

To: **COUNCIL**

Meeting Date: **07/27/2021**

Subject: **Advisory Committee Preliminary Review**

Submitted By: **Danielle Manton, City Clerk**

Prepared By: **Jennifer Shaw, Manager of Council & Committee Services / Deputy City Clerk**

Report No.: **21-197(CRS)**

File No.: **C1101**

Recommendation(s)

THAT Report 21-197(CRS) Advisory Committee Preliminary Review be received.

AND THAT a by-law to amend By-law 133-18 being a by-law to define the mandate and meeting procedures for Advisory Committees (attached as Appendix A), be approved.

AND FURTHER THAT the Clerk be directed to deliver an annual volunteer recognition and recruitment event for all citizen advisory committees of Council.

Executive Summary

Purpose

- The purpose of this report is to present a preliminary review of the City's advisory committees and to seek Council approval to move forward on various aspects of their administration.

Key Findings

- The City has a number of long-established advisory committees that provide invaluable advice and guidance to Council on matters that fall within their respective mandates.
- With staffing changes in the Clerk's Division combined with the transition to online meetings stemming from the COVID-19 pandemic and increased requests for guidance from staff liaisons, the Clerk's Division has assumed a more significant role with respect to oversight of advisory committees and responsibility for various aspects of their administration.

- Council approval is requested as outlined above for this preliminary review of the City's advisory committees including amendments to By-law 133-18.
- A more comprehensive review of the City's various advisory committees will be brought forward during the new Term of Council after the 2022 Municipal Election.

Financial Implications

- There are no financial implications associated with this report. Staff will report back to Council on any financial implications associated with advertising and promotion as part of a volunteer recruitment or recognition event.

Background

The City of Cambridge has established several advisory committees that play a key role in providing guidance and feedback to Council and staff on a variety of issues affecting the City that fall within their respective mandates.

Membership on advisory committees is comprised of citizen representatives of the City who bring diverse backgrounds and perspectives to the table based on their lived and worked experience. In turn, membership on an advisory committee provides citizens with a unique chance to volunteer their highly valued skills and to strengthen the shared sense of community that exists within Cambridge.

Recruitment and Membership

Currently, the recruitment of advisory committee members takes place on an on-going basis. Citizens are able to view the vacancies for each body and submit an on-line application through the Boards and Committee page on the City's website. There is no limit on the number of committees that citizens can apply to or be on during a term of Council; however, appointees are generally limited to one committee at a time to ensure fairness and that as many citizens as possible have an opportunity to participate on an advisory committee. Priority for service on an advisory committee is given to residents of Cambridge with more specific criteria pertaining to membership composition established by the committees via their Terms of Reference.

Once a sufficient number of applications are received by Clerk's staff, a meeting of the Striking Committee is scheduled and appointment recommendations are made. Recommendations of the Striking Committee are then ratified at the subsequent Council Meeting following which, the successful applicants are notified of their appointments and are invited to attend orientation training and upcoming meetings.

Applications are kept on file in the Clerk's Division for a period of one (1) year from the date of submission or until the application is considered for a vacancy (whichever comes first). Applications that were considered by Striking Committee but did not result

in an appointment become null and void but unsuccessful applicants are encouraged to keep applying.

Membership on all advisory committees expires on December 31st of a Municipal and School Board Election year. Members are limited to serving a maximum of eight (8) consecutive years (two terms) on the same advisory committee; however, on the recommendation of Council may be appointed beyond eight years if there are compelling reasons, including the lack of applications. After two terms, members must take at least one (1) year absence before reapplying to the same committee but exceptions may be made at Council's discretion.

Governance and Relationship to Council

The rules governing the procedure of Council and the conduct of Members of Council as set out in the City's Procedural By-law 18-15 are to be observed by all City committees, including advisory committees, as much as possible in the conduct of meetings.

By-law 133-18 being a by-law to define the mandate and meeting procedures for advisory committees, sets out the roles and responsibilities of committee members, the chairs and vice chairs, staff liaisons, Council representatives and the Clerks Division in addition to the reporting relationship of each advisory committee. Advisory committees report to Council by way of a designated Standing Committee of Council, primarily either General Committee or the Planning and Development Committee.

Advisory committee members are expected to conduct themselves and meetings in accordance with the City's Code of Conduct for Local Boards and Advisory Committees, which includes the requirement to self-identify and declare any known conflicts of interest.

Council Appointees to Advisory Committees

At the start of each new Term of Council, Council members have the option to review the current advisory committees and make changes to existing committees and request the establishment of new committees. Once all committees have been established, Council members are appointed as representatives based on previous experience and/or preference in working with a particular committee.

The role of Council representatives on advisory committees is to attend meetings and provide needed skill/knowledge, incorporate input from the advisory committee at Council meetings, as appropriate, and to provide Council updates to advisory committees.

Clerk's Division Responsibilities for Advisory Committees

As noted, the Clerk's Division is currently responsible for coordinating the recruitment and appointment of members to advisory committees. By-law 133-18 sets out that the Clerk's Division is also responsible for providing training, advice and support to the staff liaisons to the City's various advisory committees and for maintaining annual files of advisory committee agendas and approved and signed minutes.

Quasi-Judicial and Management Committees

Quasi-judicial and management committees are not within the scope of this report as they either make decisions that are not the subject of Council approval but may be the subject of an appeal to another body such as the Local Administrative Appeals Tribunal (LPAT) or have responsibility for the management of an entity and operate at arms-length from the City such as the Library Board whose authority falls under the Public Libraries Act, R.S.O 1994.

Analysis

Strategic Alignment

PEOPLE To actively engage, inform and create opportunities for people to participate in community building – making Cambridge a better place to live, work, play and learn for all.

Goal #2 - Governance and Leadership

Objective 2.1 Provide a wide range of ways that people can become involved in city decision making.

A preliminary advisory committee review is aligned with the City of Cambridge's Governance and Leadership goal as advisory committees play a key role in providing advice and feedback to City Council and staff on a variety of city issues pertaining to their respective mandates.

Comments

While the City's advisory committees have operated in a fairly consistent manner for the past several years, numerous staffing changes within the Clerk's Division combined with increased requests for guidance and direction on advisory committee matters, changes in processes stemming from the COVID-19 pandemic and the move to virtual meeting formats has led to Clerk's staff assuming enhanced roles and responsibilities pertaining to advisory committees. These changes have prompted the need to review the current practices and procedures in place respecting these committees and their operations.

This preliminary review has also been driven by on-going Strategic Planning consultations and recognition of the fact that there exists a significant gap in the oversight of advisory committees as a whole within the organization, including the lack of an organized annual recruitment period and annual volunteer recognition program.

The Clerk's Division is cognizant that its existing roles and responsibilities with respect to advisory committees make it best positioned within the organization to take on an enhanced oversight role and to facilitate changes in process on behalf of committees through Council. This will also help to ensure consistency in process among all committees.

Clerk's staff intend to complete a comprehensive review of citizen advisory committees every four years to coincide with the Terms of Council with such review to incorporate many of the items to be touched upon within this report and to engage with advisory committee members, staff liaisons and Council representatives to each committee before the review is brought forward to the full Council for consideration.

Terms of Reference Changes

At present and in accordance with By-law 133-18, one of the roles and responsibilities of advisory committees is to annually review and revise, if required, their Terms of Reference. Upon completion of such review, the finalized Terms of Reference are brought forward to Council for approval. At present, the By-law is silent on who is to facilitate this review for advisory committees. Staff are recommending that a coordinated approach to Terms of Reference be taken on a go forward basis with the review to be facilitated by the Clerk's Division. Once committees have adopted their revised Terms of Reference, they would then be collected into a single report to Council and brought forward for final approval by the Clerk's Division. Responsibility for facilitating annual Terms of Reference reviews is addressed in the By-law Amendments section of this report, specifically under subsection b) entitled "Responsibilities of the Clerk's Division"

Through consultations with the staff liaisons to the City's various advisory committees, Clerk's staff are aware that a few committees had already completed a review of their Terms of Reference in late 2020. Staff anticipate that there may be Terms of Reference changes coming forward for other Committees and recommend that all be incorporated into a consolidated report for Council.

Review of Citizen Committee Webpages

Under the Boards and Committees section of the City's website is contained a listing of each advisory committee along with information on how to apply to become a member, the number of current vacancies and how to submit expressions of interest to sit on a sub-committee of one of these committees. The advisory committees also have their

own pages with a description of the work they do, their mandates the staff liaison contact information and links to previous agendas and approved minutes.

While the information found on these pages is valuable to the public and fairly easy to locate and access, the responsibility for updating these pages is not defined within existing policies and procedures. Clerk's staff intend to undertake a review of these pages with the goal to assume responsibility for their on-going maintenance. Part of this review will include the update of existing content and better organization of recruitment opportunities and vacancies as a number of advisory committees continue to struggle with filling long standing vacancies.

Recruitment and Appointment of Members

The recruitment process for advisory committees has typically focused on the use of The Cambridge Times, the City's website and more recently, social media, to share information about the mandate of each committee and to encourage citizens to apply. While this process has been somewhat successful, a number of vacancies continue to exist on several committees for which applications have not been received in the last year or more.

The Clerk's Division would like to enhance the recruitment process by working closely with Communications staff to develop a more fulsome social media campaign and open houses in the form of a Recruitment Fair that will permit committees to highlight their work and achievements while making connections with prospective new members of the full committee or sub-committees. Members of Council will be invited to attend along with their committees.

As previously noted, the recruitment of members currently happens on an on-going basis with Striking Committee meetings scheduled on an as needed basis to appoint members. Clerk's staff are proposing that recruitment instead occur on an annual basis in September / October so that the process can be better managed and coordinated. The Recruitment Fair would occur prior to or in tandem with the annual recruitment period.

As part of a more comprehensive review of the City's various advisory committees with the new Term of Council, Clerk's staff intend to complete a review of the Striking Committee process and develop an appointment policy, which will provide greater transparency in how appointments are made.

Training of Members

On an annual go forward basis, the Clerks Division will assume a greater role in the training of advisory Chairs and Vice Chairs in addition to providing procedural training to staff liaisons and all committee members as part of the recruitment and onboarding process. This training will include an overview of the City's Code of Conduct for Local

Boards and Advisory Committees and any other relevant policies and procedures. Staff liaisons will continue to provide committee specific orientation and training to members.

Sub-Committees

Several advisory committees have already or have been looking to establish sub-committees to help them fulfill their mandates, specifically the Community Wellbeing Advisory Committee and the Environmental Advisory Committee. In accordance with By-law 133-18 defining the mandate and meeting procedures for Advisory Committees, sub-committees may be established by the full Committee through the passing of a recommendation approved by the majority of voting members. The recommendation to establish the sub-committee must speak to the mandate of the sub-committee, its beginning and end date, its composition, recruitment of members and reporting structure.

Members of sub-committee are not recruited through the typical Board and Committee recruitment process handled by the Clerk's Division and members are not formally appointed by Striking Committee and subsequently Council. Members of sub-committees do not have voting rights but are still required to follow the City's Code of Conduct for Local Boards and Advisory Committees and other applicable policies. They should receive orientation training from their committees on their role and expectations.

Members of the community who wish to volunteer on a sub-committee are asked to submit an Expression of Interest through the Committees and Boards page of the City's website. Sub-committee terms are for a one (1) year period with an opportunity for renewal.

In recent months, Clerk's staff have assumed more responsibility around the recruitment of sub-committee members by assisting with facilitating the Expression of Interest process and notifying advisory committees of selections along with the newly selected individuals.

Volunteer Recognition Event

At present the City does not have a formal volunteer recognition event in place to thank its advisory committee members for their on-going contributions. Regular recognition of volunteers is important to recognize their contributions and ensure they understand their value of being a vital part of the committee. Through recognition efforts volunteers are encouraged to stay involved, committed and enthusiastic in the work they do which is vital for promoting feelings of self-worth and demonstrates that the organization cares about them and appreciates their accomplishments.

This report seeks Council direction to investigate the costs and potential options available for hosting an annual volunteer recognition event for advisory committee members with the intention to report back to Council on a possible program at the

conclusion of this term of Council through the comprehensive advisory committee review.

Council Representatives to Advisory Committees and Voting Privileges

Through this preliminary review, staff have received feedback pertaining to the role of Council Representatives on advisory committees in the following areas:

a) Voting Privileges and Quorum

The City's by-law defining the mandate and meeting procedures for advisory committees (By-law 133-18) currently gives appointed members of Council voting privileges on advisory committees and permits Members of Council to be counted towards the total number of members (quorum) required for meetings to proceed. Some feedback has been provided expressing that due to the potential for political influence, Council being responsible for voting on matters before them through Council meetings and that Council members appoint citizens to provide advice and any advice should be free and clear of Council involvement particularly during the campaign period for Municipal and School Board Elections, that Council representatives should not have voting privileges on advisory committees or count towards quorum but instead attend in an advisory capacity only.

b) Chairing Advisory Committee Meetings

The Community Well-being Advisory Committee is the sole committee, at present, where the Council Representative currently serves in the capacity of chair. As one of the most recently established advisory committees, a Council member assumed the role of chair initially to assist with the onboarding of new members and development of a clear work plan. As this committee is now well-established and has been in existence for several years, feedback has been received that the chair role should now be turned over to its citizen members.

The rationale behind this suggested change is two-fold. First, the chair and vice chair roles empower citizens by encouraging them to become more involved in the workings of the committee. Through these roles, citizen members would be better positioned to make a greater impact on the direction of the committee by assisting staff with setting agenda topics and working more directly with City staff in following up on issues of interest to the committee.

Secondly, chair and vice chair roles create important leadership opportunities for citizen members and give members the opportunity to establish relationships with all members of Council through delegations and discussion on topics of concern to the committee. In their leadership capacity, chairs and vice chairs become well positioned to be the spokespersons for the committee and to engage with their counterparts on other advisory committees.

While committees often welcome and appreciate their Council representatives assuming the roles of chair or vice chair, these roles fall outside of the scope of the role of the Council representative and put Council members in a position of taking on a leadership role on a committee thereby detracting from their ability to provide objective advice and insight from the perspective of Council while still empowering the committee to set its course.

c) Non-Council Appointee Attendance at Advisory Committee Meetings

Staff have also received feedback with respect to concerns about attendance at advisory committee meetings by Members of Council not appointed to the committee. As public meetings under the Municipal Act, 2001, advisory committee meetings are open for anyone to attend and there is nothing to limit or prevent a Council member who has not been appointed as the Council representative to an advisory committee from attending meetings as an observer as often as they wish.

Staff have provided this feedback for Council's review and consideration prior to a more comprehensive review coming forward with the new term of Council. If there is a desire to bring forward changes around voting privileges/quorum and/or the chair role of the Council representative to the Community Well-being Advisory Committee, direction to staff would be required in order to bring forward the necessary by-law and Terms of Reference amendments to effect these changes. It is recommended that the effective date for any changes to the chair role on the Community Well-being Advisory Committee coincide with the annual chair/vice chair elections in the new year, should they occur earlier an election would be required for the role of the Chair only as the Vice Chair role is currently filled by a citizen member. Staff also recommend that any related amendments to the advisory committee by-law stipulate that a member of Council may serve in the capacity of chair or vice chair only for the first year after an advisory committee is initially established after which time these roles would be assumed by citizen members.

By-law Amendments

As part of this preliminary review report, staff are recommending amendments to By-law 133-18 being a By-law to define the mandate and meeting procedures for the City's various Advisory Committees to address the following matters:

a) Advisory Committees and Incumbent Members During an Election Year

In preparation for the 2022 Municipal and School Board Election and in consideration of potential issues surrounding political influence and the use of Corporate Resources during an election year, staff are recommending that a section be added to By-law 133-18 requiring, with the exception of legislated committees, that all advisory committees pause their activity as of September 1 – December 31 of an Election Year. During this pause staff will complete a review of these committees and make recommendations for

changes to the new Council. The first such review would be conducted in 2023 with the newly elected Council.

b) Responsibilities of the Clerk's Division

Section 4.8 of By-law 133-18 further speaks to role of the Clerks Division with respect to advisory committees. Staff are recommending the by-law be further amended to **add** additional wording to better reflect the actual role of the Clerks Division in the following areas:

- To coordinate consolidated annual and/or bi-annual reports to Council highlighting the accomplishments and work plans of all advisory committees
- To provide annual training to advisory committee Chairs and Vice Chairs
- To provide procedural advice and code of conduct training to newly appointed advisory committee members and to assist staff liaisons in yearly refreshment training for all members
- To facilitate and coordinate Terms of Reference reviews, as required
- To coordinate an annual volunteer recognition event for volunteers on the City's advisory committees
- To conduct a review of advisory committees at the beginning of each Council Term and make recommendations to Council on proposed changes
- To monitor the Boards and Committees section of the City's website, including updating recruitment information and other committee details, as required.
- To ensure advisory committee meetings are conducted in accordance with the requirements of the Municipal Act, 2001 and that members adhere to the Code of Conduct for Local Board and Committees and the Municipal Elections Act, 1996, as applicable.

Existing Policy/By-Law

There are several policies and/or by-laws currently in place that govern the calling of advisory committee meetings and/or conduct of members:

- Procedural By-law 15-18, governing the proceedings of Council and its Committees provides general guidelines for citizen committees on how to run and conduct their meetings.
- By-law 133-18, defines the mandate and meeting procedures for the City's various advisory committees and outlines the reporting relationship of advisory committee's to Standing Committees of Council.
- The Code of Conduct for Local Boards and Advisory Committees, governs the conduct of appointed members and sub-committee members.

In addition to the above noted by-laws and Code of Conduct, each advisory committee has its own Terms of Reference that speaks to the mandate of the committee and its responsibilities. Terms of Reference address areas such the membership composition of the committee, voting rights, the selection of chairs and vice chairs, voting rights, minutes, agendas and delegations.

Financial Impact

There is no financial impact; however, staff will report back to Council on any financial impacts associated with advertising and promotion as part of a volunteer recruitment or recognition event.

Public Input

Posted publicly as part of the report process.

Internal/External Consultation

On November 13, 2020 communication was sent to staff liaisons seeking input on the 2020 accomplishments of their advisory committees and work plan items for 2021 in preparation for related report 21-006 (CRS) Advisory Committee Consolidated 2020 Annual Report and 2021 Priorities considered at the June 29th, 2021 Special Council meeting. Through consultation with staff liaisons it was determined that a several advisory committees were in the process or had completed their annual Terms of Reference reviews and had changes to bring forward for Council approval. All changes will be reflected in a consolidated report to Council.

In preparing this report Clerk's staff also consulted with staff liaisons on the composition of their committees and on other matters that are identified in this preliminary review so that areas of inconsistency could be identified and addressed in this report and going forward in future reviews of advisory committees with successive new Terms of Council.


Conclusion

The City's advisory committees provide invaluable input to Council on issues that fall within their respective mandates. This preliminary review presents an opportunity to refine some of the existing policies and procedures governing the conduct of advisory committees and their members and to incorporate other areas that have not been addressed previously. As noted within this report, a more comprehensive review of the City's advisory committees will be completed by the Clerk's Division with the new Council following the 2022 Municipal and School Board Election.

Signature

Division Approval

Reviewed by the CFO



Reviewed by Legal Services

Name: Danielle Manton

Title: City Clerk

Departmental Approval



Name: Dave Bush

Title: Deputy City Manager, Corporate Services

City Manager Approval



Name: David Calder

Title: City Manager

Attachments

- Appendix A – Draft By-law to amend By-law 133-18

Appendix A

Draft By-law Amendment

THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 21-XXX

Being a by-law to amend By-law 133-18, being a by-law to define the mandate and meeting procedures for Advisory Committees

WHEREAS Council has established Advisory Committees that are comprised of both members of the public and Members of Council;

WHEREAS By-law 133-18 defines the mandate and meeting procedures for Advisory Committees;

AND WHEREAS it is deemed expedient to amend By-law 133-18 to update its provisions pertaining to various roles, responsibilities and advisory committee activity in a Municipal Election year,

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. **THAT** Section 4.8 “The responsibilities of the Clerk’s Division” be amended to add the following:
 - (d) To coordinate consolidated annual and/or bi-annual reports to Council highlighting the accomplishments and work plans of all advisory committees
 - (e) To provide annual training to advisory committee Chairs and Vice Chairs
 - (f) To provide procedural advice and code of conduct training to newly appointed advisory committee members and to assist staff liaisons in yearly refreshment training for all members
 - (g) To facilitate and coordinate Terms of Reference reviews, as required
 - (h) To coordinate an annual volunteer recognition event for volunteers on the City’s advisory committees
 - (i) To conduct a review of advisory committees at the beginning of each Council Term and make recommendations to Council on proposed changes
 - (j) To monitor the Boards and Committees section of the City’s website, including updating recruitment information and other committee details, as required.
 - (k) To ensure advisory committee meetings are conducted in accordance with the requirements of the Municipal Act, 2001 and that members adhere to the Code of Conduct for Local Board and Committees and the Municipal Elections Act, 1996, as applicable.
2. **THAT** following new Section 7 entitled “Advisory Committee Activity During an Election Year” be added with remaining sections to be renumbered accordingly:
 - 7.1 With the exception of legislated committees, all advisory committee activity shall be paused in the year of a Municipal and School Board Election effective from September 1 – December 31.

3. **AND THAT** this by-law shall come into full force and effect on the day it is passed.

Enacted and Passed this XX day of month, 2021.

MAYOR

CLERK