

## **COMMITTEE OF THE WHOLE (WORKING SESSION) – JUNE 14, 2010**

### **COMMITTEE STRUCTURE AND ACTING/DEPUTY MAYOR**

#### **Recommendation**

The Commissioner of Legal and Administrative Services & City Solicitor, and the City Clerk, in consultation with the City Manager and the Senior Management Team, recommend:

1. That effective with the new term, Council replace the current Special Purpose and Standing Committee system with Option 3 and adopt the parameters for Standing Committees as outlined in this report;
2. That the term of all Advisory Committees/Task Forces, with the exception of Statutory Committees, end with this term of Council as set out in Option 1 for Non-Statutory Advisory Committees and Task Forces;
3. That Council direct that staff report back on the establishment of uniform and consistent terms of reference, composition, appointment procedures, notice and reporting requirements for its Advisory Committees/Task Forces prior to appointments being made for the next term of Council;
4. That once Council has approved the procedures referred to in Recommendation #3 above, Advisory Committees/Task Forces are established as necessary and appropriate.
5. That Council establish the position of Deputy Mayor for a term of Council, being the Local and Regional Councillor who receives the most votes in the general municipal election;
6. That the City Clerk submit a report on changes to the Procedural By-law required to implement the changes referred to in this report.

#### **Contribution to Sustainability**

Clearly defined roles for Council's committees (including task forces and similar bodies) enhance transparency and public confidence in local government. Rationalizing the roles and responsibilities of the current configuration of committees will enhance stakeholder participation, community involvement and optimize the contributions of the public, stakeholders and other experts with respect to specific Council objectives or the role of government generally.

This report facilitates a review of the existing committee structure, taking into account the need to ensure that notwithstanding the longevity of any particular committee, in principle advisory/recommending bodies to Council should continue only where their inclusion in the committee structure enhances Council's ability to achieve its objectives.

#### **Economic Impact**

The City of Vaughan currently has a total of over 38 Special Purpose Committees, Non-Statutory Advisory Committees and Task Forces. To one degree or another, these committees are supported and resourced by the City of Vaughan. A rationalizing of the Committee structure will reduce the current and future demand on resources and assist in focusing the City's resources to achieve Council's vision for the City.

## **Communications Plan**

Changes to the committee structure will be communicated to the public through the City's website. Terms of Reference for Advisory Committees/Task Forces and changes to the Procedure By-law will be the subject of a further report and public notice.

## **Purpose**

The City of Vaughan is one of the largest and fastest growing cities in Canada with over 1,000 full-time and part-time employees. An appropriate governance structure is critical to the efficient and effective execution of Council's vision and direction for the City.

The purpose of this report is to provide options for a revised committee structure to be implemented with the next term of Council as well as to recommend that Council move from the term Acting Mayor to Deputy Mayor.

## **Background – Analysis and Options**

Council, at its December 14, 2009 meeting, adopted the recommendation of the Committee of the Whole (Working Session) directing staff to bring forward a further report on a Committee Structure to be implemented with the new term of Council. As a component of effective governance, committee structures and reporting procedures play an important role in ensuring accountability, oversight and informed decision-making. They also support the execution of the City's strategic direction.

As was stated in the initial report on Committee Structure presented to Committee of the Whole (Working Session) June 22, 2009, there is general consensus that the current Committee of the Whole model is well-accepted and highly functional in supporting Council's decision-making. However, there is also a sense that the utilization of five (5) Special Purpose Committees resulted in committees having a narrow focus which tends to reinforce a "silo" approach to issues and it is not always clear to which committee a report should be directed.

## **Key Criteria:**

As identified in some of the comments from Members of Council - both at the Governance Workshop and in the responses from Members of Council to the Governance Survey - consideration should be given to the following when establishing a committee structure:

- ensuring a full and proper discussion of items prior to reports to Council
- creating a structure that allows Members of Council and the public to attend meetings without timing conflicts
- reducing confusion over which committee reports should be directed
- avoiding re-debate of issues (first at Standing Committee, then at Committee of the Whole, then Council)
- finding an alternative to the numerous and narrowly focused Standing Committees that exist
- avoiding the difficulty of filling an agenda and having regular meetings with the existing structure
- creating Standing Committees with broader scope to deal with all the impacts of a specific subject-matter
- there is a preference for a 'committee of the whole' model, to ensure a full discussion involving all Members of Council at the first instance

## Council's Role

Council's committees play a key role in supporting Council. Council's role is to attend to policy-making and planning to ensure that adequate resources, both human and monetary, are in place for the City to achieve its vision and corporate objectives. Council's role is to:

- work with management in setting vision and objectives
- developing policies, priorities and strategies and allocating/assigning resources to achieve these objectives
- providing a key public/community interface

Council's role and effectiveness can be enhanced and supported through an effective committee structure.

Special Purpose or Standing Committees, which consist of members of Council, can support Council's decision-making by providing a venue for preliminary consideration and in-depth discussion around priorities, policy options, fiscal and financial matters, and provide recommendations for Council's consideration.

Advisory committees and task forces, which include representation from the public, subject matter experts and individuals with specific knowledge or perspective, can provide early information-gathering and particular perspective to assist in Council's decision-making.

The Key principles of an effective committee structure include:

- **The primacy of the Council decision-making process:** decisions must be made at the Council table. Council's role is to set the vision and direction for the City, adopt the policies, assign the resources to achieve the objectives, and ensure fiscal and fiduciary oversight
- **Standing Committees, Advisory Committees and Task Forces:** assist in executing the vision
- **Transparency & Accountability:** public notice of meetings, timely opportunities for input and information, and open debate enhance transparency and accountability as well as establishing a clear public record
- **Openness:** the opportunity for public input and community and stakeholder participation must be ensured, and appropriate input be obtained for informed decisions. Timely notice of meetings ensures openness

Vaughan's Existing Committee Structure:

**Referred to as Special Purpose Committees**

|  |                     |                                      |                          |                                    |
|--|---------------------|--------------------------------------|--------------------------|------------------------------------|
| Audit/<br>Operational<br>Review<br>Committee | Budget<br>Committee | Economic<br>Development<br>Committee | Environment<br>Committee | Strategic<br>Planning<br>Committee |
|--|---------------------|--------------------------------------|--------------------------|------------------------------------|

**Non-Statutory Advisory Committees**

**Task Forces**

|  |  |
|--|--|
| <p>Access Vaughan Steering<br/> Accountability / Transparency<br/> Arts Advisory<br/> Beautification Committee (Communities in Bloom)<br/> Character Community<br/> Communications Sub-Committee<br/> Community Equity / Diversity<br/> Concord West Streetscape<br/> Council/School Board Liaison<br/> Economic Development Advisory<br/> Greening Vaughan Advisory<br/> Highway 427 Extension<br/> Intergovernmental Relations<br/> Maple Streetscape<br/> Official Plan Review<br/> Peace Tree Day Working Committee<br/> Recreational Sports Injury Prevention<br/> Safe City<br/> Taxicab Advisory<br/> Vaughan Business Enterprise Centre (VBEC)<br/> Vaughan Civic Centre Review Working Group<br/> Vaughan Metropolitan Centre Advisory<br/> Vaughan Tourism Advisory<br/> Vaughan Youth Cabinet</p> | <p>Asian Long-Horned Beetle<br/> Off Leash Dog Park<br/> Pedestrian / Street Safety<br/> Preservation of Berton Artifacts / Memorabilia<br/> Protecting Our Neighbourhoods</p> |
|--|--|

**Statutory Committees**

|   |
|---|
| <p>Accessibility Advisory<br/> Committee of Adjustment<br/> Emergency Management Program<br/> Heritage Vaughan<br/> Licensing Committee<br/> Property Standards</p> |
|---|

## Vaughan's Current Hybrid Model

Vaughan employs a hybrid Committee of the Whole (all members of Council sitting as a committee) and Special Purpose Committee model with only some Members of Council sitting on the committee. Vaughan's Special Purpose Committees are similar to Standing Committees and consideration should be given to re-naming them. This would help to differentiate them from Advisory Committees which function quite differently and should have no authority to direct staff or allocate resources. The model provides ample opportunity for consideration of matters. However, the relatively unstructured nature of the committees serving at the bottom of the hierarchy, and the notice/reporting structure and procedures lack the clarity necessary to optimize public engagement. Also, it is important that Council is able to efficiently focus and mobilize staff resources on the achievement of Council's vision. The value of advisory committees and task forces is in their ability to draw input and perspective from the community, to inform Council in its decision-making function. A key principle here is ensuring the primacy of Council, that the structure supports Council achieving its vision and carrying out its mandate.

## Ensuring the Primacy of the Council Table

To ensure the primacy of the Council table in the decision-making process, the size of committees of council should be less than a quorum of Council (either four or three members). Alternatively, membership on committees could consist of all members of Council, as is the case currently with Committee of the Whole.

Council/Committee procedures should be revised to ensure that every committee formally reports on its activities and recommendations at the conclusion of each meeting. Exceptions may be allowed for Task Forces, which are assigned to investigate and report on particular subject matters within a specified time frame. It may be sufficient to merely provide public notice in advance of their meetings, and their agendas should be readily available to the public. Other rules, such as the ability of a committee to defer or refer a matter without seeking authority from Council, should also be considered.

## Parameters for Standing Committees

The following parameters are recommended to apply to all of the Options for Standing Committees:

- re-name Special Purpose Committees as Standing Committees
- unless all members are appointed to the Standing Committee, membership shall be less than quorum of Council to reinforce the primacy of Council
- appointments to Standing Committees should be for two (2) years
- Chairs should rotate with new appointments every two (2) years, to allow all members to gain experience and be recognized in the role

## Options Considered for Standing Committees:

It is understood that Committee of the Whole Working Session, Public Hearing and Closed Session remain and are unaffected by these proposed changes.

- 1) Establish five Committees:
  - Budget Committee
  - Audit & Operational Review Committee
  - Economic Development Committee
  - Environment Committee
  - Strategic Planning Committee

In Option 1 the Committees are similar to those in place today, however they would be subject to changes to appointments, procedures etc. as noted above under parameters. Committee membership would be less than quorum, and Committees would report to Council through Committee of the Whole, rather than directly to Council.

- 2) Establish four Committees:
- Finance Committee – covers mandates of current Budget, and Audit and Operational Review Committees.
  - Economic Development Committee
  - Environment Committee
  - Strategic Planning Committee

Option 2 recognizes a perception that it may be important to maintain most Committees, to demonstrate a commitment to the area and allow a Chair to act as “advocate”. Committees would be subject to changes to appointments, procedures etc. as noted. Committee membership would be less than quorum. Committees report through Committee of the Whole, with procedures enabling referral/deferral of reports to further committees meeting without need for Council ratification.

- 3) Establish two Committees all comprised of all of Council:
- Priorities and Key Initiatives Committee - would deal with identifying and reviewing key initiatives.
  - Finance and Administration Committee would deal with Financial Statements, Audit Reports, and administrative matters such as corporate policies.

Option 3 recognizes that while many Master Plans are already in place, and those imminently to be adopted in principle, key initiatives requiring discussion and consideration may be dealt with at a new Priorities & Key Initiatives Committee.

Under all options, Council, at the beginning of the new term, at the time it makes appointments, would re-constitute Standing Committees, incorporating into the procedural requirements the appropriate criteria and rules (committee constituted of all members of council, members appointed for two years, rotating chairs, terms of reference, notice and reporting requirements).

The following criteria have been used to evaluate the above options for Standing Committee Structure:

- clarity of purpose
- eliminating duplication of debate on issues
- focusing on broader issues and avoiding silos
- cycle efficiency & timing of getting matters to Council

A matrix of the criteria evaluation of the Options is set out in Attachment 2.

It is recommended that Council adopt Option 3, establishing two Standing Committees for implementation at the beginning of the new term. These two Standing Committees are in addition to the Committee of the Whole and Working Sessions. These committees would meet as an alternate cycle to working session. Appointment to committees would be rotated every two years, as would the Chairs.

### Councillor's Initiatives

It is recognized that during the term of Council individual members of Council may have key initiatives that they want to support. These initiatives, where endorsed by Council and which are identified as aligned with the Vaughan Vision, may be supported by Task Force or other ad hoc Advisory Committee.

### **Non-Statutory Advisory Committees/Task Forces**

Advisory committees and task forces can be invaluable to Council. Members can provide expertise and knowledge in specific fields, and offer up enthusiastic assistance in researching and formulating ideas to inform Council's decisions. Terms of Reference should identify the need, purpose and specific mandate of the advisory committee/task force, its life expectancy (may establish a 'sunset' clause), and stipulate how and by whom the Terms of Reference may be amended, if at all. If the advisory committee/task force may last longer than a year, how frequently membership will rotate or change must be set out.

Advisory Committees and Task Forces, while not entirely the same, are similar in that they are mandated by Council to investigate, review or provide a perspective on a particular initiative, subject-matter, or area of concern. Advisory Committees should not function like Standing Committees. They should have no authority to direct staff to carry out or undertake activities or initiatives; they have no authority to initiate a change to their mandate or Terms of Reference, nor to amend their membership.

In accordance with principles of good governance, Council members should not Chair. In this way, councillors are free to fulfill their role as liaisons to Council and not as advocates for the advisory committee/task force.

Advisory Committees and Task Forces must report their Findings through Committee of the Whole or Standing Committee, and their reports should be in the form of a "Findings Report", or "White Papers". This recognizes that Council may refer the Findings Report or White Paper to staff for comment and recommendations before debating and deciding on a course of action.

### Options for Non-Statutory Advisory Committees and Task Forces

- 1) All Advisory Committees/Task Forces with the exception of Statutory Committees would end with this term of Council. At the beginning of the next term Council would establish only those advisory committees/task forces which it requires going forward in 2011. The single exception to this would be the Pedestrian/Street Safety Task Force which was just established with a mandate to report back by June, 2011.

This option allows Council to start fresh, in the new term, to decide what advisory committees and task forces are necessary in order to support Council's goals, objectives and vision. It also ensures that all such newly-established advisory committees and task forces are subject to clear, concise Terms of Reference, and uniform, consistent procedures, as outlined earlier. Consideration should be given, for example, to utilizing advisory committees/task forces where there is an absence or lack of particular, specialized perspective or expertise required to inform a Council decision in respect of a specific objective initiative of its vision.

- 2) Establish only those advisory committees/task forces which are actively engaged in a relevant mandate, based on a review of the activity level as documented.

Staff would undertake a review of all advisory committees/task forces to determine which continue to be actively engaged in pursuing a mandate which remains relevant to Council's current goals and objectives, and report back so that at the start of the new term, Council may re-appoint to only those advisory committees/task forces which are actively engaged on a mandate for which Council is still awaiting information and advice.

This option involves a comprehensive review of the mandates and activity levels, etc. to aid in determining which should be re-established. A review of meeting records, terms of reference, etc., would need to be completed and a report could be brought to the Council at the start of the new term.

It is recommended that at the beginning of the new term, Council adopt Option 1 and decide what advisory committees and task forces are necessary in order to support Council's goals, objectives and vision. Council, at the beginning of the new term, can establish uniform and consistent terms of reference and reporting requirements for these committees, at the time appointments are made to non-statutory advisory committees and task forces.

### **Considerations for Establishing a Deputy Mayor**

In light of the realities of scheduling demands placed on a mayor of a large, quickly urbanizing municipality with a diverse population, consideration should be given to establishing the position of Deputy Mayor. Currently, By-law 90-2004 appoints a substitute for the Mayor to act in the place of the Mayor generally only in the absence of the Mayor. According to the By-law, this role is filled by the Regional Councillors in descending order of number of votes received in the last municipal election.

From time to time, due to time constraints and scheduling conflicts, there is a need for an Acting Mayor to attend a function or preside over a meeting of Council. It might better serve the public to be able to identify a specific Deputy Mayor, and it would assist such individual to understand the specific role and function of the Deputy Mayor. The title of Deputy Mayor is consistent with Richmond Hill, Markham and Toronto.

The legislation sets out a role of the Mayor. While the legislation does not separately identify a role of the Deputy Mayor, based on the provision which enables an acting mayor to be identified, it may fairly be understood from the legislation, that in the absence of the Mayor, the Deputy Mayor has all the powers and duties of the Mayor. However, it would be expected that the Deputy Mayor would have some clearly-identifiable role and function independent of an absence. The following might provide a general outline of that role and function:

#### **Role and Function of Deputy Mayor**

In absence or unavailability of the Mayor, the Deputy Mayor's role and function is:

- Serve as the City's senior elected leader and act as the spokesperson on community issues; attend events, meetings, etc. as required
- Chair meetings of Council
- Serve as the principal contact with other levels of government
- Advocate Council's agenda to other agencies, levels of government
- Represent Council, including as requested by the Mayor as situations demand

It should be noted that certain functions of the Mayor/Deputy Mayor may be more properly assigned to staff given their administrative nature for example, the execution of



contracts and the signing of cheques could be regarded as administrative functions best assigned to staff who are assigned the related governance responsibilities such as checking Council authority, budget allocation, etc.

#### Options for Selection:

- 1) The position is filled by the Regional Councillor with the most votes in the last general municipal election. This option is consistent with current practice. It also establishes certainty in that the public and the business community will have a consistent alternative point of contact, in the absence or unavailability of the Mayor. The By-law should continue to identify the other two Regional Councillors to act in the absence of the Mayor and the Deputy Mayor. This option also ensures that the head of council continues to be represented at Regional Council.
- 2) The position is filled on a rotating basis by Regional Councillors, beginning with the one with most votes, then the second most votes. The rotation might be for 2 years, one year or some other length. This option ensures that the head of council continues to be represented at Regional Council.
- 3) The position is filled on a rotating basis, with all members of Council serving for a period, which could be as short as one or two months.
- 4) The position is appointed by majority vote of members of Council.

Under each option, identifying a Deputy Mayor, along with an identifiable role and function, enhances transparency and accountability to the public.

Option 1 represents the model which is consistent with the City's current practice and provides the public with a role and level of participation in the selection process.

Consequent amendments to the Substitute for the Mayor By-law, the Procedure By-law and the General Rules, Roles and Procedures Governing Advisory Committees, as applicable, will be required to implement Council's directions.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council, particularly "demonstrate leadership and promote effective governance".

#### **Regional Implications**

A Deputy Mayor position is consistent with other municipalities in the Region (Richmond Hill and Markham).

#### **Conclusion**

In an effort to support effective governance, Council should, at the beginning of the new term, at the time it makes appointments, re-constitute three Special Purpose Committees, incorporating into the procedural requirements the appropriate criteria and rules (committee constituted of all members of council, members appointed for two years, rotating chairs, terms of reference, notice and reporting requirements).

At the beginning of the new term, Council should decide what advisory committees and task forces are necessary to support Council's goals, objectives and vision. Council, at the beginning of the new term, can establish uniform and consistent terms of reference

and reporting requirements for these committees, at the time appointments are made to non-statutory advisory committees and task forces.

In recognition of the demands placed on the Mayor of a large, quickly urbanizing municipality with a diverse population, Council should establish a position of Deputy Mayor.

**Attachments**

1. Options (1-3)
2. Options Matrix
3. Comparables (Town of Markham; Town of Richmond Hill, City of Brampton)

Report prepared by:

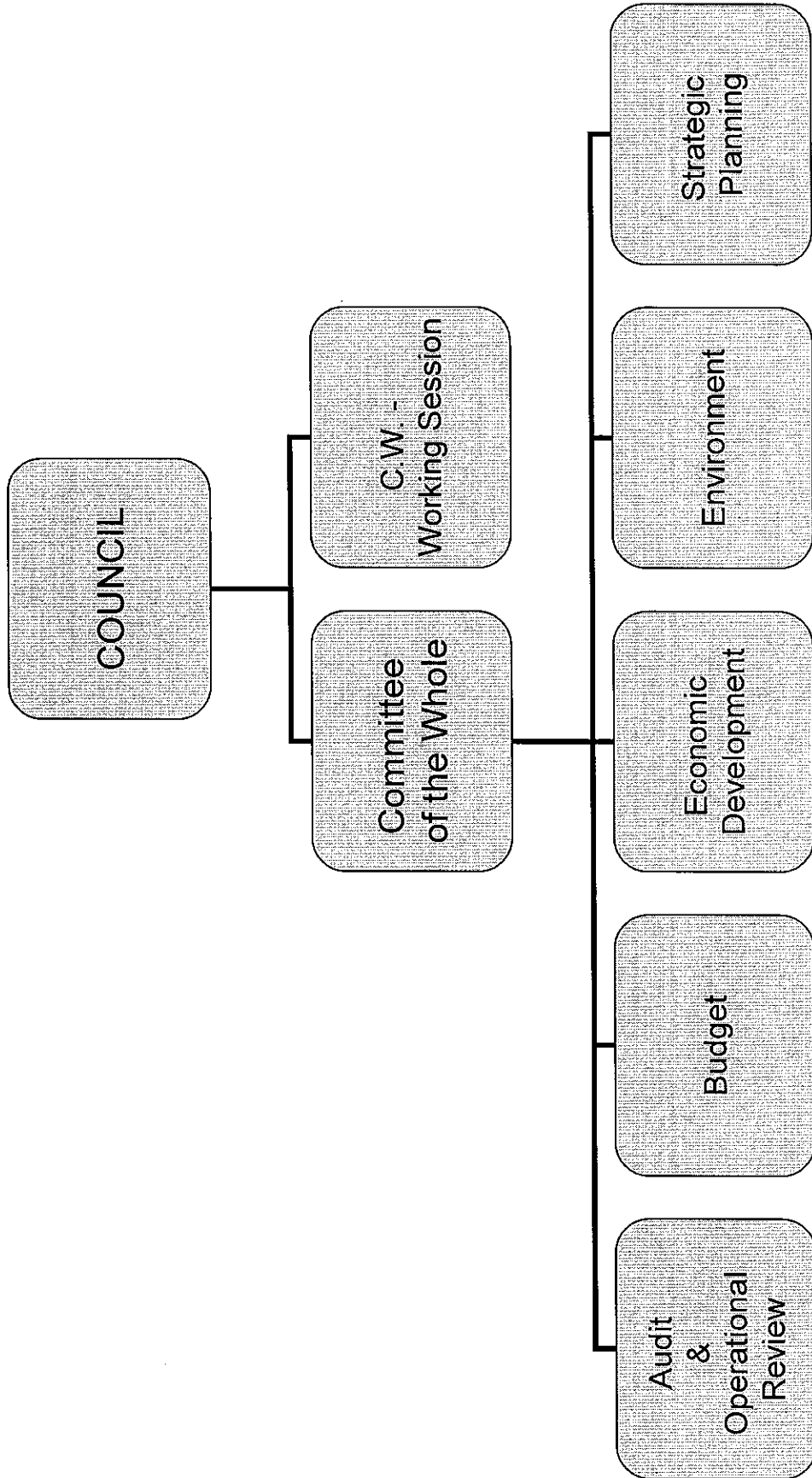
Janice Atwood-Petkovski

**Respectfully submitted,**

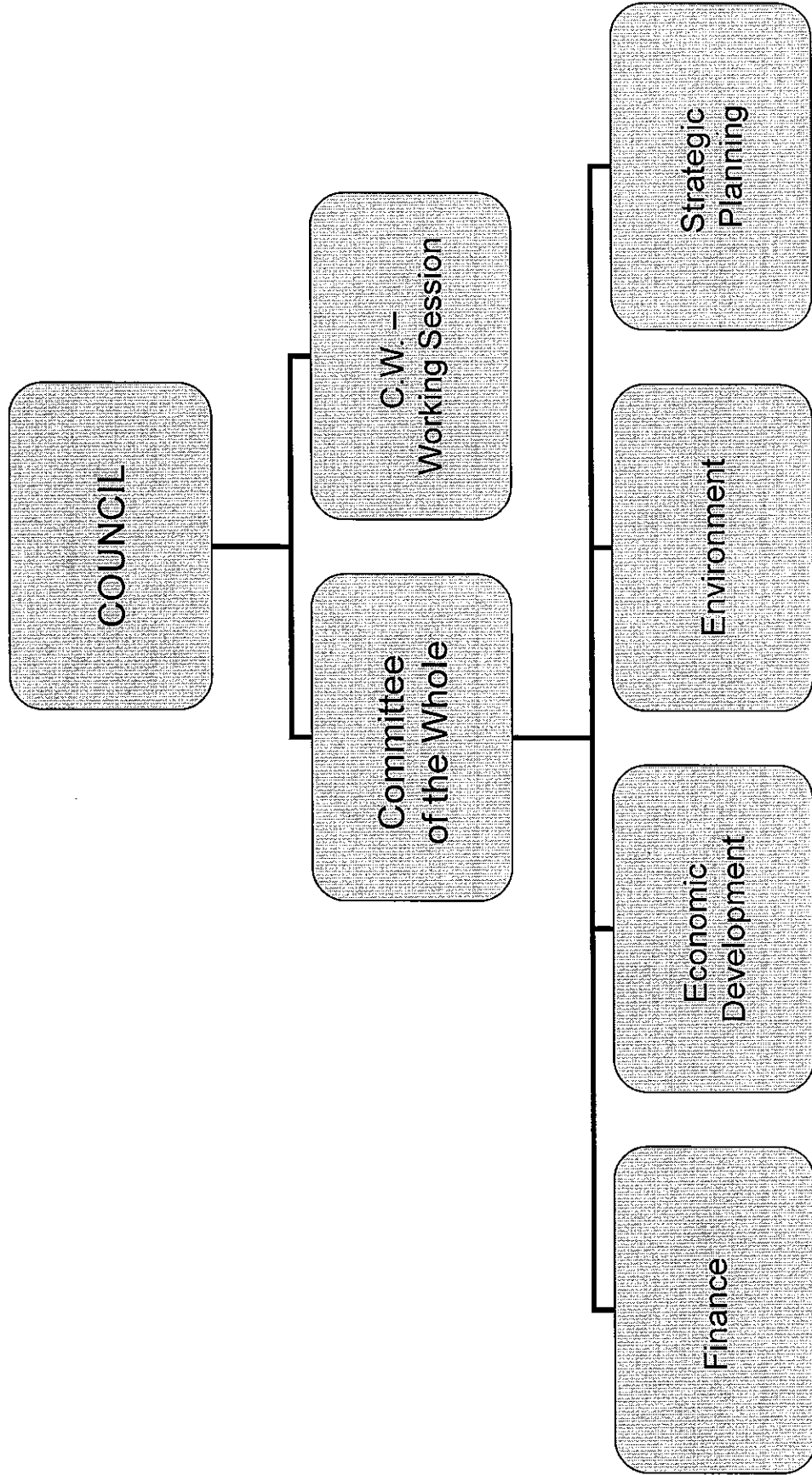
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City Solicitor

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City Clerk

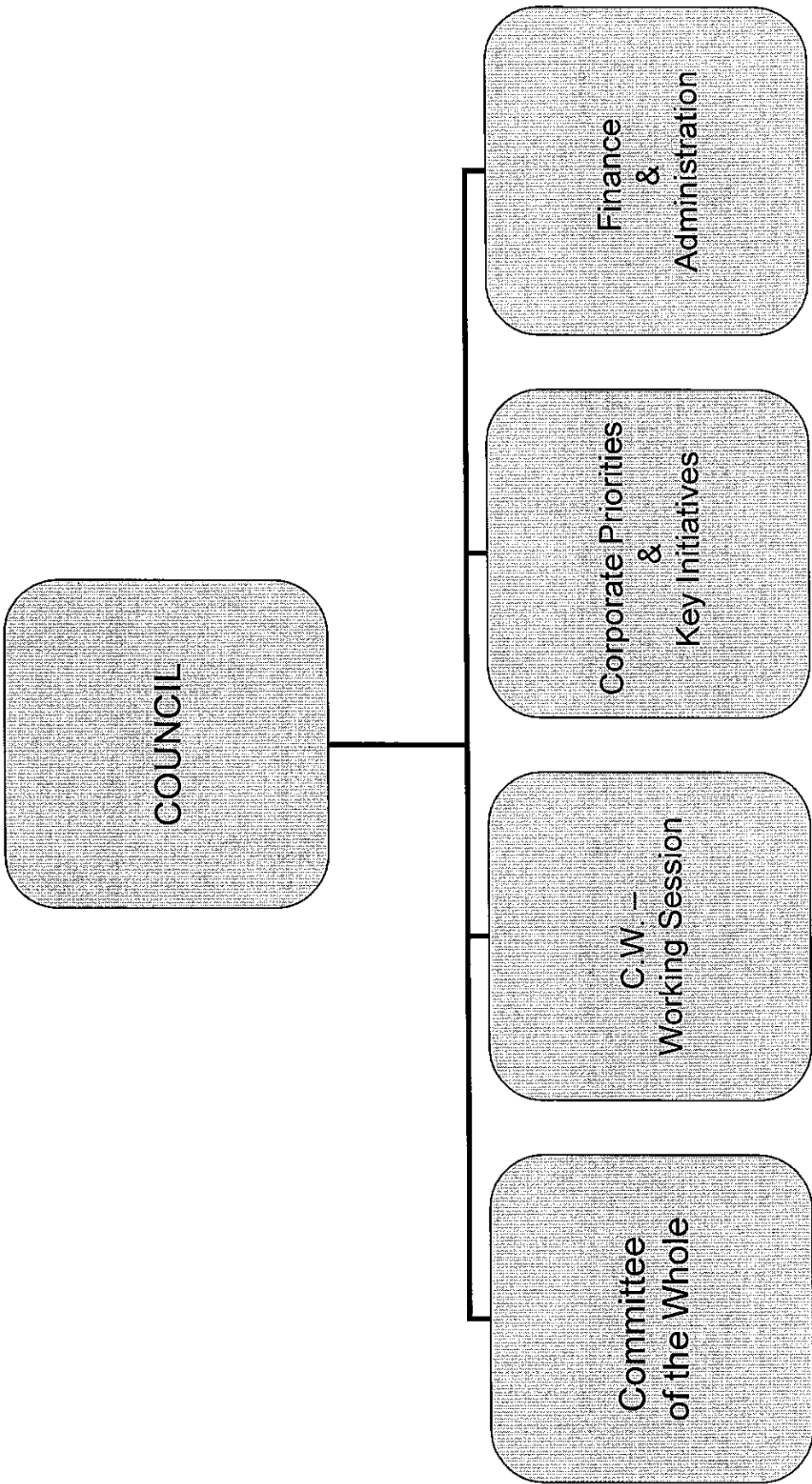
# OPTION 1



# OPTION 2



# OPTION 3



# Options Matrix

## Standing Committees

|          | Clarity of Purpose | Eliminate Duplication Debate | Broad Mandate | Cycle Timing Efficiency |
|----------|--------------------|------------------------------|---------------|-------------------------|
| Option 1 | LOW                | LOW                          | LOW           | LOW                     |
| Option 2 | LOW +              | LOW +                        | LOW +         | LOW                     |
| Option 3 | High               | High                         | High          | High                    |

**TOWN OF MARKHAM  
STANDING AND MAJOR ADVISORY COMMITTEES  
2010**

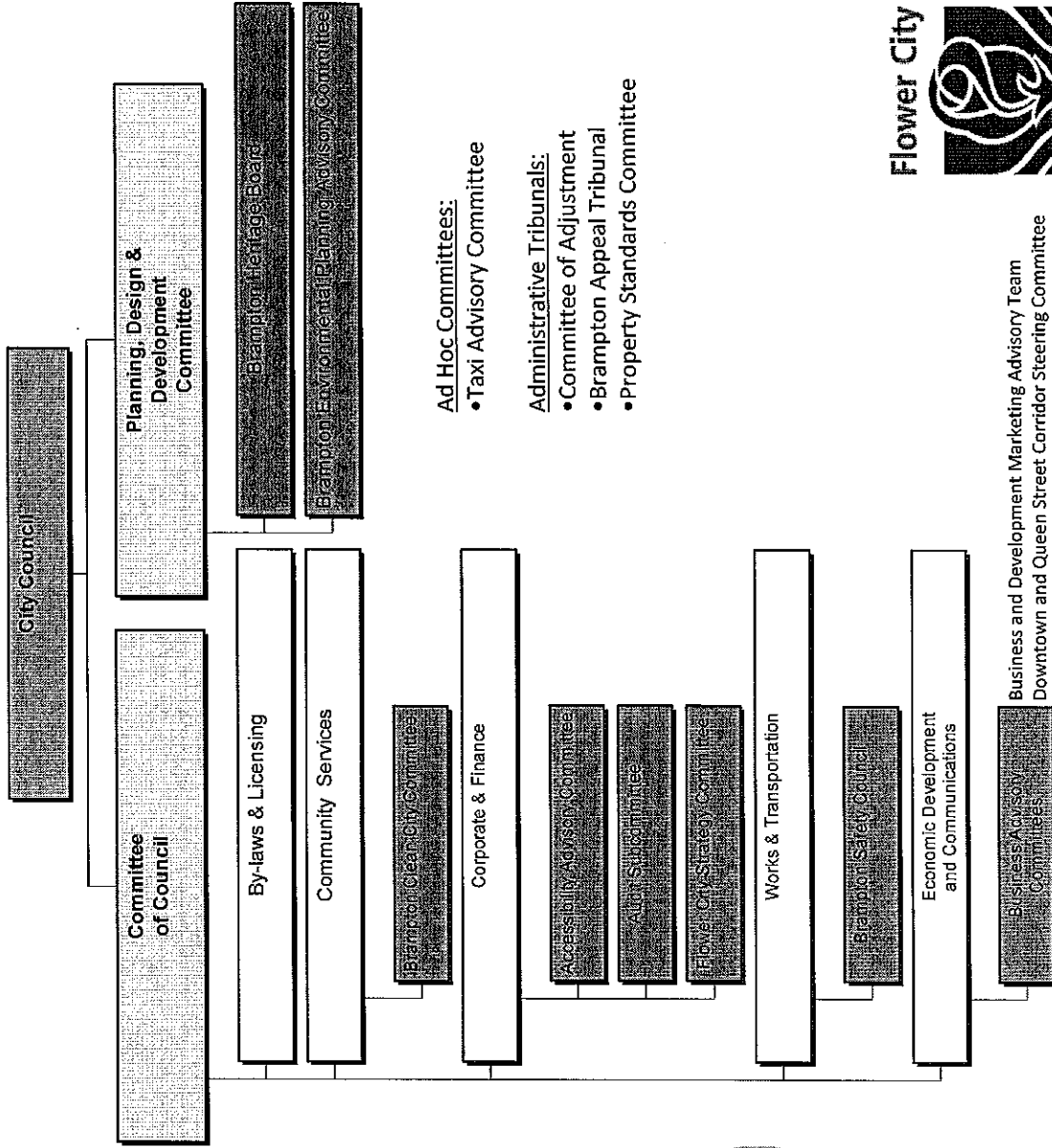
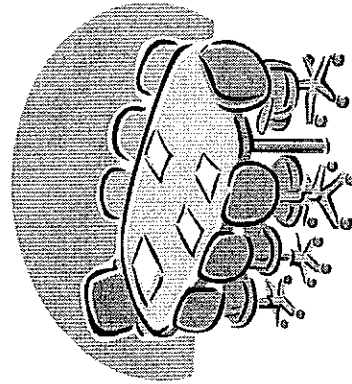
| <b>COMMITTEE</b>                       | <b>REPORTS TO</b>              |
|--|--------------------------------|
| GENERAL                                | Council                        |
| DEVELOPMENT SERVICES                   | Council                        |
| PLANNING PUBLIC MTGS                   | Council                        |
|  |                                |
| Accessibility                          | General Committee              |
| Animal Care                            | General Committee              |
| Budget                                 | General Committee              |
| Canada Day                             | General Committee              |
| Communications                         | General Committee              |
| CSIO                                   | General Committee              |
| Cycling & Pedestrian                   | General Committee              |
| E3                                     | General Committee              |
| East Markham C. C. & Library           | Working Group                  |
| Environmental Advisory                 | General Committee              |
| Environmental Issues                   | General Committee              |
| Grants Sub-Committee                   | General Committee              |
| Green Print                            | Working Group                  |
| Heritage                               | Development Services Committee |
| Information Technology                 | General Committee              |
| Langstaff                              | Development Services Committee |
| Licensing                              | General Committee              |
| Main Street Markham                    | Development Services Committee |
| MEC (Hydro)                            | Stand Alone                    |
| Milne Park Working Group               | General Committee              |
| Museum Foundation                      | General Committee              |
| Pandemic Steering (PREP) (As Required) | General Committee              |
| Property Standards                     | Development Services Committee |
| Parking Advisory                       | Development Services Committee |
| Public Art Advisory                    | General Committee              |
| Race Relations                         | General Committee              |
| Rouge Park Implementation              | General Committee              |
| Seniors Advisory Committee             | General Committee              |
| Varley-McKay Art Foundation            | General Committee              |
| Sub-Committees (Planning)              | Development Services Committee |

**TOWN OF RICHMOND HILL  
COMMITTEE REPORTING STRUCTURE**

| <b>COMMITTEE</b>  | <b>REPORTS TO</b>      |
|---|------------------------|
| Accessibility Advisory Committee  | Committee of the Whole |
| Fire Station 8-6 Project Steering Committee                             | Committee of the Whole |
| Heritage Centre Advisory Committee                                      | Committee of the Whole |
| Heritage Richmond Hill  | Committee of the Whole |
| Mayor's Endowment   | Committee of the Whole |
| Oak Ridges Community Centre and Perk Project Steering Committee         | Committee of the Whole |
| Official Plan Task Force  | Committee of the Whole |
| Richmond Hill Centre for the Performing Arts Project Steering Committee | Committee of the Whole |
| Richmond Hill Public Library Board                                      | Committee of the Whole |
| Richvale Park Redevelopment Project Steering Committee                  | Committee of the Whole |
| Road Watch Committee  | Committee of the Whole |
| Youth Action Committee (Core and Ambassador Group)                      | Committee of the Whole |
| Committee of the Whole  | Council                |
| Council Public Hearing  | Council                |



# Brampton's Committee System



**Ad Hoc Committees:**

- Taxi Advisory Committee

**Administrative Tribunals:**

- Committee of Adjustment
- Brampton Appeal Tribunal
- Property Standards Committee

Flower City



brampton.ca

Business and Development Marketing Advisory Team  
Downtown and Queen Street Corridor Steering Committee