 - Council sets direction, employees carry out decisions
- Spheres of jurisdiction
 - What authority Council has, how it has it

Legislation (cont'd)

- ▶ **Municipal Assessment Act**
 - Provides authority for assessing property for the purpose of taxation
 - Go over how assessment works
 - Explain where we get the numbers from
 - Show how we use it

Legislation (cont'd)

- ▶ Freedom of Information and Protection of Privacy Act
 - Explain what it means and how it impacts municipalities
 - Applies to every record created by Municipality from computer file to writing on a post it note to scrawl in margin on a page
 - Person has right to access any record unless it is excepted from disclosure by FIPPA
 - Right of access to information by public based on accountability of government
 - Right to privacy of individuals also covered by FIPPA
 - Can only use personal information collected for the purpose it was intended for, unless allowed for other reasons by FIPPA
 - Only persons who need to know personal information are to have access to that personal information (resume of candidates only available to those responsible for hiring)

Legislation (cont'd)

▶ Planning Act

- Provides authority for how municipalities address development
- Overriding document is the Development Plan, adopted by Planning District where Municipality is member of one, Development Plan lays foundation for development
- Municipality adopts zoning by-law, more specific than Development Plan, outlines areas of residential, commercial, industrial zonings as well as detailed restrictions in each zoning
- Any proposed subdivisions must receive Council approval
- Council is also decision making authority for any conditional use and variation applications

Legislation (cont'd)

- ▶ Municipal Conflict of Interest Act
 - Members are required to disclose assets and interests by November 30 each year
 - Whenever an issue is to be discussed at a Council or Committee meeting where a member or dependent of member may gain financially, the member must declare a conflict and remove self from discussion of and decision on the issue
 - Member in conflict is not to speak to other members of Council about the issue at any time
 - If the member is absent at Council or Committee meeting where issue discussed, the member is to advise at the next meeting that he or she would have been in conflict if he or she would have been there
 - Make sure they understand this
 - If possible, provide examples of how far reaching this can be, err on the side of caution
 - Advise them you are not there to remind them when they may be in a conflict, they need to keep track themselves
 - Determine up front if and when the Municipality will pay for legal opinions

Current Issues and Other

- ▶ Review current strategic plan, set dates to renew it
- ▶ Review current business plan, determine adjustments required
- ▶ Present the current financial position of the municipality
- ▶ Offer to provide facility tours over the next few months
- ▶ Present policy and procedure manual
- ▶ Advise how individual members can bring proposed changes to policy forward
- ▶ Present important dates that occur annually and during the term
- ▶ Arrange to meet department heads
- ▶ Provide a brief history of the municipality, including but not limited to population, number of employees, assessment total

Current Issues and Other

▶ Present

- Provincial and federal organizations (AMM, MMAA, FCM, CAMA)
- How and when to submit expense claims
- Access to municipal office (admin area should be off limits)
- Meeting times, confirm when they will be
- How planning hearings run, confirm need for impartiality
- Municipal Ombudsman role
- Development corporation
- In camera, and what topics apply
- Who the auditor is, how the audit process works
- Unsigned or anonymous letters not presented
- How the coffee maker works
- How to refer public complaints to administration

Current Issues and Other

- ▶ Discuss unresolved issues from previous Council, including whether to continue with them
- ▶ Examples are:
 - Annexation
 - Land purchases
 - Land sales
 - Street closures
 - Lawsuits (at the next in camera session if necessary)
 - Intermunicipal disputes
 - Debenture projects
 - Multiyear projects like water meter upgrades
 - Zoning by-law review
 - Drainage problems

Current Issues and Other

- ▶ Discuss issues you see coming forward, such as
 - CAO performance evaluation
 - Next year financial plan
 - Organization by-law review
 - Procedure by-law review
 - Amalgamation
 - Council size reduction
 - Succession Planning

What Will You Do Now?

- ▶ Make a list of what you want to change and include material in your orientation that generates that change
- ▶ Set a date for new Council orientation and let all candidates know now when it will be
- ▶ Or hire someone to do the orientation, but have an orientation

Resource Material

- ▶ George Cuff
 - Cuff's Guide for Municipal Leaders
 - Off the Cuff
 - These and others available at municipalworld.com
- ▶ Portage la Prairie and Morden Orientation documents

Conclusion

▶ Orientation

- Sets the initial direction on the following four years
- Orientation gives the politicians the background to know what their responsibility is (policy makers, governors, not managers)
- Items presented at orientation can be referred to throughout the term as a reminder