



# City of Lloydminster

# Policy

<b>Policy Title:</b>	Appointments Policy	<b>Policy Number:</b>	120-04
<b>Date of Adoption:</b>	May 15, 2020	<b>Motion Number:</b>	165-2020
<b>Date of Amendment:</b>		<b>Motion Number:</b>	
<b>Sponsoring Department:</b>	Office of The City Clerk		

## 1. Purpose:

- 1.1. To provide guidance to Members of Council when making appointments to Committees and Community Boards.
- 1.2. To ensure that there are no perceived or real Pecuniary Interests between Members of Council, Administration and Community Groups.
- 1.3. To ensure the impartiality and accountability of those who serve on Committees under the jurisdiction of the City.

## 2. Definitions:

<b>Administration</b>	An employee, contract employee or volunteer of the City of Lloydminster.
<b>Ah Hoc Committee</b>	A committee established for a specified period and purpose.
<b>Charter</b>	The <i>Lloydminster Charter</i> .
<b>City</b>	The corporation of the City of Lloydminster.
<b>City Manager</b>	The individual appointed under section 147(1) of the <i>Lloydminster Charter</i> as Commissioner.
<b>Committees</b>	Includes all agencies, boards, advisory groups, working groups and commissions that fall under the jurisdiction of Council.
<b>Community Boards</b>	A governance or advisory board of a local non-profit.
<b>Conflict of Interest</b>	A situation in which a person is in a position to derive personal or financial benefit from actions or decisions made in their official capacity.
<b>Governance Committee</b>	A committee established in support of legislative requirements or to support Council's governance role.
<b>Mayor</b>	As defined in the <i>Lloydminster Charter</i>

<b>Members of Council</b>	Individuals elected pursuant to <i>The Local Government Election Act</i> (Saskatchewan) as a Member of Council.
<b>Order in Council (OIC)</b>	A legal instrument made by the Governor in Council pursuant to a statutory authority or, less frequently, the royal prerogative. All OICs are made on the recommendation of the responsible Minister of the Crown and take legal effect only when signed by the Governor General.
<b>Pecuniary Interest</b>	Means Pecuniary Interest within the meaning of Section 131 of the <i>Lloydminster Charter</i> .
<b>Public Advisory Committees (PAC)</b>	Committees that act in an advisory capacity to Council.
<b>Technical Committee</b>	A committee established to address a specific issue which may or may not consist solely of members of Administration.
<b>Quasi-Judicial Committee</b>	A committee that upholds the principles of natural justice, make decisions that are legally binding and are subject to review by appeal courts.

**3. Scope:**

3.1. This policy applies to all Members of Council and Administration.

**4. Council Committees**

- 4.1. Committees may be created by Council in the following five (5) categories:
- 4.1.1. Ad Hoc Committees;
  - 4.1.2. Governance Committees;
  - 4.1.3. Public Advisory Committees;
  - 4.1.4. Technical Committees; and
  - 4.1.5. Quasi-Judicial Committees

**5. Appointments**

- 5.1. Any appointment of a Member of Council or Administration to Committees and/or Community Boards shall be made by resolution of Council.
- 5.1.1. Appointments that do not need to be made by resolution of Council include:
    - i. Members of Administration appointed by virtue of the Position in which they hold; and
    - ii. Any appointments of a Member of Council done by Order in Council.

- 5.2. Appointments of members of the public shall only be done so by resolution of Council if:
  - 5.2.1. The Committee was created by Council;
  - 5.2.2. All appointments to the Committee or Community Board are done by Council; or
  - 5.2.3. There is a legislative requirement for Council to do the appointment.
- 5.3. Notwithstanding any of the above, Council may, as a courtesy appoint any person(s) to a Committee or Community Board, by resolution of Council, only if requested to do so by that Committee or Community Board.
- 5.4. When appointing Members of Council to a Committee or Community Board, Council shall consider, but not limited to, the following criteria:
  - 5.4.1. associated cost;
  - 5.4.2. the value or benefit for the City;
  - 5.4.3. interest of the individual;
  - 5.4.4. expertise of the individual;
  - 5.4.5. past involvement, if applicable;
  - 5.4.6. requirement for the appointment, if applicable; and
  - 5.4.7. the potential for a perceived or real Pecuniary Interest.
- 5.5. When appointing Administration to a Committee or Community Board, Council shall consider all criteria listed in 5.4.
  - 5.5.1. Section 5.4.7. shall not apply to Administration.
  - 5.5.2. Council shall take into consideration the potential for a real or perceived Conflict of Interest for a member of Administration.
- 5.6. Members of Council and Administration serving on a Council appointed Committee or Community Board shall adhere to all City policies, bylaws and applicable legislation.

## **6. Penalty:**

- 6.1. Any Member of Council found to be in violation of this policy may be dealt with utilizing the "Code of Conduct Bylaw" or provisions of "*The Lloydminster Charter.*"
- 6.2. Any member of Administration found to be in violation of this policy may be subjected to a disciplinary action. Such action may be dependent upon the nature of the breach of this policy; discipline may range from a verbal warning to dismissal with cause.

## **7. Responsibility:**

- 7.1. City Council shall review and approve all policies.
- 7.2. City Administration shall administer the policy using a supporting procedure.
- 7.3. Sponsoring Department is responsible for creating and amending a supporting procedure.
- 7.4. This Policy shall be reviewed in accordance with the Governance Documents Policy.