

COUNCIL GOVERNANCE - REVIEW OF THE NEW COMMITTEE STRUCTURE AND NEW PROCEDURE BY-LAW 7-2011

Recommendation

The City Clerk recommends:

- (1) That this report be received for information.

Contribution to Sustainability

Council's committee structure and procedural by-law clearly define the roles for Council's Committees, including Standing Committees and Ad Hoc Committees. They implement a rationalization of the roles and responsibilities of Council's committees while enhancing stakeholder participation and community involvement. Council's governance model manages a very busy workload with transparent processes, as reflected in the principles recited in the procedural by-law, particularly section 1.2 (3):

- "These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,*
- a. Is respectful of all participants.*
 - b. Balances debate with the need to make recommendations and decisions in a timely manner.*
 - c. Establishes clear outcomes.*
 - d. Provides for the hearing/consideration of input from interested parties in a pragmatic way.*
 - e. Respects the statutory regime in which the City of Vaughan operates."*

Economic Impact

There is no economic impact associated with this report.

Communications Plan

This report and the by-law governing Council's procedures are available in hard copy in the City Clerk's Office, and on the City's website in electronic form. Any changes resulting from consideration of this report will be communicated as may be required.

Purpose

At its meeting of December 14, 2010, Council adopted a new procedural by-law (By-law No. 7-2011) which implemented a new committee structure and reporting system. At that meeting, Council directed *"That staff report to Council within a year's time, once the City has had an opportunity to work with the new committee structure and supporting procedural by-law"*. This report provides a review of the new procedural by-law and committee structure since its implementation.

Background - Analysis and Options

Council's procedural by-law implements the committee structure approved at the Council meeting of June 29, 2010.

The new committee structure and procedural by-law rationalized the roles and responsibilities of committees, provided greater clarity and transparency, and enhanced community and stakeholder involvement and participation. The new procedural by-law established simple principles and rules to govern the new committee structure and facilitate the decision making of Council. In developing the new model, consideration was given to:

- protecting and preserving the primacy of Council
- ensuring a full and proper discussion of items takes place prior to reports being submitted to Council;
- creating a structure that allows Members of Council and the public to attend meetings minimizing timing conflicts;
- making it clear to which committee reports should be directed;
- avoiding re-debate of issues at multiple levels of standing committees and at Council;
- finding an alternative to the numerous and narrowly focused former special purpose committees;
- avoiding the difficulty of having to create agenda items just to support regular meetings of some committees;
- structuring standing committees with sufficient scope to deal with the broader impacts of a specific subject-matter; and
- Council's preference for a 'committee of the whole' model, which ensures a full discussion involving all Members of Council at the first instance.

Vaughan's Current Standing Committee Structure

Vaughan's Council/Committee structure consists of:

- a) Council;
- b) Standing Committees*, which are comprised of all Members of Council;
- c) Such statutory committees that Council is obliged to establish; and
- d) Sub-committees and Ad Hoc committees established from time to time.

*Unique to Vaughan's committee structure is a standing committee dedicated to closed session matters. Whereas most municipalities will resolve *in camera* when an item arises in the course of a regular committee meeting, the City of Vaughan declares which items are to be discussed in closed session on a separate public agenda, and a separate closed meeting is held for that purpose. In addition to being fully compliant with the municipality's statutory obligations on closed meetings, the process provides abundant transparency and avoids the awkward circumstance of members of the public waiting in the gallery for a closed meeting to be completed. Confidential communications are also provided on public agenda items, so that:

- when the essence of an item is public in nature, the debate occurs at a public meeting with confidential information/advice provided through the circulation of a confidential communication (memorandum); and
- when the essence of a debate is confidential in nature and is in accordance with s. 239 of the *Municipal Act* (the closed meeting provisions), the item is placed on an agenda for the Committee of the Whole (Closed Session).

Deleted from the old structure are five special purpose committees and 29 "advisory committees".

The five special purpose committees are as follows: Audit and Operational Review Committee; Strategic Planning Committee; Budget Committee; Economic Development Committee; and the Environment Committee. Each special purpose committee consisted of fewer than all nine members of Council, but typically represented a majority of Council.

Two new standing committees were created instead:

- Priorities and Key Initiatives Committee - monitors matters relating to the City's key strategic priorities and initiatives as they are established from time to time.
- Finance and Administration Committee - considers matters pertaining to the City's finances, budget, audit function, and corporate administrative matters.

All nine Members of Council serve on each standing committee in the current structure. Prior to the adoption of the new model, there was a general consensus that the former hybrid structure of committees of the whole (all nine Members) plus five special purpose committees resulted in a governance process where some committees had too narrow a focus which tended to reinforce a "silo" approach to issues. The model also led to some confusion as it was not always clear to which committee a particular report should be directed. More concerning, the narrowly focused special purpose committees often omitted from their deliberations consideration of other competing strategic priorities and affordability concerns.

As mentioned previously 29 'advisory' committees were deleted from the new structure. The overwhelmingly large roster of such committees, coupled with the number of special purpose committees and the four committee of the whole standing committees [Committee of the Whole; Committee of the Whole (Public Hearing); Committee of the Whole (Working Session); Committee of the Whole (Closed Session)], undermined Council's governance capabilities because both Council members and staff were confronted with overpopulated meeting calendars and a string of reporting deadlines. The array of meetings and deadlines provided insufficient time for report research and preparation, or for fulsome study of agenda items prior to meetings.

The current structure, by contrast, provides administrative efficiency which enables:

- Staff to research, prepare and submit reports well in advance of committee dates (and to prepare supplementary communications to Council when asked for at a committee meeting);
- Members of Council time to review reports, ask questions, and consult with community stakeholders;
- The scheduling of special meetings of committees or Council, as may be required; and
- The scheduling of meeting times for those Ad Hoc Committees (see below) which Council deems it appropriate to establish.

More importantly, the reduction of committees (reduced in total from 38 to 13 at the time of writing, not including statutory advisory committees and boards) supports Council in its setting of a strategic agenda for its committees, rather than corporate direction being driven in a 'bottom up' manner through the uncoordinated (and sometimes conflicting) activities of the former committees. Discussion on important topics now integrates all relevant issues, breaking down the silos which can lead to blinkered thinking or the development of unrealistic expectations.

In addition the new procedure by-law provides increased time members of the public have to consider a committee agenda prior to the meeting date. The main Committee of the Whole, Committee of the Whole (Working Session), Finance and Administration Committee and Priorities and Key Initiatives Committee agendas are available in print form at least 7 working days prior to the meeting and posted on the website at least 5 working days prior to the meeting. Under the former system the agendas of Committee of the Whole (Working Session) and the five special purpose committees were available and posted on the Friday prior to a meeting on Monday or Tuesday of the following week. The increased notice, coupled with the administration's commitment to reducing the number of addendum items on agendas, realizes an important benefit for the openness and accessibility of the political process.

Overall, significant benefits have been achieved by the adoption of the new structure. Though most evidence is anecdotal, the structure has provided an open and transparent process for the governance deliberations of Members of Council, offers a rational way to distribute agenda items across the current array of standing committees, and has focused the City's senior administrators on tasks which are important to the whole Council.

The demands of the City's deliberative process are still high, with the new structure providing more efficient and focused deliberations but not necessarily less time spent in session. For example, the following chart compares the 2011 experience under the new structure with 2009 (2010 being an election year and therefore an inappropriate comparator) for the committees most affected by the restructuring of the special purpose committees:

Year	Total Meetings	Total Hours
2009 (5 Special Purpose Committees)	33	71
2011 (2 New Standing Committees)	30	79

Ad Hoc Committees

As noted above, Ad Hoc Committees have replaced what were previously known as non-statutory advisory committees. Whereas advisory committees were automatically established at the beginning of each new term and were in place for the length of the term, Ad Hoc Committees now have a specific mandate and term. At the end of its specified term, each Ad Hoc Committee is expected to prepare recommendations to Council (referred to as a Findings Report). The following seven (7) Ad Hoc Committees have been established and have not yet completed their mandates:

- Council Member Expense Policy Task Force
- Pierre Berton Artifacts & Memorabilia Task Force
- Task Force on Advisory Committees
- Task Force on the City's Role in Festivals & Community Events
- Telecommunications Facility Siting Protocol Task Force
- Vaughan Metropolitan Centre Sub-Committee
- Yonge Street Subway Extension Task Force

The following two (2) Ad Hoc Committees have completed their mandates and have provided recommendations to Council:

- Pedestrian / Street Safety Task Force
- Council Budgets Task Force

Under the former structure, Council and staff had to accommodate the demands of 29 advisory committees at times in addition to statutory and core committee responsibilities.

In keeping with Council's commitment to full transparency and an informative public record, each Ad Hoc Committee gives notice of each of its meetings through a listing on the Council Meetings Calendar and the posting of an agenda on the City's web site. Following each meeting, a report is submitted to its respective Standing Committee.

Ad Hoc Committees have only the powers granted to them in their Terms of Reference, and therefore do not undermine Council's primacy because decision-making is done through the normal process of standing committee reports to Council. When an Ad Hoc Committee requires a decision of Council, the City Clerk prepares a report on behalf of the committee and places it on the relevant standing committee agenda.

This process has allowed Council to monitor the activity of the Ad Hoc Committees and has also provided the public with the opportunity to inform themselves on the undertakings of these committees.

Modifications for Community Engagement

In addition to the committee structure changes brought in at the beginning of this term of Council, minor but beneficial changes have been made in the way members of the public and other stakeholders participate with Council on matters.

The new procedural by-law modified the process for distributing information circulated as supplemental information to committee and Council items (Communications). Communications to respective items listed on an agenda are circulated and recorded on the public record without the need for each item being held for separate discussion. This new feature improves meeting efficiency, requiring only matters that Members of Council wish to debate being called for separate discussion.

Any communications received prior to an agenda being finalized are printed and posted to the City's web site, with the agenda. Any further communications received are printed and added to the website as practicable. This new procedure gives the public and stakeholders the opportunity to be apprised of any further information submitted on a matter of interest to them on the agenda. With the future implementation of new City web site technology, public access and retrieval of information will be further improved and simplified.

The two main means of providing for in-person public and stakeholder input to Council have not changed under the new by-law. Deputations (the making of an oral statement on the record) can be made as of right on any committee item (with the exception of closed session) and can also be scheduled at meetings of the Committee of the Whole with sufficient notice to the Clerk. In addition, members of the public can sit on statutory and ad hoc (advisory) committees established by Council where there is a perceived need to do so. So far this term 84 members of the public have been appointed to City committees of this type.

It is important to note, however, that the establishment of a formal committee is not necessarily the best way to capture input from stakeholders and members of the public. The new structure contemplates other means of engagement, such as public information sessions, town hall meetings, surveys, etc. as valuable methods of public participation which provide opportunities for broad-based community input. The upcoming Vaughan Cycling Forum is an excellent example.

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

There are no regional implications.

Conclusion

The new Committee Structure and Procedural By-law have significantly enhanced Council's governance process by providing greater clarity and efficiency. Committee and Council deliberations now are more strategic in nature and incorporate all important considerations, and the trade-offs involved, for initiatives taken by the City.

The flexibility of the structure has allowed for the establishment of ad hoc committees from time to time, where necessary, but limits the role of such committees so that the primacy of Council is protected.

Should Council determine that the mandates of the current standing committees require modification, such modifications can be made through fine or moderate adjustments (such as by adding or removing standing committees, or by establishing sub-committees if required) so that the integrity of the current model is preserved.

Attachments

N/A

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