

CITY OF ORILLIA

TO: Council Committee – April 12, 2021

FROM: Chief Administrative Office
Corporate Services Department

DATE: April 1, 2021

REPORT NO: CSLD-21-12

SUBJECT: **Request to establish a Working Group to review Council Governance and the mandates of Committees of Council**

Recommended Motion

THAT a Working Group be established for the purpose of conducting a Governance Review, including a review of Council’s Procedure By-laws and the mandates of committees of Council, in accordance with the Terms of Reference set out in Schedule “A” to this report;

AND THAT the following be appointed to the Working Group:

- **General Manager of Corporate Services & City Solicitor**
- **Deputy Clerk**
- **Assistant Clerk/Committee Coordinator**
- **3 Members of Council**

Purpose

The purpose of this report is to request Council approval to establish a Working Group to review Council’s Governance structure, including a review of Council’s Procedure By-laws and the mandates of the Committees of Council, in order to research and review modernization trends and best practices and make recommendations for Council’s consideration.

Background & Key Facts

- Section 238 (2) of the *Municipal Act* requires every municipality and local board to pass a procedure by-law for governing the calling, place and proceedings of meetings.
- Chapters 12, 22 and 105 of the City of Orillia Municipal Code govern the proceedings for Council Committee, Council and its Committees and Local Boards.
- A comprehensive Procedure By-law Review was last conducted in 2012. A review of Council’s committees last occurred in 2015. Further updates have been made periodically on an ad hoc basis in keeping with legislative changes, with more substantive changes being made in 2019.

Options & Analysis

There are two options presented for consideration:

Option 1 - Recommended

THAT a Working Group be established for the purpose of conducting a Governance Review, including a review of Council's Procedure By-laws and the mandates of committees of Council, in accordance with the Terms of Reference set out in Schedule "A" to this report;

AND THAT the following be appointed to the Working Group:

- **General Manager of Corporate Services & City Solicitor**
- **Deputy Clerk**
- **Assistant Clerk/Committee Coordinator**
- **3 Members of Council**

Should Council authorize the establishment of the Working Group, the mandate would include the following components:

A. Committee Review:

A review of all the current committees of Council with a view to ensuring that the mandates of each continues to be relevant to the needs of both Council and the community.

B. Council Governance Review:

Comprehensive by-laws, such as the Procedure By-laws, need to be reviewed in their entirety from time to time to ensure that the amendments made are consistent with the by-law as a whole. It is recommended that a clause by clause review of Council's Procedure By-laws be undertaken (Chapter 12 - Council Committee Procedure, Chapter 22 - Council Procedure, and Chapter 105 - Committee and Local Board Procedure). This will include a review of Council's governance structure, such as meeting schedule/format, agenda processes/layout and supporting policies as required.

Further details regarding the methodology to be followed by the Working Group is identified in the proposed Terms of Reference set out in Schedule "A" of this report. After conducting the above noted reviews, the Working Group will report back to Council in the Fall/Winter of 2021 with recommendations for consideration.

Option 2:

THAT Report CSLD-21-12 be received as information.

The impact of this motion is that a Working Group to review Council's governance structure and committee mandates would not be established within this term of Council. This option is not recommended as it is best practice to conduct a comprehensive review of Council's Procedure By-laws at least once per Council term.

Financial Impact

There are no financial implications for the City resulting from the proposed recommendation.

Consultation

Public consultation will include establishing a dedicated City webpage along with social media posts to create awareness of the review with feedback to be solicited *via* online survey.

Committees will be consulted on an as needed basis pending the review by the Working Group.

Economic Development Impact

There is no direct economic development impact associated with the recommended motion.

Communications Plan

A City webpage along with social media posts will be established to create awareness of the review and solicit public feedback.

Relation to Formal Plans, City of Orillia Policy Manual and/or Guiding Legislation

The recommendation included in this report is related to the following formal plans, City policies and/or guiding legislation:

- Chapter 12 - Council Committee - Procedure
- Chapter 22 - Council - Procedure
- Chapter 105 - Local Board and Committee Procedure
- Policy 1.13.1.1. - Accountability and Transparency

Conclusion

Staff is seeking Council authorization to establish a Governance Review Working Group for the purpose of researching and recommending changes to Council's governance structure and committees. The Working Group will report back to Council in the Fall/Winter of 2021 with recommendations for Council's consideration.

Schedules

- Schedule "A" - Governance Working Group Terms of Reference

Prepared by and Key Contact: Megan Williams, Deputy Clerk

Approved by: Amanpreet Sidhu, General Manager of Corporate Services & City Solicitor

Gayle Jackson, CAO/City Clerk

“Schedule A”

Governance Review Working Group Terms of Reference

MANDATE

The following mandate of the Governance Review Working Group would include reviewing and making recommendations related to:

- Best practices.
- Accountability, transparency, and timeliness.
- Modernization and trends.
- Housekeeping.

A. Committee Review:

A review of all the current committees of Council with a view to ensuring that the mandates of each continues to be relevant to the needs of both Council and the community.

B. Governance Review:

A clause by clause review of Council's Procedure By-laws (Chapter 12 - Council Committee Procedure, Chapter 22 - Council Procedure, and Chapter 105 - Committee and Local Board Procedure). This will include a review of Council's governance structure, such as meeting schedule/format, agenda processes and layout, and supporting policies as required.

COMPOSITION

The Working Group shall be comprised of the following:

- General Manager of Corporate Services & City Solicitor
- Deputy Clerk
- Assistant Clerk/Committee Coordinator
- 3 Members of Council

The CAO/City Clerk will provide input and oversight as required.

TERM

The Working Group will report to Council Committee during Fall/Winter 2021 with recommendations. Once the Working Group has fulfilled its mandate and made its final report to Council, it shall be dissolved.

MEETING SCHEDULE

The Working Group shall meet during the day. The meeting schedule shall be determined at the first meeting of the Working Group.

DUTIES

The Working Group shall be responsible to conduct the following:

A. Committee Review:

- To review each committee of Council, using, but not limited to, the following examination guidelines:
 - Is the Committee's mandate aligned with the City's Strategic Plan?
 - Has the mandate of the Committee changed over time? Is the Committee still needed?
 - Are there overlapping mandates among the committees?
 - Secretarial support and additional resource staff support required.
 - Number of meetings per year.
 - What are the term lengths for the Committee's members?
 - Is the composition of the committee still appropriate?
 - What is the eligibility requirement for appointment to the Committee?
 - Should the Committee follow the City's Procedure By-law?

B. Governance Review:

- To conduct a clause by clause review of Council's Procedure By-laws and other applicable supporting policies as may be needed.
- To review Council's governance structure including the Council Committee and Council meeting schedule/format and agenda processes/layout using, but not limited to, the following examination guidelines:
 - Is the current meeting schedule an efficient way to conduct City business?
 - Does the agenda format promote efficient meeting processes?
 - Do agenda and meeting processes result in clarity and ease of participation for the public?
 - Are agenda and meeting processes in keeping with best practices with respect to accountability and transparency?
- The Working Group will research and review best practices from other municipalities, applicable legislation, and parliamentary sources to recommend updates to Council's governance structure and Procedure By-laws.

CONSULTATION

Public consultation will include establishing a dedicated City webpage along with social media posts to create awareness of the review. Feedback will be solicited *via* online survey.

Committees will be consulted on an as needed basis pending the review by the Working Group.

This feedback and any resulting recommendations will be outlined in the final report to Council.