

Staff Report

Report To: City Council
Report From: Staci Landry, Deputy Clerk
Meeting Date: September 11, 2023
Report Code: CR-23-072
Subject: 2024 Board and Committee By-law Housekeeping

Recommendations:

THAT in consideration of Staff Report CR-23-072 respecting 2024 Board and Committee By-law Housekeeping, City Council directs staff to:

1. Amend the Board and Committee By-law for 2023 to:
 - a. Establish a Strategic Planning Ad Hoc Committee, as outlined in the terms of reference attached to the report;
 - b. Add a section respecting the scoring tool for the assessment of public appointments to boards and committees, as outlined in the report;
2. Bring forward the Board and Committee By-law for 2024, including the following:
 - a. Add a definition for task force and any other updates required to incorporate task forces into the by-law;
 - b. Establish a Council Remuneration Review Task Force, as outlined in the terms of reference attached to the report;
 - c. Establish a Service Review Implementation Ad Hoc Committee, as outlined in the terms of reference attached to the report;
 - d. Dissolve the Community Development, Tourism and Culture Advisory Committee and have its mandate absorbed by the Community Services Committee, as outlined in the report;
 - e. Dissolve the Accessibility Advisory Committee;

- f. Remove the Seniors Advisory Committee as a Community Organization requiring Council representation;
 - g. Amend the section respecting resignations and terminations, as outlined in the report; and
3. Send an opt-in letter to Grey County for the Grey County Joint Accessibility Advisory Committee.

Highlights:

- Committee member recruitment for the Strategic Planning Ad Hoc Committee will begin immediately.
- 2024 Board and Committee member recruitment will begin in October 2023.
- Terms of reference are being provided for Council approval for the Council Remuneration Review Task Force, Service Review Implementation Ad Hoc Committee, and Strategic Planning Ad Hoc Committee.
- Staff is recommending that a public member can only be absent from two consecutive board or committee meetings without receiving consent from the Chair for the boards and committees that do not meet monthly.
- A draft scoring tool is being provided for Council approval to support the assessment of public applications to boards and committees.

Strategic Plan Alignment:

This report supports the delivery of Core Service.

Climate and Environmental Implications:

There are no anticipated climate or environmental impacts.

Previous Report/Authority:

[Board and Committee By-law](#)

Background:

Each year, City Council selects the boards and committees they wish to serve on and considers public appointments to boards and committees based on expiring vacancies and terms of service.

A report is provided to begin the process wherein Council is provided general information and asked for direction where necessary.

Analysis:

In reviewing the Board and Committee By-law, staff is making several recommendations as outlined below.

Strategic Planning Ad Hoc Committee

The City of Owen Sound is undertaking the development of a long-term Strategic Plan (referred to as "Strategic Plan 2050"), which will provide a guiding document for what the community sees as its desired future. The Strategic Plan will include the vision, mission, guiding principles, strategic priorities and objectives, and key results (community indicators). The Strategic Plan will steer successive Term of Council priorities, beginning with the current Term of Council 2022-2026, which will lead to the full implementation of the 2050 vision.

The intent of the Strategic Planning Ad Hoc Committee is to provide advice and help steer the strategic planning process and the development of the plan itself. The Committee will ensure our community at large is consulted in an inclusive manner that reflects the diversity that makes the City a great place to live and work. Recruitment for this Committee will begin following consideration of this report, and the Committee will be in place until Council approves the Strategic Plan 2050. The Council representatives will be selected using the Clerks Nomination Procedure at the October 23, 2023, Council meeting.

The proposed terms of reference are included as Attachment 1 to the report.

Task Force

City staff recommend including task forces in the Board and Committee By-law to clearly differentiate them from committees. For the City's purposes, a task force is a working group where all or a majority of the members are drawn from the public, and those who serve are chosen based on a defined skill set. A task force has a specific goal or function, and because the

membership is primarily public appointees, it is not subject to the open meeting requirements set out in the Municipal Act. Staff are recommending the inclusion of task forces in the Board and Committee By-law with the following definition:

'A task force is a group of experts, the majority of which are not on Council, who collaborate to achieve specific goals, tasks, or projects within a set timeframe. A task force results in an end-product, such as a report to Council or the completion of a project. A task force is subject to less stringent procedures to allow for more flexibility with deliberations.'

Other housekeeping amendments to the by-law will be required to incorporate task forces. These updates will be included when the draft by-law is presented to Council for final approval.

Council Remuneration Review Task Force

Council remuneration was last reviewed in 2014 and 2017. In 2020, [Staff Report CR-20-050](#) was presented to Council, and Resolution No. R-200727-006 directed staff to bring forward a report on a review of Council remuneration in 2024. Rather than having a separate report in 2024, staff have included proposed terms of reference in the 2024 Board and Committee By-law Housekeeping report so that the task force can begin in 2024. The terms of reference are included as Attachment 2 to this report.

In determining whether this task force should be established, staff utilized the criteria for establishing a committee from the Board and Committee By-law. At least five criteria must be met, and they have been identified below.

Establishing a Council Remuneration Review Task Force removes politics from discussions by having an objective public group review remuneration, expenses, and benefits. In addition, it is important that a task force be established because:

- The subject matter is of significant importance to the City;
- The mandate and reporting structure can be clearly articulated;
- The mandate will align with the City's Strategic Plan, other plans, and guiding documents;
- The task force will handle work that staff do not perform; and
- The task force requires citizen voices and/or external stakeholder expertise to develop the subject matter.

Service Review Implementation Ad Hoc Committee

The City's Strategic Leadership Team developed a Service Review Priority Opportunity Action Plan (SROAP), which contained 50 recommendations for implementation by the end of the 2022-2026 Term of Council. Council adopted the plan with some modifications at a Special Council Meeting on July 17, 2023. One of the modifications discussed by Council was to create an outcomes-based oversight committee. Therefore, the proposed Service Review Implementation Ad Hoc Committee intends to oversee and ensure the successful implementation of the Service Review Priority Opportunity Action plan recommendations. The Committee will discuss, provide comments and advice, and make recommendations to assist staff with the directions of the Service Delivery Review. The proposed terms of reference are included as Attachment 3 to the report.

Community Development, Tourism and Culture Advisory Committee

The Community Development, Tourism and Culture Advisory Committee (CDTCAC) meets quarterly, and its mission is to make recommendations to City Council that support the strategic initiatives and vision of City Council in matters relating to community development, tourism, and culture in the interest of supporting the City as a complete community and centre of growth, innovation, and diversity.

Staff have reviewed the board and committee structure and recommend that the CDTCAC be dissolved, and its mandate be absorbed into the Community Services Committee (CSC). The CSC meets monthly and already has an agenda heading under 'Reports of City Staff' for Tourism and Cultural Services. An agenda heading for Community and Business Development will also be added as a standing item.

This restructuring would provide several benefits, including:

- More effective and efficient use of Council, public committee member, and staff time;
- Saving administrative support time in the preparation of agendas and minutes and time spent at the meetings;
- Ensuring related departmental decisions are made at the same time;
- Reduction in actual or potential for overlap of committee duties;
- Ensuring important decisions are not delayed since the CDTCAC only meets quarterly; and
- Increased likelihood of achieving quorum as the CDTCAC has struggled with this in the past.

The CDTCAC members whose terms do not expire until 2025 and 2026, as well as non-voting guests, will be notified that the CDTCAC is being dissolved and will be encouraged to apply to another City Committee.

Should Council be in favour of this amendment, references to the CDTCAC will need to be removed from the Board and Committee By-law, and the Community Services Committee mandate will need to be amended to reflect the newly absorbed mandate of the CDTCAC as outlined in Attachment 4 to the report.

Accessibility Advisory Committee

In 2001, the Province of Ontario introduced the *Ontarians with Disabilities Act, 2001* (ODA), which mandated that municipalities with populations of over 10,000 appoint an accessibility advisory committee (AAC) to develop annual accessibility plans and seek the advice of AACs on certain matters. The AACs were also required to have a majority of committee members be people with disabilities. The City of Owen Sound first established its AAC in 2001, and over the years, this committee has provided valuable input and insight on development, City capital projects, as well as other issues affecting people with disabilities.

In 2005, the Province of Ontario passed the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11 (AODA). The AODA reiterates many municipal requirements first legislated in the ODA, notably all requirements specific to AACs. Section 29(7) of the AODA permits two or more municipalities to establish a joint accessibility advisory committee instead of each establishing their own.

With the recent changes to the *Planning Act* through Bill 23, *More Homes Built Faster Act, 2022*, site plan approvals are now delegated to staff. Prior to this change, the AAC had approved City staff utilizing an accessibility checklist to ensure that developments met certain accessibility requirements. This accessibility checklist is completed by staff during the site plan review process, and then a report is provided to the AAC for information purposes.

Other matters, including the design of public spaces (i.e., streets, playgrounds, bus stops), plans of subdivision, and the City's Multi-Year Accessibility Plan, are still presented to the AAC for comment and approval.

Grey County has a Joint AAC that consists of all lower-tier municipalities except for the Township of Chatsworth, the Municipality of Meaford, and the City of Owen Sound. This committee advises Grey County Council, staff

members, and participating municipalities on ways to identify, prevent, and remove barriers from municipal services, by-laws, policies, programs, and facilities.

Staff have been in contact with the Grey County Deputy Clerk, who advised that the Grey County Joint Accessibility Advisory Committee (GCJAAC) is comprised of up to seven (7) voting members, with the majority composed of volunteers with lived experience and one member of County Council. The GCJAAC meets mainly electronically every quarter or as called where needed. The Grey County Accessibility Coordinator, a staff resource from each of the member municipalities, and the Grey County Deputy Clerk attend the meetings and support the GCJAAC. The current volunteer members were appointed in 2022 for the term of Council, and recruitment for new members occurs as needed.

Member municipalities are required to submit draft site plan drawings to the GCJAAC for review and comment on public spaces and municipally owned or operated facilities. The GCJAAC also comments on election plans, website reviews, new signage, or other special projects where their feedback might be beneficial. Grey County and member municipalities each maintain their own multi-year accessibility plans, which are then presented to the GCJAAC for review and comment.

Staff are recommending that the City's AAC be dissolved and that the City join the GCJAAC. This amendment would provide several benefits, including:

- More effective and efficient use of Council and staff's time;
- Saving administrative support time in the preparation of agendas and minutes and time spent at the meetings;
- Consistent input on matters of accessibility across Grey County to ensure that all communities are more inclusive and age-friendly;
- Pooled staff knowledge and resources;
- AAC agendas that are more rewarding and meaningful for committee volunteers; and
- Current public members of the AAC can bring their expertise to other City Committees, such as the Operations Committee, which oversees public transit.

A staff representative from the City would attend the GCJAAC meetings and have items added to the agendas to ensure that accessibility is considered as part of development, capital projects, and other items where Council may be seeking input.

The Grey County Deputy Clerk advised that should Council find it desirable to become a member of the GCJAAC, a resolution letter from the City would be required to opt in. Grey County staff would then amend the terms of reference for the GCJAAC to include the City of Owen Sound. The GCJAAC's current terms of reference are included as Attachment 5 to the report.

The AAC members whose terms do not expire until 2025 and 2026 will be notified that the AAC is being dissolved and will be encouraged to apply to another City Committee. Staff will also inform them of the GCJAAC and encourage them to apply to this committee when vacancies arise.

Should Council wish to dissolve the AAC and join the GCJAAC, a motion would be required.

Community Organizations

The City of Owen Sound has appointed Council members to four Community Organizations:

- Bruce Grey Poverty Task Force;
- Community Safety and Well-Being Committee;
- Owen Sound Fund Committee; and
- Seniors Advisory Committee.

The Bruce Grey Poverty Task Force and the Owen Sound Fund Committee continue to request Council representation on their committees. The Community Safety and Well-Being Committee is a legislated committee and Council representation is required.

The Seniors Advisory Committee has informed staff that they no longer require Council representation on their committee.

Should Council wish to add or remove committees, a motion would be required.

Resignation and Termination

The Board and Committee By-law stipulates that a public member of a board or committee is deemed to have resigned when the member is absent from three consecutive board or committee meetings without obtaining consent from City Council.

For the boards and committees that do not meet monthly, missing three consecutive meetings could result in the member missing most meetings for that year. For example, the Tom Thomson Art Gallery Advisory Committee

meets every other month and missing three consecutive meetings would mean that the member has missed 50% of the meetings for that year, which could result in issues with establishing quorum.

Staff is recommending that a public member only be allowed to be absent from two consecutive board or committee meetings for the boards and committees that do not meet monthly.

Staff is also recommending that should a member need to miss more than the number of consecutive meetings permitted, that they obtain consent from the board or committee Chair as opposed to from City Council. This will allow the Chair to manage their own board or committee, as well as provide the public member with privacy if the reason they need to miss more meetings is for personal reasons. This amendment also aligns with electronic meetings as outlined in the City's Procedural By-law, which states that a member may participate in more than two (2) Regular Meetings of a Committee at the permission of the Chair.

Should Council be in favour of implementing these amendments, the Board and Committee By-law will need to be updated as follows:

"A public member of a board or committee is deemed to have resigned when:

- a. The member delivers a written notice of resignation to the City Clerk; or
- b. the member is absent from three (3) consecutive board or committee meetings, without obtaining consent from the Chair, for the boards and committees that meet monthly; or
- c. the member is absent from two (2) consecutive board or committee meetings, without obtaining consent from the Chair, for the boards and committees that meet at a frequency less than monthly."

Board and Committee Public Applications Scoring Tool and Application Form

At its meeting on June 12, 2023, City Council directed staff to bring forward a draft scoring tool to support the assessment of public applications to boards and committees for consideration as part of the 2024 Board and Committee By-law review.

In consultation with the Human Resources Manager, a draft scoring tool has been developed and is included as Attachment 6 to the report.

For efficiency, staff will send the scoring tool to Council members with the closed agenda and request that it be completed prior to the Council meeting. All Council members will send their completed scoring tool to the Deputy Clerk ahead of the meeting so that they can be collated and the total score for each applicant determined. The lowest and highest score for each applicant will be removed so as not to skew the results, and then an average will be taken from the remaining scores. The Deputy Clerk will present these results to Council during the closed session for their consideration. It should be noted that Council still has the discretion to select an applicant for a board or committee who may not have had the highest score.

Should Council be in favour of adopting the scoring tool, a section will need to be added to the Board and Committee By-law under the 'Public' heading as follows:

"All public member applicants for boards and committees will be assessed using the scoring tool in effect at the time of application as determined by the City Clerk and Human Resources Manager."

In reviewing board and committee application forms from other municipalities, staff have noticed that many include eligibility requirements such as being 18 years of age or older and being a resident of the municipality. Staff are not recommending that the City adopt these exact eligibility requirements; however, a question has been added to the application form and draft scoring tool respecting being a resident of the municipality as Council may want to consider this factor during the selection process. Additional questions respecting the applicant's education and training background, current or past work experiences and skills, current or past community involvement or volunteer work, and additional skills or experiences have been added to the application form as a means of increasing the information available to Council for scoring the applications. An optional self-declaration has also been included to reinforce the City's Workforce and Committees Pillar of Inclusion in the [Inclusion Strategy](#) of "attract and recruit a talented and diverse workforce, and committee membership, that is reflective of the labour market and community."

The revised committee application form is included as Attachment 7 to the report. Should Council be in favour of dissolving the CDTAC and AAC, any references to these committees in the draft application form will be removed.

As per the Board and Committee By-law, the City Clerk advertises public member vacancies on boards and committees in accordance with standard

procedures by the City Clerk from time to time. City Council is welcome to provide suggestions on the application form, which the Clerk will take under advisement in finalizing the application form.

Indigenous Representation

As part of the 2022 and 2023 board and committee recruitment campaigns, staff notified local Indigenous organizations of board and committee vacancies and outlined the application process. The City of Owen Sound welcomes diversity and will once again send a letter to Indigenous organizations advising them of vacancies.

Financial Implications:

The cost to advertise committee vacancies in The Sun Times newspaper is approximately \$500 per advertisement. There will be two advertisements: one for the Strategic Planning Ad Hoc Committee in mid-September and one for all remaining Committee vacancies in mid-October.

Communication Strategy:

Any City Council action on specific boards and committees will be communicated to their staff liaisons, recording secretaries, and existing members.

The 2024 Board and Committee recruitment process will begin in October 2023, with applications being accepted until late November 2023. The Strategic Planning Ad Hoc Committee recruitment process will begin on September 15, 2023, with applications being accepted until October 6, 2023. All vacancies will be advertised in The Sun Times and on the City's website and social media platforms, as well as through a media advisory.

Consultation:

Strategic Leadership Team, City Clerk, Human Resources Manager, Strategic Human Resources Manager, and Manager of Legislative Services.

Attachments:

1. Terms of Reference – Strategic Planning Ad Hoc Committee
2. Terms of Reference – Council Remuneration Review Task Force

3. Terms of Reference – Service Review Implementation Ad Hoc Committee
4. Mission and Mandate – Community Services Committee
5. Terms of Reference - Grey County Joint Accessibility Advisory Committee
6. Draft Board and Committee Public Applications Scoring Tool
7. Revised Committee Application Form

Recommended by:

Staci Landry, Deputy Clerk

Briana Bloomfield, City Clerk

Kate Allan, Director of Corporate Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Staci Landry, Deputy Clerk at slandry@owensound.ca or 519-376-4440 ext. 1235.