



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: **Mayor's Gala Discovery Review**

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From: Francis Cheung, P. Eng.
Chief Administrative Officer

Date: March 13, 2020

RECOMMENDATION:

1. THAT Council receive the Interim Report: Mayor's Gala Discovery Review dated March 15, 2020 from Paul Gill for information.
2. THAT Council endorse the recommended actions as outlined in the Summary section of this report.

PURPOSE:

The purpose of this report is to present the Interim Report: Mayor's Gala Discovery Review to City Council for information.

POLICY:

Not applicable.

COMMENTS/ANALYSIS:

At the January 27, 2020 Regular Council Meeting, City Council unanimously passed the following motion:

"WHEREAS Langley City Council adopted the Use of Corporate Identity and Brand Policy CO-64 on November 4, 2019;

WHEREAS this policy ensures that only those initiatives being supported or endorsed by the City are granted permission to use the brand as applicable;

WHEREAS the use of the term Langley City Mayor's Gala, the City coat of arms and the RCMP coat of arms was used in advertising which suggests that this event was an official city event;

THEREFORE BE IT RESOLVED THAT as this is deemed to be an annual event, that staff prepare a report outlining the following:

- *liability to Langley City;*
- *unauthorized use of the Langley City crest;*
- *use of the RCMP crest;*
- *use of the wording "Langley City Mayor" on marketing and advertising materials for a non-City event; and*
- *a financial report outlining all material and in-kind costs to Langley City associated with the Mayor's Gala, including RCMP costs."*

The Chief Administrative Officer retained Mr. Paul Gill¹ to conduct a discovery review of the Mayor's Gala. The rationale for retaining a third party independent consultant to carry out the review include:

- City staff will not be placed in a position to question or arbitrate the conduct of the Mayor; and
- There will be a greater degree of confidence of the impartiality and objectivity of the review if it was conducted by a third party independent consultant.

The mandate of the review, which was unanimously approved by City Council, is as follows:

The consultant(s) shall investigate and prepare a report on the Mayor's Gala to fully address the motion passed by Council at the January 27, 2020 Regular Council Meeting.

The consultant(s) shall consider, but not be limited to, the following:

¹ Mr. Paul Gill has over 30 years of local government experience. He was the General Manager of Finance and Corporate Services for the City of Maple Ridge for much of this period with the last two years as the Chief Administrative Officer. Mr. Gill was the Principal Police Contact (PPC) for the City of Maple Ridge and he was instrumental in the creation of the Lower Mainland District RCMP Integrated Homicide Team. Mr. Gill was the former Chair of the CAOs/PPCs Forum and Integrated Team Advisory Committee. And he was the staff person appointed by the UBCM on the national RCMP Contract Management Committee representing the interest of local governments in British Columbia.

- *Determine if the Mayor's Gala was a private fund raising event organized and hosted by Ms. Val van den Broek or a City sanctioned event organized and hosted by Mayor Val van den Broek with the support of the City.*
- *Determine if the use of the wording "Langley City Mayor" on marketing and advertising materials is appropriate for a non-City event.*
- *Determine the potential liability to the City if the Mayor's Gala was a private fund raising event organized and hosted by Ms. Val van den Broek.*
- *Determine the potential liability to the City if the Mayor's Gala was organized and hosted by Mayor Val van den Broek with the support of the City.*
- *Determine if proper process was followed under the City's Use of Corporate Identity & Brand Policy CO-64 to use the Coat of Arms on the marketing and advertising brochures.*
- *Determine if proper process was followed from the RCMP to use the RCMP Insignia on the marketing and advertising brochures.*
- *Determine the role and involvement of the RCMP and members of the Langley RCMP Detachment with the Mayor's Gala.*
- *Determine all material, staff costs and in-kind costs incurred by Langley City and the Langley RCMP associated with the Mayor's Gala.*

Mr. Gill's discovery review of the Mayor's Gala and his findings are articulated in the [Interim Report: Mayor's Gala Discovery Review](#) (Attachment 1). The following is a brief summary of his findings:

- The use of corporate identity creates the appearance that this was a City event, though Council did not endorse it. This appears to go against the intent of Council Policy CO-64.
- Council Policy CO-64 should identify consequences for not abiding by the policy and the delegation of responsibility should be reviewed.
- A Code of Conduct should be considered which would include consequences for not abiding by the code.
- If this appears to be a City event, the City could have some legal exposure. However, this exposure is largely mitigated by steps that were taken by the Mayor.
- On a go-forward basis, where a member of Council wishes to pursue an initiative like this, there should be formal consultation with Council.
- Two staff members spent less than a total of two hours with logistics related to the event. This included the time that a staff member spent loading the Coat of Arms and logo onto a folder that was accessible by the Mayor.
- With respect to the use of the facility, the Convention Centre is owned by the City and is allotted six free bookings per year for its own use. The arrangement for the use of the facility for the gala was in the Mayor's personal name and will not count towards the uses allowed to the City.

- With respect to the RCMP, the Officer-In-Charge (OIC) authorized the use of the RCMP crest for the event.
- The Officer-In-Charge (OIC) sent an email to his senior officers to encourage them to attend. In the email, the OIC pointed out that a "Four-hour Overtime Shift (approved by him) is enough to cover the costs for 2 persons" for the tickets.
- 35 members attended the event and 19 of them came with spouses/guests. What this means is that a total of 54 tickets were paid for by the RCMP members for a total value of \$8,100.
- The OIC advises that RCMP members who attended the event were not paid for the time that they were at the gala, nor were they given extra time off for attending the gala. He also advises that no member has ever been approved to claim overtime without having to work for it.

Mr. Gill made several recommendations in his report for our consideration:

- On a go-forward basis, where a member of Council wishes to pursue an initiative like this, there should be formal consultation with Council.
- Council Policy CO-64 should be reviewed.
- A Council Code of Conduct should be developed and adopted.
- City staff should meet with the OIC to establish expenditure protocol and expectations for future initiatives like this.

BUDGET IMPLICATIONS:

Mr. Paul Gill's consultant fee to prepare the Interim Report: Mayor's Gala Discovery Review was \$6,000 inclusive of GST and disbursements.

ALTERNATIVES:

That Council direct staff to carry out a more detailed cost analysis to determine the salary and benefits costs and which accounts were charged to for those RCMP members that worked the four-hour overtime shift to cover the cost to purchase two tickets to the gala.

SUMMARY:

It should be noted that Mr. Paul Gill's report is an interim and discovery report. Upon review of the recommendations made by Mr. Gill in his report, it is recommended that the following actions be undertaken:

1. Mr. Gill concluded that it appears the use of corporate identity creates the appearance that this was a City event, though Council did not endorse it and it goes against the intent of Council Policy CO-64. On a go-forward basis, where a member of Council wishes to pursue an initiative like this, there should be formal consultation with Council.
2. Council Policy CO-64 does not identify consequences for not abiding by the policy. Staff supports this recommendation and this policy will be reviewed.
3. A junior staff, who is trying to be helpful and proactive, may carry out a task for any members of Council even if it was only mentioned by passing. Additionally, a junior staff may take action without recognizing the sensitivity of the matter. Therefore, staff supports the recommendation that the delegation of responsibility should be reviewed under Council Policy CO-64.
4. A Council Code of Conduct should be developed and adopted by Council which would include consequences for Council members for not abiding by the code. Staff supports this recommendation and a Council Code of Conduct will be developed with City Council.
5. While the Officer-In-Charge acknowledged that he had authorized a "Four-hour Overtime Shift" to cover the costs for two tickets for the gala and that legitimate work were carried out by the members, staff question the appropriateness of such expenditure even if it was well intended. To this end, staff supports the recommendation that City staff should meet with the OIC to establish expenditure protocol and expectations for future initiatives like this.

Respectfully Submitted,



Francis Cheung, P. Eng.
Chief Administrative Officer

Attachments:

1. Interim Report: Mayor's Gala Discovery Review by Paul Gill
2. Terms of Reference, Mayor's Gala Review
3. Use of Corporate Identity & Brand Policy CO-64