

**CITY OF VAUGHAN
EFFECTIVE GOVERNANCE AND OVERSIGHT TASK FORCE
AGENDA**

Wednesday, September 23, 2020

5:00 p.m.

Electronic Meeting

Vaughan City Hall

Pages

This is an Electronic Meeting.

1. **CONFIRMATION OF AGENDA**
2. **DISCLOSURE OF INTEREST**
3. **COMMUNICATIONS**
4. **DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**
 1. DISCUSSION WITH MARIO G. RACCO, FORMER COUNCILLOR
Discussion with respect to the above.
 2. OUTSTANDING LIST DATED SEPTEMBER 23, 2020
The above noted is attached.
5. **ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**
6. **CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**
7. **NEW BUSINESS**
8. **ADJOURNMENT**

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EFFECTIVE GOVERNANCE & OVERSIGHT TASK FORCE OUTSTANDING LIST

September 23, 2020

Meeting / Date	Rpt(Item) / Title	Issue Outstanding/Question	Comments	Date Complete
June 24/20	Rpt 4(2) Outstanding List	<p>Councillor Shefman, Chair, requested that the Members submit questions that are essential to governance.</p> <p>The Internal Auditor advised that he would prepare a report with bench marking options.</p> <p>Fausto Natarelli requested that timelines be prepared.</p>		
June 18/20	Email from K. Kestides	“future item for “Governance of Internal Audit”. This was raised at CoW the other day in conjunction with Kevin Shapiro’s Internal Audit Policy and Charter item. Councillor Carella thought it would be good to have this as an item for EGOTF.”		
June 5/20	Letter to Previous Councillors, Senior Staff	Letter requesting contribution to the EGOTF.	<p>Sent June 18/20 Waiting for comments.</p> <p>Responses received from: Meffe, Racco, Somerville, Caron, Abrams</p> <p>Note: Sept 17/20 no further responses were received.</p>	Complete 08/20 Contributors will be scheduled to attend meetings and provide their comments.
June 5/20	Email from Councillor Carella	Please add to the long-term agenda for EGOTF “why should we have a separate audit committee?”		
May 19/20	RPT 3(1) PRESENTATION ON MUNICIPAL ACT	<p>Q - How does the City’s Lobbyist Registry compare to Toronto and other municipalities? Are we planning on reviewing it? (JR)</p> <p>Q - Should there be a periodical review of Statutory Committees? (FN)</p> <p>Q – Attachment 1 to this document – questions submitted by Fausto Natarelli</p>		

Meeting / Date	Rpt(Item) / Title	Issue Outstanding/Question	Comments	Date Complete
May 19/20	RPT 3(2) DISCUSSION ON GOVERNANCE AND ADMINISTRATION - REFLECTIONS FROM DR. LEBLANC'S PRESENTATION	Deferred to a future meeting.		

**Effective Governance and Oversight Task Force
City of Vaughan
May 19, 2020 Meeting**

Questions

Governance and Oversight (General)

- 1) When was the last time someone had a fundamental look at the function of council, committees and related supports? What were the findings of that effort? Were the recommendations implemented and if not why?
- 2) Is there an intent to review and comment on the governance structure say once every 5 years?
- 3) What's appointment process for City of Vaughan boards and committees?
- 4) What is the current state or character of the relationship between Council and the Administration and what efforts are made to ensure effective collaboration?
- 5) Are respective roles and responsibilities generally well known and understood? Is there a clear appreciation of the political-administration dichotomy?
- 6) What approaches are used to arrive at a determination of the *public interest*, to help guide the City's decisions and actions in particular circumstances? Are there general guiding principles used?
- 7) How does Council know that the discretion that is often conferred on administration officials is being reasonably exercised?
- 8) Is there a lessons-learned culture within the City? If so, what might be the proof-points?

Presentation: *Best Organizational Governance Practices* – Dr. LeBlanc

- 13) How would the City determine what is in the best interest "of the organization as a whole"?
- 14) What has been the City's experience with COI and how has it modified its practices in response to these developments?
- 15) What is the City's approach to the determination, establishment and maintenance of 'Duty of Care'?
- 16) What's the reaction to suggestions on pg 17?
- 17) How does the City currently try to achieve the considerations on pg 19?
- 18) What would the City's answers be to the questions on pg 25?
- 19) What's the City's approach to ensuring strategic focus and achievement of key outcomes (as per suggestions on pgs 28 & 29)?
- 20) How does the City contend with disrupters and disruption?
- 21) How does the City ensure that it is not saddled with old think and traditional high-cost administrative models and practices? What out 'nudging' or 'freak-economic' evidence to bring about desired constituent behaviours with few unintended consequences?
- 22) How does the City's performance monitoring process compare to the "Strategic Value Creation" cited on pg 32?
- 23) How does Council strive to leverage competencies or traits of its members to either lead or contribute to sub-committees?
- 24) What does the City's overall committee and decision-making structure look like and how does it compare to considerations on pg 51? What is the flow and character of supporting information?
- 25) How is City accounting for risk (both financial and non-financial)?

Presentation: *Municipal Act and Governance* – City of Vaughan

- 26) What processes and procedures does Council have for ensuring that the City's by-laws, policies, practices, and activities remain in compliance with applicable Governing Legislation?
- 27) How does the City ensure that its authorities granted as "natural persons" are not abused? Is there a process for example to review and react to pertinent case law developments and if so, what does that process look like?
- 28) How does Council delegate authority to administration staff and is there a periodic review to ensure that delegation is being exercised in the public interest?
- 29) Same for delegation to local boards, committees, municipal service boards, municipal services corporations etc?
- 30) How does Council keep track of the implementation of its direction? Is there a secretariat within the City Manager's Office that compiles reports and/or KPIs? As per Section 227 of the Municipal Act and pg 16 of the presentation?
- 31) What "other duties" are assigned to the CAO (City Manager) and how is that process managed? Are the duties on-going, or time-limited or both?
- 32) Are there specific arrangements and protocols in place that pertain to the authority of Statutory Officers? If so, what are they?
- 33) What is Council's relationship with its various Accountability Officers and is it responsive to their reports and findings? How so? Are the interactions post-facto only?
- 34) Does the City have a preferred or ideal Bylaw Development Process that clearly sets out expectations for quality, thoroughness, due diligence, comprehensiveness, adherence/compliance to various internal strategic objectives, mandatory policies, operational requirements?
- 35) How does Council know that it is effective and efficient in regards to its role as per page 13 of the presentation and Section 224 of the Municipal Act?
- 36) Are the "Other governing docs" cited on pg 17 available/accessible? If so how?
- 37) How does Council know that delegation of authority as indicated on pg 18 is unfolding as intended? What is the monitoring or feedback mechanism? Are policy/procedure/practice attestations used in the City?
- 38) Transparency is key to accountability. How does Council ensure it strives for maximum transparency? What principles or practices does it strive to follow? How would the City tell a compelling story that it is a leader in regards to the obligations/practices on page 21?
- 39) What has the City's performance been vis-à-vis the complaints submitted to the Provincial Ombudsman (pg 21)? Assuming they have jurisdiction since a Municipal Ombudsman has not been established in Vaughan?
- 40) What has the City's experience been with its Code of Conduct (pg 22)? They can be well-meaning but challenging to implement given the many situation specific considerations that may arise.
- 41) What might be the legal tests for the examples of Bad Faith cited on pg 31? Wouldn't unethical or unprofessional conduct also constitute Bad Faith? How does one prove "improper motive"?
- 42) How does the City know that it is achieving the desired outcomes of the Governance elements cited on pg 37?

Fausto Natarelli
Woodbridge, Vaughan