

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

Item 2, Report No. 9, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on February 17, 2015, as follows:

By approving the Terms of Reference for the Committee Structure Task Force, as set out in Communication C13 from the City Clerk, dated February 12, 2015, subject to the following:

- 1. That the Membership be amended to add Councillor Marilyn lafrate.***

By receiving Communication C16 from the City Clerk, dated February 13, 2015.

2 COUNCIL GOVERNANCE – COMMITTEE STRUCTURE

The Committee of the Whole (Working Session) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services/City Solicitor and the City Clerk, dated February 10, 2015, be approved;**
- 2) That a Task Force comprised of the following Members of Council and appropriate staff consider the suggestions and issues raised at this meeting regarding the Council Committee structure and report back to the Committee of the Whole (Working Session) meeting of March 10, 2015, with a committee structure for consideration:**

**Councillor Carella
Councillor Yeung Racco
Councillor Shefman**

- 3) That the following Communications be received:**

- C2 Presentation material from the City Clerk titled “Council Governance – Committee Structure”; and**
- C3 Committee comparison chart provided by Councillor Yeung Racco.**

Recommendation

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

- 1. That the presentation of the City Clerk be received.**

Contribution to Sustainability

Council's committee structure and procedural by-law define the roles for Council's Committees, rationalizing their roles and responsibilities 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.

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- 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.”

The governance model is periodically reviewed to ensure that its component parts contribute to a sustainable legislative system which enhances Council's ability to achieve its objectives.

Economic Impact

The City's governance structure impacts the resources required to support public processes. Changes to the structure may have either cost implications or create/resolve administrative pressures, depending upon the level of support required.

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 9, 2014, by its adoption of Item 62 of Report No. 41 of Committee of the Whole, a New Business item introduced by Councillor Yeung Racco, Council directed that a report be brought forward that contemplated a standing committee structure that provided focused forums for issues relating to Economic Development, Infrastructure and Planning, Environmental Sustainability, Strategic Planning and Budget. This report responds to that direction by providing background to the current committee structure, enabling Members of Council and interested parties the opportunity to identify issues of concern and provide staff with direction for implementing any change that might be necessary.

Background - Analysis and Options

Executive Summary

This report summarizes the changes made to Council's governance structure during the previous term, and provides a baseline for discussing potential modifications. The current structure is based upon defined roles for standing and other committees that may be established, always recognizing the primacy of Council and other governance objectives. The flexibility built into the structure allows for the establishment of subordinate legislative bodies (referred to variously as ad hoc committees, task forces and sub-committees) as well as non-legislative consultative forums supporting citizen engagement.

Should Council wish to modify or fine tune the structure, a series of questions are posed to assist in identifying the objective for the exercise, and to stimulate discussion on the topic.

The foundation report for the governance structure changes made during the previous term of Council is set out at Attachment 1.

1. General Principles of the Governance Structure

As noted above, Council's procedural by-law establishes principles which balance clear governance objectives in a pragmatic way. The committee structure established during the last term of Council allows Council to focus on its governance role and protects the primacy of Council from being undermined. The business of Council is getting done in a transparent and timely way.

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The committee structure and procedural by-law implemented last term have rationalized the roles and responsibilities of committees, have provided greater clarity and transparency, and have 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.

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.

2. Flexibility - Ad Hoc & Sub-Committees, Plus Other Forms of Public Engagement

Council's committee structure acknowledges that from time to time particular topics lend themselves to focused discussions in committees with specified mandates and terms, often with participation by members of the public. Council sets the terms of reference for these 'ad hoc' committees and oversees their activities through the regular reports submitted to one of Council's standing committees. Their work culminates in a findings report which Council is free to consider as it may wish, including directing that staff report on the implications of implementation (operational, legal, financial etc., as the case may be). This preserves the primacy of Council and leaves to Council as a whole the ability to determine the strategic direction of the municipality.

Last term, eight ad hoc committees including one sub-committee were established:

Council Member Expense Policy Task Force
Pierre Berton Discovery Centre Fundraising Task Force
Task Force on Advisory Committees
Task Force on Residential Condominiums
Task Force on Secondary Suites
Task Force on The City's Role in Festivals and Community Events
Vaughan Metropolitan Centre Sub-Committee
Yonge Street Subway Extension Task Force

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Ad hoc committees are submitting the required reports to their respective standing committees after each meeting, which provides full transparency of matters under consideration. Standing Committee agendas are generally resolved within the time allotted, with changes to the Council calendar being implemented this term resolving potential time pressures on multiple-meeting days.

In addition, other forms of engagement have been encouraged as mechanisms for citizen engagement. Examples include:

- The Vaughan Cycling Forum
- Thornhill Centre Street Area Land Use Study Open House
- Community Meetings hosted by members of Council on specific issues
- Focus groups

3. Reviewing the Governance Structure

From time to time it is important to review the components of the governance structure to ensure that Council's strategic and operational interests are being best served. 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.

In its review, Council might give consideration to the following questions:

1. What are the objectives of modifying the current structure?
 - Does the structure support the City's strategic objectives?
 - Are the existing committees focused on the right topics?
2. In particular, are the interests of economic development, infrastructure and planning, environmental sustainability, strategic planning and budget preparations best served by the creation of standing committees dedicated to those purposes?
 - To the extent that policy in these subject areas is in need of development, can that be better accomplished through an ad hoc committee such as a task force?
 - Given their complexity and public interest, should technical planning matters be assigned to a dedicated committee?
 - Are there other ways, aside from through the City's legislative process, to engage citizens in a better way?
3. What divides the oversight and policy responsibilities for Council and its Members from the responsibilities of the Administration and staff?
 - Is the committee structure respectful of the *Municipal Act* provisions that set the respective roles for Council and staff?
 - What is the role for individual Members of Council, distinct from their role sitting in Committee or Council?
 - Can the City benefit from the designation of individuals on Council as 'Champions', 'Advocates' or the political sponsors of City initiatives?
4. Are there opportunities for Council to better focus on its strategic objectives? Can policy criteria be established so that staff can be delegated administrative responsibility in some areas currently needing Council attention?
 - Should matters such as assumption of services be delegated to staff, with periodic information reports being submitted to Council?

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5. What changes in the landscape have occurred since the last review, and have they implications for any decisions to modify the current structure?
 - Has the enactment of Bill 8, the *Public Sector and MPP Accountability and Transparency Act, 2014* and a new oversight role for the Provincial Ombudsman created implications for municipal committees?
[a separate report on Bill 8 will be submitted for Council's review]
 - What learnings may be gained from the Region of York's shift to a Committee of the Whole structure?
6. What is the best mechanism to absorb the community or political advice that Members contribute to municipal decision making? How can citizens be better engaged in municipal decision making?

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with Council's objective to achieve organizational excellence by ensuring the establishment of a high performing organization.

Regional Implications

The current calendar of meetings matches the legislative schedule established by York Region Council, resulting in the fourth week of each month being reserved for constituency and other matters. Major alterations to the committee structure may require adaptation of the calendar of meetings in a way that encroaches on the compatibility of the two legislative schedules.

Conclusion

As noted in the report referenced above, the current Committee Structure and Procedural By-law have significantly enhanced Council's governance process by providing greater clarity and efficiency. Committee and Council deliberations 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.

A review of the responsibilities of Council's established standing committees is appropriately done at the beginning of a Council term, as is consideration of the role of ad hoc committees that might be established. In doing so, identifying the objectives to be served will assist Council in identifying the best configuration of committees and other bodies to serve the public interest.

Attachments

Attachment 1: Item 3, Report No. 29 of the Committee of the Whole (Working Session),
June 29, 2010 Committee Structure and Acting/Deputy Mayor

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)