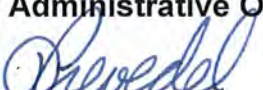


Procedure Title: Boards & Advisory Committees of Council		Policy Number ADM 040	
Reference <i>Municipal Act</i> Procedure By-law, as amended Resolution #165/10 Resolution #301/14 Resolution #53/19	Date Originated (m/d/y) November 10, 2008	Date Revised (m/d/y) December 13, 2010 October 2012 December 15, 2014 March 2019	Pages 15
Approval: Chief Administrative Officer 		Point of Contact City Clerk	

Policy Objective

The purpose of this policy is to identify a process for establishing Boards and Advisory Committees of Council, requirements for maintaining and supporting their work, and the coordination of the appointment and advertising process through the City Clerk. It excludes external bodies and local boards not established by Council and internal, working groups of an administrative nature.

This policy supplements the City of Pickering's Procedural By-law which applies to all Boards and Advisory Committees, including Staff Liaisons.

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01 Definitions

- 01.01 **Advisory Committee** - means a committee created by Council to provide input, advice and technical expertise on particular matters, act as a vehicle for public consultation on issues of municipal interest and make recommendations to Council.
- 01.02 **City** - means The Corporation of the City of Pickering.
- 01.03 **Council** - means the Council of The Corporation of the City of Pickering.
- 01.04 **Mandate** - means the statement that describes the Advisory Committee's purpose or responsibilities.
- 01.05 **Member** - means a citizen member appointed by Council to a Board or Committee or a stakeholder member.
- 01.06 **Quorum** - means the number of members required to be present at any meeting in order that business may be conducted.
- 01.07 **Staff Liaison** - means the staff member appointed to facilitate and provide guidance to the Advisory Committee or Board.
- 01.08 **Task Forces** - means a committee established to assist in the short-term study and analysis of a specific matter. Task Forces may include staff representation as well as representation from external bodies.
- 01.09 **Terms of Reference** - means the document that provides a general overview of the Advisory Committee or Board, the content of which is prescribed by this policy.

02 Implementation Procedure – Classification of Boards and Advisory Committees

- 02.01 Where the municipality makes appointments to bodies of its own creation and to outside bodies when requested to do so, such appointments shall be citizen appointments, except in those situations where the municipality has a direct financial involvement, in which case Council shall determine whether or not it will appoint citizen and/or Council Members to such bodies. Council, under

certain circumstances, may deem it necessary for Council representation on some Boards and Advisory Committees.

02.02 Boards and Advisory Committees may be either ongoing or a task force. Ongoing Boards and Committees provide recommendations, advice and information to Council on an ongoing basis on specific municipal matters that are set out in the Board/Committee's mandate and Terms of Reference. They include some of the following:

- a) **Advisory** - includes bodies authorized by Council to provide input on a discretionary basis and advice to Council on particular matters, or to undertake special projects as assigned.
- b) **Mandatory** - where a Provincial Statute prescribes the type of appointments to be made by the municipality to a given body.
- c) **Local Boards** - means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special *Act* with respect to any of the affairs or purposes, including school purposes, of a municipality.
- d) **External Bodies** - separate special purpose bodies that have a substantial amount of authority over their own operations.
- e) **Quasi-Judicial/Appeals Committee** - hears and deals with appeals and/or minor variances to City By-laws.

02.03 Task Forces assist in the short-term study and analysis of a specific municipal issue, as defined in the Terms of Reference and established by a confirming by-law. Task Forces may include staff representation as well as representation from external bodies.

03 Establishment of Boards and Advisory Committees

03.01 Boards and Advisory Committees are proposed by resolution of Council and established by a confirming by-law. Each resolution shall incorporate the Terms of Reference for the specific Board/Advisory Committee. Prior to Council's establishment of any Board or Advisory Committee, relevant director(s) shall submit a report to Council including the following information:

- a) inventory of previous and existing activities related to the matter, including public consultation initiatives;
- b) suggested types of public consultation;
- c) Board/Advisory Committee Terms of Reference;

- d) membership composition and level of expertise or specialization required by Committee members for the selection process; and
- e) orientation, training and facilitation needs.

04 Relationship between Advisory Committees and Council

- 04.01 Advisory Committees are proposed by resolution of Council and the Committees purpose is to assist Council by providing recommendations on specialized issues, on a policy and/or operational level, as set out in mandate and specific, Council approved work plans. Advisory Committee members are appointed by Council, and serve at the pleasure of Council for a specified term, where statutory authority does not state otherwise.
- 04.02 The nature of Advisory Committee recommendations to Council are purely advisory, and Council may approve, amend, refer or propose other resolutions, as Council deems appropriate. Advisory Committees shall not reconsider, recommend or advise on a matter that has been decided by Council, unless directed by Council. Advisory Committee members(s) shall rely exclusively on the appointed Staff Liaison to communicate and dispense with recommendations and actions taken by Advisory Committees, and shall not intervene in the administrative practices of the City of Pickering.
- 04.03 Advisory Committees shall prepare an annual report to Council reviewing their goals, objectives and successes in relation to their work plan, and should include a delegation to Council. The substance of the report shall be prepared by the Advisory Committee members, with administrative assistance and policy advice given by City staff.

05 Ongoing Review of Boards and Advisory Committees

- 05.01 Early in each new Council term, Council shall review all Boards and Advisory Committees. The City Clerk in collaboration with the Staff Liaisons shall review all Boards/Advisory Committees, including, but not limited to the following:
 - a) a list of Boards/Advisory Committees by name and type;
 - b) summary of mandates, goals and objectives for each Board/Advisory Committee;
 - c) achievements and challenges for each Board/Advisory Committee;
 - d) recommendations on the future direction of each Board/Advisory Committee and its structure in general; and
 - e) reviews and recommendations on the reporting and functional relationships of Boards/Advisory Committees in general.

- 05.02 If a Board or Advisory Committee is to be disbanded, a final report on the Board/Advisory Committee activities and reasons for disbanding shall be presented to Council for approval.

06 Terms of Reference

- 06.01 The Terms of Reference will be established in accordance with the template included as Appendix I to this policy.
- 06.02 Terms of Reference, once established, must be approved by Council and amendments to those terms can only be made with Council approval.
- 06.03 The Terms of Reference of each Advisory Committee shall be reviewed on an ongoing basis by Staff Liaisons to ensure that each Committee and its Terms of Reference remain relevant and appropriate.

07 Appointment Process and Advertising for Board/Advisory Committee Members

- 07.01 Where a Provincial Statute prescribes the type of appointments to be made by the City to a given Board or Advisory Committee, the Statute shall be complied with. Where the City makes appointments to Boards/Advisory Committees of its own creation and to outside bodies when requested to do so, such appointments shall be citizen appointments, except in circumstances where the City has a direct financial involvement, in which instance Council shall determine whether or not it will appoint citizens and/or Council Members to such bodies.
- 07.02 Vacancies for citizen appointments shall be publicly advertised in the local newspaper, on the City of Pickering website and in any other manner that the City deems appropriate to reach the broadest sector of our community.
- 07.03 Applicants shall be a property owner or resident of Pickering and a minimum of 18 years of age unless otherwise determined by committee membership requirements. City of Pickering employees are not eligible.
- 07.04 Generally, the duration of Board/Advisory Committee appointments are the same as the term of Council, however staff may recommend that the terms for specific Board/Advisory Committee appointments be staggered to ensure experience and consistency in following the Board/Advisory Committee's goals and mandate. While appointees may serve on more than one Board/Advisory Committee, Council shall give first consideration to individuals who are not already appointed to another Board/Advisory Committee. The term of a member of a Board or Advisory Committee of Council shall continue in accordance with the Board/Committee Terms of Reference or until a successor is appointed.
- 07.05 The following process, coordinated by the City Clerk and Legislative Services, will generally be followed in initiating recruitment, selection and appointment:

- a) upon Council passing a resolution to establish a Board/Advisory Committee, or when a vacancy occurs, the City Clerk, in consultation with the relevant department and Staff Liaison assigned to the Advisory Committee, will advertise Committee vacancies in the local newspaper, the City website and in any other manner that the City deems appropriate to reach the broadest sector of the community. The advertisement will indicate the number of vacancies on the Committee, duration of the term, level of commitment, application process and the website URL where details can be obtained for each Board Committee;
- b) applicants shall be required to complete and submit to the City Clerk an application form, available from the Clerk's Office and the City website;
- c) all applications shall be reviewed by the Staff Liaison for each Board/Committee and a recommendation shall be provided to the City Clerk for inclusion in a Council agenda. The staff recommendation provided to Council will be accompanied with all applications received for that Board/Committee;
- d) when preparing the recommendation to Council, the Staff Liaison shall give equal consideration to new applicants as well as those who have previously served on a Board/Committee;
- e) notwithstanding item d), recommendations shall be based on the relevant experience and expertise of an individual in relation to the mandate of the Board/Committee and there shall be no restrictions on the number of terms an individual may serve if they meet the needs of the Board/ Committee; and
- f) the Clerk's Office, on behalf of Council, shall send out confirmation letters to new Board/Advisory Committee appointees and advise of their Staff Liaison for that Committee and any other relevant contacts. Letters will also be provided to those individuals who were not appointed encouraging them to re-apply at such time a vacancy occurs.

08 Resignation/Dismissal Process

- 08.01 Board/Advisory Committee members wishing to resign their appointment shall submit a letter of resignation to the City Clerk as soon as possible. Upon acceptance of the resignation, the City Clerk in consultation with the Staff Liaison assigned to the Committee will initiate the aforementioned appointment process to fill the vacancy.
- 08.02 Council, at its discretion, can dismiss any Board/Advisory Committee in its entirety or any member thereof at any time.

09 Absentee Requirements

- 09.01 If any Board/Advisory Committee member is absent from three consecutive meetings, or absent from over 50 percent of the meetings in one year without justification, the Staff Liaison will contact the member to ask whether or not they wish to remain on the Committee or resign.
- 09.02 If contact cannot be made with an absent Committee Member and 5 months of continuous absenteeism has been noted, the Committee Member's seat automatically becomes vacant and the process for filling a vacancy will begin.

10 Orientation Sessions

- 10.01 Orientation sessions shall be conducted at the beginning of each term by the Staff Liaison in coordination with Legislative Services Division. The orientation will identify goals, objectives and work plans for the Committee. Further sessions may be conducted for appointees during the Council term, as required. Orientation materials will be distributed to all members of the Committee for reference purposes. Each Board/Advisory Committee package shall include the following information:
- a) Board/Advisory Committee Terms of Reference;
 - b) Mandatory statutes (e.g. *Accessibility for Ontarians with Disabilities Act*);
 - c) City of Pickering Procedural By-Law;
 - d) City Organizational Structure;
 - e) Relevant City Policies and Procedures affecting Board/Advisory Committee members including the City's Code of Conduct; and
 - f) Staff Liaison support and contact information.
- 10.02 As per the *Accessibility for Ontarians with Disabilities Act, 2005*, all City employees, volunteers and/or agents as well as any other individual who might be reasonably expected to interact with the public on behalf of the City will receive Accessible Customer Service Training. The Staff Liaison assigned to the Committee will arrange training for new Board/Advisory Committee members who have not had Accessible Customer Service Training.

11 Meeting Structure, Agenda and Minute Formats

- 11.01 Regular meetings will be held monthly, but variations may be determined by the Committee and Staff Liaison assigned to the Committee. A meeting schedule, setting out the time and place for meetings will be established by staff. Meeting venues will be accessible, and sufficient to accommodate Committee members, staff and members of the public.

- 11.02 Meeting structure, agenda and minute formats should meet the needs of individual Boards/Advisory Committees, while ensuring consistency, completeness and accountability. Boards and Committees shall follow the City's Procedure By-law; however, a Board/Committee may choose to follow a more informal procedure and allow for a consensus approach to discussion. It is recommended that the following components be included in agendas, where specific subject items are described in each component:
- a) date, time, location of meeting;
 - b) members present (list names and titles, ie. J. Doe, Chair);
 - c) members absent/regrets;
 - d) disclosure of interest;
 - e) approval of previous minutes;
 - f) presentations/delegations;
 - g) general business and reports;
 - h) correspondence;
 - i) other business;
 - j) next meeting; and
 - k) adjournment.
- 11.03 City Staff and Committee Members should structure meeting agendas to make every effort to adhere to a two hour time limit for all Advisory meetings.
- 11.04 Minutes of meetings must be recorded and are scribed without note or comment. Minutes should briefly outline the substance of each of the agenda items discussed during the meeting, including actions taken and recommendations by motion. Motions shall not be required to be seconded. Minutes should have a collective, not a personal focus. What individuals said is less significant than the precise wording or proposals and the decisions made by the majority of the Committee or by general agreement. No member has the inherent right to have his or her comments on record. Minutes are primarily a record of what was done at a meeting, and not a record of what was said by members. Minutes are not taken verbatim and they do not serve as a transcript of the meeting.
- 11.05 Minutes shall be forwarded as soon as possible following the meeting to the City Clerk in order to present them to Council as information on a timely basis. Staff will be required to prepare a report for any recommendation of a Board/Advisory Committee requiring action by Council.

12 Access to Meetings

- 12.01 Except as provided in this section, all meetings shall be open to the public and the media and Board/Advisory Committee minutes shall be available upon request and shall be posted on the City's website. Special guests, volunteers, organizational representatives and City staff do not constitute committee members, and are unable to vote. The Staff Liaison who is facilitating the meeting may expel any person for improper conduct at a meeting.
- 12.02 Board/Advisory Committee meetings should not be closed to the public. If a Board/Advisory Committee feels that discussion of an item on the agenda needs to be closed to the public, the City Clerk must be advised in advance, and the agenda for the meeting in which a closed item will be discussed shall include the provisions of the *Municipal Act* that allow for such item to be considered in closed session. A meeting can only be closed to the public if the subject matter being considered is:
- a) the security of the property of the municipality or local board;
 - b) personnel matters about an identifiable individual, including municipal employees or local board members;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege; including communications necessary for that purpose;
 - g) a matter in respect of which a council, board committee or other body may hold a closed meeting under another *Act*;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;

- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board; or
 - l) for the purpose of educating or training the members, subject to the condition that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the local board or committee.
- 12.03 Before holding a meeting or part of a meeting that is to be closed to the public, the Board/Advisory Committee shall state by resolution:
- a) the fact of the holding of the closed meeting;
 - b) the general nature of the matter to be considered at the closed meeting; and
 - c) in the case of a meeting for educational or training purposes, that it is closed for that purpose as well.
- 12.04 All deliberations while in closed session shall remain confidential unless otherwise approved by Committee in open session.
- 12.05 Any motion made regarding an item within a closed session shall be made in open session.
- 12.06 A statement must be placed in the public minutes providing the general nature of the closed meeting.

13 Provision for Accessibility and Diversity

- 13.01 Adequate provisions shall be made by relevant staff to ensure that meeting locations, agenda and minute formats, communications and conduct of meetings be accessible, to ensure maximum participation and quality customer service. Reference may be made to the provisions of the *Accessibility for Ontarians with Disabilities Act*, and similar legislation, policies and guidelines. Membership that reflects the diversity of the City community will be encouraged in the recruitment, selection and appointment process.

14 Pecuniary Interest

- 14.01 Committee members are deemed not to have pecuniary conflict of interest in that they have no decision-making ability. However, members should be cognizant of any perceived conflict in terms of issues, which may serve to benefit them personally. Members shall not use their status on Committees for personal or political gain.
- 14.02 If a Committee member feels they have a perceived conflict of interest in any matter and is, or will be, present at a meeting at any time at which the matter is the subject of consideration, the member shall:

- a) before any consideration of the matter, at the meeting verbally disclose the interest and its general nature;
- b) not, at any time, take part in the discussion of, or vote on, any question in respect to the matter; and
- c) complete a Disclosure of Interest under the Municipal Conflict of Interest Act Form in accordance with the City's Procedure By-law and the Disclosure shall be provided to the Staff Liaison or recording secretary and forwarded to the City Clerk.

15 City Policies and Procedures

15.01 Board and Advisory Committee members shall adhere to the policies and procedures of the City of Pickering.

16 General Rules Governing Board and Advisory Committees

16.01 Duties of Members of Council:

- a) Members of Council may attend any or all Advisory Committee meetings;
- b) at Advisory Committee meetings, Members of Council can respond to Committee members' questions, interpret Council's direction and give input or support to the Committee; and,
- c) Members of Council who are not appointed as members to a board or committee are not included as part of the quorum, and have no voting rights.

16.02 Duties of Committee Members:

Committee Members are required to:

- a) understand the mandate of the Committee, including its relationship to Council;
- b) understand their role and responsibilities, including relevant City policies;
- c) strive to attend all scheduled and special advisory committee meetings;
- d) prepare for meetings by reading agendas and any background information supplied;
- e) actively participate in the discussion and decision-making process;
- f) undertake any work assigned, including special projects and research, in between meetings;
- g) be open minded and allow for a variety of opinions to be heard;

- h) respect the individual worth and dignity of other Advisory Committee members, and maintain a high degree of professionalism;
- i) respect that actions taken and recommendations shall reflect the majority view of the advisory committee; and
- j) respect the finality of Council decisions.

16.03 Duties of City staff:

- a) the Staff Liaison for each Committee will facilitate meetings unless a Chair or Vice Chair is required by a statute or Terms of Reference;
- b) City staff assume two principle functions: a secretarial role and a policy advice role. These roles may be undertaken by one or more staff;
- c) City staff will take minutes at meetings; and
- d) Legislative Services will coordinate agendas, minutes and correspondence as needed for those Boards/Committees in which they provide secretariat support. Staff Liaisons will be responsible for this function for any committees not supported by Legislative Services.

16.04 Duties of the Staff Liaison

The Staff Liaison is required to:

- a) facilitate the meeting by identifying the order of proceedings and speakers; interpret and determine questions of procedure; ensure active participation by all Advisory Committee members; maintain decorum and ensure fairness and accountability;
- b) be open-minded and encourage a variety of opinions to be heard;
- c) respect the individual worth and dignity of Advisory Committee members, and maintain a high degree of professionalism;
- d) review agendas and minutes provided by staff; and lead the preparation of annual reports/presentations to Council;
- e) review the goals and objectives of the Advisory Committee and ensure that its work plan is realistic and up to date;
- f) seek clarification and answers for Advisory Committee members through Council or City staff;
- g) the Staff Liaison has no authority to make decisions, and can only assist with the conduct of a meeting in a fair and efficient manner so that the will of the majority prevails after all members have had a fair chance to present their points of view;

- h) the Staff Liaison has no voting rights, is present to assist the Committee in administrative processes and is independent of the Advisory Committee; and
- i) the Advisory Committee may choose to relax procedures and allow for a consensus approach to discussion, keeping in mind that questions of procedure shall be determined by the Staff Liaison, subject to the City's procedural by-law. The Clerk may provide guidance on the interpretation and application of procedures. Good faith misinterpretation of procedures shall not affect the validity of any meeting.

16.05 Quorum

- a) a majority of the Members of any Committee shall be required to officially constitute a meeting. A majority shall be considered one half of the number of members plus one additional member;
- b) City staff, Members of Council who have not been appointed to the Committee, special guests, volunteers and organization representatives have no voting privileges and will not be included in the quorum;
- c) if no quorum is present 30 minutes after the time scheduled for a meeting, the Recording Secretary shall call the roll and record the names of the members present, and the meeting shall stand adjourned until the next meeting date;
- d) if the Staff Liaison is absent from the meeting and another City staff member is not present but, quorum has been met, then a Committee Member can be appointed to facilitate the meeting; and
- e) should a vacancy occur on a Board or Committee, quorum shall be based on the number of current sitting members and not the full membership until such time the vacancy is filled.

16.06 Reporting to Council

- a) Citizen Advisory Committees shall prepare an annual work plan submission, which shall include a report on the previous year's accomplishments to Council, and a work plan for the current year;
- b) this process shall be led by the Staff Liaison of the Committee and may include a delegation to Council; and
- c) every Citizen Advisory Committee matter which needs to be referred to Council shall be done in writing through the Staff Liaison. The Staff Liaison assigned to the Committee will submit a memo to Council as Correspondence stating the Committee's recommendations. The Council Correspondence direction will be for Council to "Receive as Information" or to "Refer to a Director" for investigation and if appropriate, a report back to the appropriate Standing Committee. No order or authority to do

any business shall be recognized as emanating from a Committee, unless it is in writing and approved through a resolution of Council.

16.07 Advisory Committee Events

- a) Advisory Committees must seek Council approval to hold an event and each request to Council must include the complete details of the event (e.g. budget, number of staff required, name of event, date, and purpose of event);
- b) events must relate to specific activities approved in the Advisory Committee's Terms of Reference and mandate. The event must be listed in the annual work plan for that year; and
- c) where an event has been requested and approved by Council, all Committee Members must attend and contribute to assisting at the event.

16.08 Media Relations and Communications

- a) Committee members shall not meet with the media unless such meeting is approved by the City's Chief Administrative Officer. Committee media relations must be supported by the City's Corporate Communications Section; and
- b) the actions and recommendations of Advisory Committees are subject to the policies and administrative practices of the City, including provisions pertaining to the use of the corporate logo(s), letterhead, website, information pamphlets, media advertisements and the like. Advisory Committees shall seek approval from Council for any change in Advisory Committee name or development of any substantive communication medium (e.g. website).

16.09 Subcommittees/Working Groups may be established by a Committee, as required, to carry out specific projects included in the annual work plan submission. Such subcommittees/working groups shall be disbanded upon completion of their specific project(s). A subcommittee must include at least two members of the Advisory Committee, and additional membership may be drawn from relevant stakeholders or the general public with the appropriate interest and expertise.

Please refer to all associated Procedures and Standard Operating Procedures, if applicable, for detailed processes regarding this Policy.

Appendices

Appendix 1 Terms of Reference – Sample Format

Terms of Reference

Name of Committee

Terms of Reference shall be approved by Council and amendments can only be made with Council approval. Terms of Reference for an Advisory Committee need only address information not already provided for in this Policy.

- 1.0 Mandate – A description of the general purpose and activities of the Advisory Committee, including areas of responsibility, taking into account any statutory requirements. Advisory Committee mandates shall not be altered by the Advisory Committee.
- 2.0 Goals, Objectives and Responsibilities – A listing of the goals, objectives and responsibilities of the Advisory Committee, to be addressed in annual work plans with reference to specific strategies and actions.
- 3.0 Composition – Specify the maximum number of members of the Advisory Committee and describe the nature of membership (citizens and/or organization, numbers in each category), membership terms.
- 4.0 Member Qualifications – Outline recommended qualifications of potential members given the mandate of the Advisory Committee.
- 5.0 Meeting Schedule – Indicate how often the Advisory Committee shall meet, e.g. monthly, every other month, criteria for calling a special meeting, summer recess.
- 6.0 Budget – requests must relate to the Advisory Committee's mandate, be included in the annual work plan submission and be supported by project descriptions.