

Committee of the Whole (1) Report

DATE: Tuesday, November 22, 2022

WARD(S): ALL

TITLE: COUNCIL-APPOINTED ADVISORY COMMITTEES POLICY

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To seek Council's approval of the Council-appointed Advisory Committees Policy, which will replace the current "Guidelines and Procedures for Statutory and Non-Statutory Committees and Boards" that was established in 2005.

Report Highlights

- Staff conducted a comprehensive review of the existing "Guidelines and Procedures for Statutory and Non-Statutory Committees and Boards" that was approved by Council in 2005 and last revised in 2007.
- Staff is proposing an updated "Council-Appointed Advisory Committees Policy" to establish a standardized, transparent and efficient process for the advertising and recruitment; selection and appointment; and the administration of Statutory and Non-Statutory Committees for the new term of Council.
- A number of Diversity, Equity and Inclusion principles and best practices are also included in the new policy.

Recommendations

1. That the proposed Council-appointed Advisory Committees Policy be approved as set out in Attachment 1 of this report; and,
2. That Guidelines and Procedures for Statutory and Non-statutory Committees and Boards (Policy no. CL-005), be rescinded.

Background

The existing “Guidelines and Procedures for Statutory and Non-Statutory Committees and Boards” was approved by Council in 2005 and last revised in 2007. An updated policy is proposed for the new Term of Council to establish a standardized, transparent and efficient process for the advertising and recruitment; selection and appointment; and the administration of Statutory and Non-Statutory Committees.

Several updates were also incorporated to address action items from the City’s Diversity, Equity and Inclusion (DEI) Plan, such as the inclusion of DEI definitions, removing barriers to participation, DEI data collection and reporting, etc. to promote diversity and inclusion in Council-appointed Advisory Committees. A policy working group was established with staff representatives from Council Secretariat, Policy Analyst and the Diversity and Inclusion Office.

The proposed policy applies to all Council-appointed Statutory and Non-statutory Advisory Committees, Task forces, Ad-hoc and Sub-committees established under the procedure by-law 7-2011, as amended. The policy is generally not applicable to the Vaughan Public Library Board and quasi-judicial Boards, such as Committee of Adjustment and Property Standards Committee, which are governed by different provincial legislations. However, this policy may act as a guideline for areas not addressed in their respective by-laws and procedures.

Previous Reports/Authority

None.

Analysis and Options

Current Process

1. Advertising and Recruitment

When Council approves the Terms of Reference and directs staff to commence recruitment for an Advisory Committee, vacancies are typically posted on the City’s website, local newspaper, social media, digital signs and other corporate media channels. Eligibility requirements indicate that an applicant must be 18 years of age or older, a Canadian citizen that lives and/or owns property in Vaughan, and must not be employed by the municipality. Qualifications are not specified in all Terms of Reference or during recruitment.

2. Selection and Appointment

After the application deadline, Office of the City Clerk staff assemble all applications and provide an application package for consideration at a Committee of the Whole meeting through a staff report. Discussion of applications may be discussed in Closed Session. Appointments are made public after Council ratification and applicants are notified of their appointment after the Council Meeting.

3. Meeting Procedures

Quorum, which is the majority of Advisory Committee members, is required to hold a meeting as per the *Municipal Act*. Office of the City Clerk staff have expressed challenges in achieving quorum at times when one or more members have submitted their resignation. The vacancy may persist over a long period of time due to the recruitment and appointment process. To ensure business continuity, staff would submit a report to Council seeking authorization to temporarily lower the quorum requirement.

The current policy states that when a member is absent for three consecutive regularly scheduled meetings, the individual may be removed pending Council's decision. Members of Council and staff have expressed frustration over the lack of participation of some absentee members and there are no clear procedures in place to deal with absenteeism.

Proposed Process

1. Diversity, Equity and Inclusion (DEI)

The City depends upon citizen Boards, Advisory Committees, and Task Forces to advise the elected body and the administration. These groups play a crucial role of making recommendations on issues relating to policies impacting the welfare and quality of life in the community. A diverse committee brings together people with different experiences, skills, perspectives, and insights to consider and solve problems for better decision-making.

To promote greater diversity, equity and inclusion, a policy statement has been included to outline the City's commitment to removing barriers and to ensuring equity-deserving groups have equal opportunities to facilitate meaningful democratic input and participate in City building. DEI definitions are also included in the proposed policy to increase awareness.

2. Eligibility and Qualifications

To remove barriers to participation, staff is proposing to remove citizenship requirement. The proposed policy also provides clearer guidelines to establish specific qualifications for each Advisory Committee. In addition to members with technical expertise, applicants with “lived experiences” are encouraged to apply to help increase diversity and representation from equity-deserving communities.

3. Advertising and Recruitment

A list of advertising methods is included in the policy to establish a standard framework during recruitment. More information regarding recruitment timeline, approval process and appointment should also be made available to the public for greater transparency and communication.

4. Selection and Appointment

To assist with Council’s decision-making, staff is proposing a standard “pre-screening” process to be completed by the respective Staff Liaison(s) for each Advisory Committee prior to Council’s review. This process has been in place for some Advisory Committees, which has proved to be effective in facilitating Council deliberations. Council will still receive all applications, but staff would provide recommended candidates for consideration based on their evaluation. For greater efficiency, it is recommended that Council select a “Reserved List” of candidates for appointment when a vacancy arises during the term.

5. Meeting Procedures

The new policy provides the delegated authority to the Advisory Committees to temporarily lower quorum requirement to exclude members who have submitted resignation. It helps with business continuity when a vacancy arises. Technical or industry representatives are also permitted to appoint a delegate to attend meetings on their behalf that counts towards quorum.

A clear protocol to deal with absenteeism has been established. If a member is absent for two consecutive regularly scheduled meetings, the City Clerk or their designate shall contact and advise the member, in writing, that three absences may result in a forfeiture of their position on the Advisory Committee. If the member does not attend the next regularly scheduled meeting after written notification and no reasonable explanation is provided, the position will be deemed vacant by the City Clerk or their designate. The vacancy will then be filled in accordance with the policy.

6. Data Collection and Reporting

It is important to collect data and report on progress to measure the City's efforts in promoting DEI initiatives among publicly appointed boards and committees. A new voluntary confidential diversity questionnaire will be introduced as part of the application process. The City will report on DEI statistics collected in summary form only and identities of candidates will be kept confidential.

Financial Impact

There are no financial impacts associated with this report.

Broader Regional Impacts/Considerations

None.

Conclusion

The current "Guidelines and Procedures for Statutory and Non-Statutory Committees and Boards", last revised in 2007, does not reflect the current practices dealing with the City's Statutory and Non-Statutory Committees. Gaps in the existing policy have led to inconsistent processes and sometimes inefficiencies.

The proposed policy introduces a standardized, transparent and efficient process for the advertising and recruitment; selection and appointment; and the administration of Statutory and Non-Statutory Committees. It has incorporated feedback from Members of Council, staff and best practices from other municipalities. It also addresses action items from the City's DEI Plan, which are important in promoting diversity and inclusion in all Advisory Committees.

Upon approval of this report, recruitment and appointment of Advisory Committee members for the new term of Council will commence under a new policy framework.

For more information, please contact: Todd Coles, City Clerk, extension 8281.

Attachment

1. CL-00X – Proposed Council-Appointed Advisory Committees Policy

Prepared by

Isabel Leung, Deputy City Clerk & Manager, Administrative Services, extension 8190.

Approved by

A handwritten signature in black ink, appearing to read "Wendy Law".

Wendy Law
Deputy City Manager, Legal and
Administrative Services & City Solicitor

Reviewed by

A handwritten signature in black ink, appearing to read "Nick Spensieri".

Nick Spensieri, City Manager