

# STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



<b>Report to:</b>	Mayor and Council Members	<b>Priority:</b>	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
<b>Submitted by:</b>	Brent Larmer, Municipal Clerk/ Director of Legislative Services Legislative Services Division <a href="mailto:blarmer@cobourg.ca">blarmer@cobourg.ca</a>	<b>Meeting Type:</b>	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
<b>Meeting Date:</b>	April 24, 2023		
<b>Report No.:</b>	Legislative Services-098-23		
<a href="#">Submit comments to Council</a>			

**Subject/Title:** Town of Cobourg Governance Review Recommendations

## RECOMMENDATION:

THAT Council receive this staff report for information purposes; and

THAT Council support the following Governance Structure in principle and that the following recommendations be sent for public engagement for initial presentation and feedback with the following proposals:

- a) Standing Committee System as proposed and presented by Staff and outlined in this report which would break down the current Committee of the Whole System into four (4) Standing Committees and a Regular Council Meeting happening each month with each Standing Committee having a specific mandate based on the previous coordinator meeting system which includes the combination of participation of all Council Members and three (3) Council Members on the proposed Standing Committees types.
- b) Council maintains the mandated and Statutory Advisory Committees being, the Accessibility Advisory Committee and the Heritage Advisory Committee, and consider the creation of Task Forces and Ad Hoc Committees that shall be enacted based on the Council Strategic Plan with a specific mandate to achieve Council goals and initiatives during the Council Term with an end term and expiry no longer than 12 to 18 months, or at the end of their purpose;
- c) Creation of a Governance Review Working Group consisting of the Clerk, Deputy Clerk, Chief Administrative Officer, Mayor, Deputy Mayor and one (1) member of Council be struck to draft and prepare all necessary by-law and policy provisions, with consolidated public feedback to be presented to Council at a Governance Review Public Meeting on June 19<sup>th</sup> 2023 for full review of proposed structure.

At the time of writing this report, Municipal Council has not yet completed the

## **1. STRATEGIC PLAN**

Council Strategic Plan. The Town of Cobourg Strategic Plan will identify a shared vision, mission, values, and strategic areas of focus to guide the work of Council and Administration for the next four (4) years and beyond. The Strategic Plan identifies the strategic direction that will drive financial and business decisions of the municipality. Most importantly, it is a statement of commitment to the community, and a reflection of the priorities of residents of the Town of Cobourg. The Governance Review and the Town's Strategic Plan should complement each other, the Strategic Plan will provide a clear understanding of the strategic direction the Town will proceed in this term and in future terms, and the Governance Review will critically review the governance environment that will effectively deliver the strategic vision and areas of focus in the municipality between, Council, the Administration, and the Community. Once a governance structure is in place its principles should be adaptable and work within any elected term of Council to be easily interpreted and understood by the Mayor, Deputy Mayor and Councillors and the public to aid in good governance principles and sound decision making.

## **2. PUBLIC ENGAGEMENT**

As part of the Governance Review, it is important to engage the public early in the process to provide an understanding of what the goals of the review are to include and what an anticipated result may be following the review discussion and its effect on the community and its residents. The purpose of the engagement is to seek feedback from residents on their experiences in dealing with the Town of Cobourg decision-making process and provide suggestions where improvements could and should be made.

Residents will be able to provide their views through an online survey, an idea generation and commenting tool, participating in public open houses or making written submissions.

Pending the approval of Council on the direction of the governance review, a public notice, will be posted in the local newspaper and municipal website to invite residents and the community to engage in the discussion on how their local government conducts its decision making process and how they can be involved within the review from start to finish.

As municipalities are the level of government that is the closest to residents, the governance structure for a municipality, should be designed to enable formal direct community input into decision-making through measures such as resident participatory committees, public delegations to Council, innovative public engagement methods, as well as the submission of formal correspondence or petitions, thus public engagement on the process will be important to provide Council with a collective approach to how governance is framed in the Town of Cobourg.

As part of the governance review, the public engagement process should be conducted in a multi-step and phased process.

1. The first step in engaging the public shall be an open discussion and survey to residents on the current governance structure and what is being proposed for consideration in principle and try to enable participation/feedback forum not only from residents who consistently contribute and participate in local governance, but also engage those that participate rarely (once/twice a year), and those that haven't participated at all. Municipal decision making can seem to be complicated and difficult to navigate when residents are only observing Council Meetings on occasion. The Town should look at ways to help engage prior to or leading up to the final decision in a meaningful way. Staff have created a set of survey questions that will help to attain resident input regarding what is working well and where improvements could be made, particularly on transparency, accountability and how residents can participate in Town decision making. The sample survey questions have been attached to this report as Appendix "A" for comment and review by Council.
2. Secondly, Staff will collect the public feedback provided through the public engagement platform as well as Council Member feedback and present the results and comments to the public and Council at an organized Public Meeting on June 19<sup>th</sup> 2023. At the public meeting, Staff will provide a report to Council on the proposed Standing Committee Governance Model approved in principle accompanied with the various new documents and amendments provided through the Governance Review Working Group for initial comment and review.
3. Lastly, staff will provide a final report to present the final various documents to implement the Town's new Governance Structure for final approval and along with a draft schedule meetings and timing related to the introduction of the new Governance Model to the public and staff.

### 3. PURPOSE

In 2021, Council received an Organizational Review conducted by KPMG which was designed to provide a comprehensive review on the Town's corporate structure, service delivery and staff resourcing. Council received the final report from KPMG on October 25<sup>th</sup>, 2021, which had several recommendations that were approved by Council for implementation through a Staff report from the Chief Administrative Officer.

One of those recommendations contained within the report was that the Town may want to reevaluate the current use of the Council Coordinator role for governance in favor of a standing committee structure. KPMG noted in the report they discovered through the discovery phase of the review, that the current Council Coordinator roles, while providing the coordinator with a detailed understanding of the municipal services within their portfolio, has been cited by some members of the former Council and staff as increasing the level of work required with respect to staff-council interactions, as well as contributing towards potential morale issues for Town staff. KPMG noted that the use of a Council Coordinator structure does not appear to reflect best/common practice for Ontario municipalities, which they

understand in general involves the appointment of Council members to standing committees in their research, reviews and workings with other municipalities.

As part of the recommendation in 2021, KPMG recognized that the council at the time was nearing the end of their Council Term and if the Town wished to undertake an analysis of its governance structure and the relative merits of the coordinator and committee structures, KPMG suggested that the review be deferred until the term of the new Council following the 2022 Municipal Elections.

The purpose of this report is to provide Council with an analysis of the Governance System as a deliverable from the Town of Cobourg Organization review, and also to provide Council with a framework to enhance the Town's governance structure through a comprehensive review of its existing practices, procedures and legislative authority. The review will also provide commentary on the existing advisory committees and their Council reporting structure and ways that the Legislative Services Division believes that Council can improve efficiencies.

#### 4. ORIGIN AND LEGISLATION

The governance structure of an organization are the rules, procedures, policies and practices put in place to guide the organization in decision making, achieving its goals and holding it to account. The governance system in which the municipality utilizes to make decisions can be determined by the Council itself and is guided by the requirements of the *Municipal Act, 2001, as amended*.

In accordance with Section 238(2) of the *Municipal Act, 2001*, every Ontario municipality and local board are required to adopt a procedural by-law to govern the calling, location, and proceedings of meetings. A well-constructed Procedural By-law facilitates the business of the Town Council and its Committees and Boards.

The Town of Cobourg Council Procedural By-law was last revised and approved at the Regular Council on February 4<sup>th</sup>, 2019, through By-law No. 009-2019. Subsequent amendments to the Procedural By-law have been made on an ad-hoc basis in response to legislative changes due to the COVID-19 pandemic, primarily to facilitate the transition to electronic Council meetings and an amendment addressed how recorded votes are conducted in Council meetings.

The goal of the governance review and any proposed amendments is to update the current Procedure by-law and other governance related policies and by-laws in order to streamline processes and improve the efficiency of the business of Town Council and its Committees and Boards.

#### 5. BACKGROUND

The Town of Cobourg is a lower-tier municipality within the Province of Ontario that receives its powers under the *Municipal Act, 2001*. The Town of Cobourg being a lower-tier municipality in a two-tier system has an upper-tier level of government being the County of Northumberland, which has its own responsibilities under the *Municipal Act, 2001* that are different from those of a lower-tier, in which the County supports six (6) other municipalities within the County limits.

While the process and factors influencing governance in a municipal environment differ from those in a corporate environment, the need for sound governing practices remains critical to provide residents with confidence that the Town's priorities reflect their needs and that the provision of services and facilities are effectively overseen by their elected officials. The municipal structure brings unique challenges that must be balanced, such as being required to make decisions that benefit the Town as a whole; to balance efficiency with the need to protect political freedom so that constituent issues can be represented; as well as the requirement for public access, including transparency of information, discussion, and decision-making.

The governance review that has been directed by this Council to complete is guided by the following principles, that any proposed change made must ensure that:

- The governance structure and related processes remain transparent and accountable to the community at large.
- Changes contribute to an efficient and effective decision-making process; and
- The governance structure and related processes are focused and aligned with identified municipal priorities and strategic directions that are not just made in their term but are relevant for Councils in the future.

### **Legislative Overview:**

The Town of Cobourg's authority is determined through enabling legislation, which primarily is the *Municipal Act, 2001*. A key set of amendments to the *Municipal Act, 2001*, occurred through Bill 130, the *Municipal Statute Law Amendment Act, 2006*. Bill 130 received Royal Assent on December 20, 2006, and many of its changes came into effect by January 2022. The overall intent of those changes in Bill 130 was to provide municipalities with flexibility and autonomy to respond to local matters and fulfill responsibilities in their jurisdiction. To this end, the Bill provided municipalities with greater powers and autonomy that were balanced with increased accountability and transparency measures.

Since 2009, further legislative changes were approved by the Provincial Government during a formal review in 2017 of the *Municipal Act, 2001*. The government is required by legislation to review the *Municipal Act, 2001* every five (5) years. These changes included a wide variety of enhancements that further advanced the transparency and accountability of municipalities, through making Council Codes of Conducts with specific provisions for Councils mandatory, including a Staff and Council Relations Policy. In addition, this amendment included the introduction of electronic meeting participation, and expanding the definition of a meeting and other exemptions under the open meeting exemptions with the intention to make it clearer as to what constitutes a meeting of Council.

Further, legislative changes approved by the Ontario Legislature during the 2018-2022 Term of Council have also shaped the municipal governance structure in Ontario are the following; Bill 3, *the Strong Mayors, Building Homes Act, 2022*, which received Royal Assent on September 8, 2022; Bill 109, *the More Homes for Everyone Act, 2022*, which received Royal Assent on April 14, 2022; and Bill 108, *the More Homes More Choice Act, 2019*. Although these Acts, do not provide any current changes to the Town of Cobourg governance process and authority, Staff felt it important to provide this information to Council as these changes could come into effect at any point in time, but Staff are not anticipating this to occur anytime in the future, but it should be noted that the changes sometimes occur quicker than Council can respond.

Bill 3 and its related Regulations came into force on November 23, 2022 and provide the Mayors of the City of Ottawa and the City of Toronto with additional powers beyond those previously set out and that are currently in place for other Ontario municipalities.

These powers include:

- Appointing and dismissing the Chief Administrative Officer/City Manager (CAO) as well as various senior managers;
- Appointing Chairs/Vice-chairs for “prescribed committees, or committees within a prescribed class of committees,” and establishing or dissolving such prescribed committees;
- Bringing matters forward for Council consideration if the Mayor “is of the opinion that considering a particular matter could potentially advance a prescribed provincial priority”.
- Vetoing certain by-laws approved by Council, if the Mayor “is of the opinion that all or part of the by-law could potentially interfere with a prescribed provincial authority; and
- Proposing and preparing the municipal budget.

In addition to the above noted changes the government introduced *Bill 23, the More Homes Built Faster Act, 2022*, which received Royal Assent on November 28, 2022, in which the Director of Planning and Development provided a Staff Report to Council on its effect to the Town, and *Bill 39, the Better Municipal Governance Act, 2022*, which received Royal Assent on December 8, 2022, which included the following changes to the *Municipal Act, 2001*:

- Authorizes the Minister of Municipal Affairs and Housing to appoint, by order, for the term of office beginning in 2022, the head of council of The Regional Municipality of Niagara, The Regional Municipality of Peel and The Regional Municipality of York. A new section 218.4 requires the Minister to give notice of such order and a new section 218.5 authorizes the Minister

to make regulations relating to the appointment of a head of council under section 218.3.

- A new section 284.11.1 of the Act provides that if a head of council of a designated municipality is of the opinion that a by-law could potentially advance a prescribed provincial priority, the head of council may propose the by-law and require the council to consider and vote on the proposed by-law at a meeting. The by-law is passed if more than one third of the members of council vote in favour of the by-law.

Although these recent legislative changes do not directly impact the governance system of the Town of Cobourg, staff found it important to note these recent changes within the Ontario governments involvement in directly addressing and being involved within local government governance structures, and the Town of Cobourg just like any other of the 444 local municipalities, is an extension or body of the provincial government and changes introduced through provincial statute could occur at any time. Staff will continue to monitor and provide any updates on any additional changes in statutes that may affect governance within the Town of Cobourg.

### **Powers and Duties of Council:**

As noted previously, the Town of Cobourg receives its powers under the *Municipal Act, 2001* and describes the roles and responsibilities of Council as a whole and the mayor's position (Head of Council). Below are those legislative provisions taken from the relevant sections of the *Municipal Act, 2001* that describes the role of Council, Head of Council, Head of Council as CEO, and the Administration:

### **Role of Council**

**224** *It is the role of council,*

- a) to represent the public and to consider the well-being and interests of the municipality.*
- b) to develop and evaluate the policies and programs of the municipality;*
- c) to determine which services the municipality provides;*
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;*
- e) 1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;*
- f) to maintain the financial integrity of the municipality; and*
- g) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224; 2006, c. 32, Sched. A, s. 99.*

### **The Head of Council**

**225** *It is the role of the head of council,*

- a) to act as chief executive officer of the municipality;*

- b) *to preside over council meetings so that its business can be carried out efficiently and effectively;*
- c) *to provide leadership to the council;*  
  - (c.1) *without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);*
- d) *to represent the municipality at official functions; and*
- e) *to carry out the duties of the head of council under this or any other Act. 2001, c. 25, s. 225; 2006, c. 32, Sched. A, s. 10*

### **Head of Council as Chief Executive Officer**

**226.1** *As chief executive officer of a municipality, the head of council shall,*

- a) *uphold and promote the purposes of the municipality;*
- b) *promote public involvement in the municipality's activities;*
- c) *act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and*
- d) *participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents. 2006, c. 32, Sched. A, s. 101.*

### **Municipal administration**

**227** *It is the role of the officers and employees of the municipality,*

- a) *to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;*
- b) *to undertake research and provide advice to council on the policies and programs of the municipality; and*
- c) *to carry out other duties required under this or any Act and other duties assigned by the municipality. 2001, c. 25, s. 227.*

The above noted references to the *Municipal Act, 2001*, help to define the specific roles within a municipality's governance structure and forms the basis of how the Town should operate through and Executive Policy Branch (Council) and an Administrative Branch (Staff) operating within the structure of lower-tier government.

### **Current Structural Reporting Relationships**

Municipal staff are responsible for delivering the services and programs that are the responsibility of the administration. Staff play an important role in advising Town Council on the recommended courses of action to support Council's oversight and policy-making responsibilities.

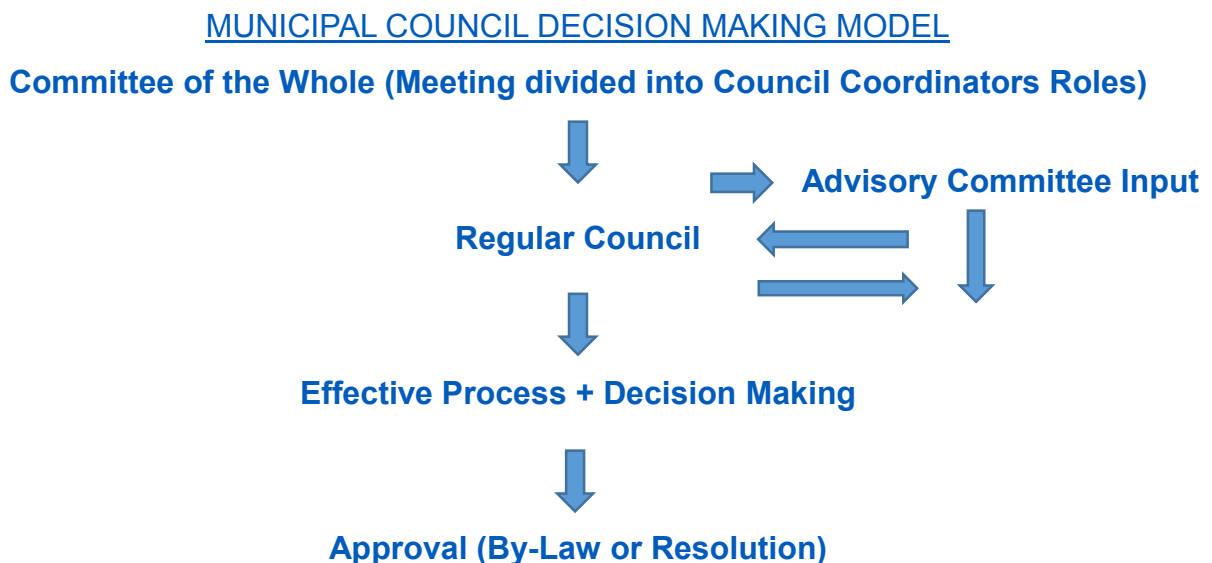
The process, procedures, and oversight mechanisms employed by the Town and staff to carry out the Town's responsibilities is referred to as its "governance model". The intent of this report is to provide Council with an overview and



assessment of the governance model as it applies to Council's deliberative and decision-making processes.

Presently, formal municipal business is currently carried out at its meetings of Regular Council. This municipal business process is supported by a formal system referred to as a "Committee of the Whole System (CofW)" where staff provide written reports, with recommendations, approved the Director and Chief Administrative Officer and are placed on an agenda which creates items for Council consideration and discussion. Council also considers motions from Committees of Council (Advisory Committees) which are recommendations placed on the agenda as agenda items. All agenda items for discussion are placed on the Committee of the Whole Meeting agenda for the first time. At this meeting, a motion is passed (which lays out the action to be taken on the matter). The next meeting is a Regular Council Meeting and is where the decisions of Council are formalized by Resolutions or By-laws.

Below is a depiction of the current Governance Model:



Current Committee of the Whole Meeting highlights:

- Mayor, Deputy Mayor and five (5) Councillors attend each meeting.
- Informal meeting of Council (similar to a Standing Committee)
- Each Member of Council is given a Coordinator Role at the start of the Council term and acts as a topic specialist within the portfolio and is responsible for chairing that portion of the agenda. (Includes calling the vote and presiding over the discussion)
- Committee of the Whole Meeting Agendas are published ten (10) days in advance of the meeting.
- Committee of the Whole Meeting includes Committee of the Whole Open Forum Period at the end of each meeting.

Current Regular Council Meeting highlights:

- Mayor, Deputy Mayor and five (5) Councillors attend each meeting.

- Mayor acts as the Presiding Officer/Chair of each meeting.
- Formal Meeting of Council that ratifies and confirms recommendations that are forwarded from the Committee of the Whole for final consideration.
- By-laws are presented and approved at this meeting.
- Correspondence appears at this meeting.
- Notice of Motions are presented.
- Council Coordinator Announcements occur.
- Confirmatory By-law at the end of each meeting.

### Coordinator Role's

Pursuant to the current governance model, each Member of Council is assigned as a Council Service Coordinator at the start of the term to report to Council on matters pertaining to their respective area of municipal service. These Service Coordinator roles are determined through the Striking Committee which consists of the Mayor and Deputy Mayor who provide a recommendation at the Inaugural Meeting to which Council Member will support which Coordinator Role for the council term. The purpose of the coordinator's role and meeting group is to consider policy matters, action items, and recommendations regarding major areas of the municipality and to work directly with staff to support upcoming files to Council. The areas include;

- General Government Services,
- Public Works Services,
- Protection Services,
- Planning and Development Services,
- Parks and Recreation Services, and
- Arts, Culture, and Tourism Services.

Under the current model, the Council Service Coordinator's meeting(s) are scheduled once a month and are not open to the public, which has raised public, and previous Council Member concerns surrounding the transparency and openness of the information. It also has been noted that the coordinator meeting system has been viewed as a siloed approach to governance and allowing too much direct participation from members of Council in the administration and operations of the municipality. It has been recorded by KPMG that there has been a lost focus on the higher-level policy decision making by the Council collectively as a whole. As noted in this report and the basis of local-level government is that the authority of Council to make decisions is built on a collective decision-making body and the provided authority on this collective responsibility is delivered through statute in which all members contribute as a whole in decision making, whether they were in support or in opposition of a decision, all while happening in a open session for public observation and participation.

### Committee(s) of Council

Advisory Committee's provide advice to Cobourg Municipal Council on matters relating to events, requests, submissions, and plans for their respective committee's mandate. Advisory Committees are made up of resident members

from the community, appointed by Council, as well as Council members derived from their respective Coordinator Roles.

There are currently seven (7) Advisory Committees which include;

- Accessibility Advisory Committee;
- Civic Awards Advisory Committee;
- Cobourg Heritage Advisory Committee;
- Equity, Diversity, and Inclusion Advisory Committee;
- Parks and Recreation Advisory Committee;
- Planning and Development Advisory Committee;
- Sustainability and Climate Emergency Advisory Committee and Transportation Advisory Committee; and
- any Ad Hoc Committee(s) which are established by Council with a defined ending, to report to Council on a specific matter.

There are also several quasi-judicial committees within the Town of Cobourg which are legislated by the province and members of Council are not members and they include;

- Committee of Adjustment,
- Joint Municipal Election Compliance Audit Committee, and the
- Property Standards Committee.

### Meeting Frequency

Generally, Coordinator Services Meetings and Advisory Committees meet once per month, and can meet more frequently if/as required. Committee of the Whole meetings take place once every three (3) weeks, with Regular Council meetings taking place the following week of Committee of the Whole. The Council can call Special Council meetings or Emergency Council meetings as/if required to deal with urgent and/or specific matters. All these processes and procedures are set out through the Council approved Procedure By-law.

Below is an example of a previous Monthly Meeting Schedule in 2021 with the current governance structure with the coordinator meetings included:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 1. Public Works Coordinator Mtg 2. Regular Council Mtg	5	6 1. General Government Coordinator Mtg	7	8	9
10	11	12	13	14 1. Planning and Development Coordinator Mtg	15	16
17	18	19 1. Committee of the Whole 2. Protection Services Coordinator Mtg	20	21 1. Parks and Recreation Coordinator Mtg	22	23
24 1. Regular Council Mtg	25	26	27	28 1. Arts Culture and Tourism Coordinator Mtg.	29	30

*\*Example month of Meetings in Coordinator/Committee of the Whole System*

## Review of Governance Model – Findings and Discussion

The Legislative Services Division has conducted a preliminary review of the best practices research on municipal meeting management, governance structures and reporting structures, which included the review of other Procedural By-laws of comparator municipalities within Ontario.

A review of various committee structures and governance models were researched in preparation of this report and the recommendations are derived from current best practices among Ontario municipalities while keeping in mind the composition, uniqueness and tradition of Cobourg Council.

The next section of this report will provide an in-depth review of governance models, as well as a discussion on a model that Municipal Council could consider implementing and for further discussion and public engagement. In addition, the report includes a governance model option to be provided for input from Members of Council, and its residents for comment and feedback. Finally, if there is general direction from the Council on a model of governance for consideration, Staff will work on the preparation of the various documents, by-laws, and policies to put in place the Governance system of choice.

## 6. ANALYSIS

Municipal governments today are facing demands for increased and enhanced services, expectations of accountability, transparency, and value for taxpayer investment, increasing costs and sometimes decreasing resources. Local governments across Ontario are critically reviewing their programs, services and

their supporting systems and structures from governance and leadership to front line service delivery. Local governments are seeing a demand for more open, accessible and less formal approach to decision making, thus a reconsideration on how municipal governments get to their final decisions needs to be modernized to today's expectations, but also understanding the autonomy needed of elected officials who were elected to make decisions by also balancing the process to ensure it effectively and efficiently delivers sound governance within a community in which resident and ratepayers can be satisfied with.

These types of reviews have also taken place within the Town of Cobourg through various studies conducted in 2021 and 2022, being the Service Delivery and the Organizational Review. One of the last remaining reviews to be conducted is a result of the outcome of a recommendation of the Organizational Review in 2021, which is this current review and report on how the Town of Cobourg's Governance structure operates at the Municipal Council level with a opportunity to review, reevaluate and updated if necessary.

Municipal governance, like all governance, has a critical role in the leadership, stewardship and oversight of the organization. It also sets the tone for organizational behavior and is integral to creating a culture that will deliver sustainable performance. Openness and accountability matter at every level.

Good governance means a focus on how openness and accountability take place throughout the organization and those that act on its behalf. Effective governance requires more than individual dedication and commitment to responsible and responsive decision-making. It requires a system and structure that provides clarity, informed, efficient and democratic decision-making, and promotes accountability and performance in the organization.

While there is no single model of governance, good governance principles and processes help to guide those charged with governance. They include the following: Accountability, Transparency, Efficiency, Effectiveness, Inclusivity, Impartiality and Continuous Learning.

The Governance Review as noted earlier in the report is guided by the principles that any change must ensure that:

- the governance structure and related processes remain transparent and accountable to the community at large;
- they contribute to an efficient and effective decision-making process; and
- the governance structure and processes are focused and aligned with identified Town priorities.

To support a more effective governance model, municipalities have the authority to review and restructure their council and committee model to align with best practices. Comparator and local municipalities were reviewed as part of this report to gain an insight into what other comparable municipalities are governing their municipality.

The most recent Council Governance Review that the Town of Cobourg conducted occurred in May of 2015 when the Council at the time received a report from the CAO regarding 'Municipal Government Structures'. The decision of the review was to maintain the Committee of the Whole - Coordinator System with some updates on the rotation of chairs at the Committee of the Whole meetings based on their coordinator roles. This is the current governance system that the municipal council uses currently when conducting business and reaching decisions.

### Governance Types Overview:

As noted earlier in this report, the organization of the Town's governance model is at the discretion of the Council to determine and establish on how they wish to conduct their official governmental business adhering to the requirement of the *Municipal Act, 2001*, which are minimal and non-descriptive.

Part 6 of the *Municipal Act, 2001*, sets out the basic mandatory requirements of a municipality's organization and administration. Section 238 (2) outlines the requirement of the procedural Procedure by-laws respecting meetings, which states that '*Every municipality and local board shall pass a procedure **by-law for governing the calling, place and proceedings of meetings.***' The highlighted and bold section of the provision of the Act, provides the authority with the ability to approve and organize their form of governance and how decisions are made.

Most Ontario municipalities utilize a "Committee of the Whole" system or a 'Standing Committee' System in their governance model. Both versions will look, operate and function uniquely to that municipality, which keeps in line with the intent of the legislation, but adhering to the requirement of having a Procedural By-law in place as required by the Act.

In a Committee of the Whole System, no specific council committees are struck so that all members sit as a committee to discuss agenda items collectively at a single meeting. In this system, the entire Council, working as a committee, hears a report from staff, considers options, asks questions and makes recommendations to the next Formal Regular Council meeting, which the final decision will be made.

In a Standing Committee structure, it serves to gain efficiencies for Councillors as they work collaboratively to successfully manage and share the workload. A key advantage of the Standing Committee is the practical benefit of sharing the total Council workload across a smaller group of Councillors appointed by the whole of Council to serve in the role of Committee Members. Further, Standing Committees of Council provide an opportunity for a smaller group of Councillors to engage with staff and the public in in-depth discussion and analysis of policy issues and options in the Committees area of responsibility. It is implicit to this model of governance that those appointed Committee Members will be diligent in fulfilling their roles.

### Snapshot - Comparator Municipalities

The comparator municipalities taken into consideration were the same comparator municipalities that were used in both the Service Delivery Review and the most recent Organizational Review conducted by KPMG. These municipalities are Brighton, Huntsville, Owen Sound, Port Hope, Strathroy-Caradoc, Tecumseth,

Tillsonburg, Kenora, Midland, Wasaga Beach, Collingwood, and Town of Essex. Northumberland County was also reviewed for this report as the County updated their governance structure in January 2021.

***Brighton (Population: 11,844)***

Council is made up of a Mayor, Deputy Mayor, and five (5) councillors. Municipal business is carried out at its meeting of Council through Committee of the Whole and Regular Council Meeting System. Council also considers recommendations from Advisory Committees. Currently, there are twelve (12) Committees of Council, seven (7) of which are Advisory Committees, and five (5) are either a Statutory Committee and/or Board Committees.

***Huntsville (Population: 19,816)***

Council is made up of a Mayor and eight (8) councillors. Municipal business is carried out at its meeting of Council through General Committee and Regular Council. Council also considers recommendations from Advisory Committees. Currently, there are eight (8) Committees of Council, seven (7) of which are Advisory Committees, and one (1) is a Statutory Committee.

***Port Hope (Population 16,753)***

Council is made up of a mayor and six (6) councillors elected by a ward system, divided by the rural area, with two (2) council representatives, and the urban area, with four (4) council representatives. A councillor is appointed to the position of Deputy Mayor. Municipal business is carried out through Committee of the Whole and Regular Council meetings, which take place on the same evening. There are twelve (12) Committees of Council, eight (8) of which are Advisory Committees, and four (4) is a Statutory Board/Committee.

***Strathroy-Caradoc (Population: 20,867) \*Standing Committee System***

The Mayor and the Deputy Mayor are elected at large, plus seven (7) Councillors; four (4) are elected from Ward 1 (Strathroy) and three (3) are elected from Ward 2 (Caradoc). Municipal business is carried out at Regular Council meetings. There are nine (9) Committees of Council, four (4) of which are Advisory Committees, and five (5) is a Statutory Committee and/or Boards.

***Tecumseh (Population: 23,229)***

Tecumseh Town Council has a Mayor, Deputy Mayor, and five (5) ward Councillors. Municipal business is carried out at Regular Council meetings. There are thirteen (13) Committees of Council, two (2) of which are Advisory Committees, and eleven (11) is a Statutory Committee and/or Board. The Town's Procedural By-law includes a provision to establish a Committee as necessary, which could include a standing, special and community Committee.

***Tillsonburg (Population: 18,615)***

Council is made up of a Mayor, Deputy Mayor, and five (5) councillors. There are twelve (12) active advisory committees that Council has established. There are two (2) active Boards that operate within the Town. Municipal business is carried out at Regular Council meetings.

***Kenora (Population: 15,096)***

The City of Kenora is governed by a mayor and six (6) councillors. There are six (6) advisory committees and five (5) active Boards that operate within the City. Municipal business is carried out at Committee of the Whole and Regular Council meetings.

***Wasaga Beach (Population: 20,675)***

The Town of Wasaga Beach is governed by a Mayor, Deputy Mayor, and five (5) Councillors. Municipal business is carried out at Committee of the Whole meetings followed by Regular Council meetings held the following week where decisions are ratified. There are seven (7) advisory committees and three (3) Statutory Committee/Boards.

***Midland (Population: 16,864) \*Standing Committee System***

The Town of Midland is governed by a Mayor, a Deputy Mayor, and seven (7) councillors elected by a ward system. Municipal business is carried out at Regular Council meetings and there is one Standing Committee which is the Humana Resources Committee. Midland has one standing committee for Human Resources matters, fourteen (14) Advisory Committees, and four (4) Statutory Committee and/or Board.

***Owen Sound (Population: 21,341) \*Standing Committee System***

Council is made up of a mayor, deputy mayor, and seven (7) councillors, all elected at large. Municipal business is carried out using the Standing Committee and Regular Council meetings Governance System. There are eight (8) Committees of Council, (7) of which are Advisory Committees, and one (1) is a Statutory Committee.

***Collingwood (Population: 21,793) \*Standing Committee System***

Council is made up of Mayor, Deputy Mayor, and five (5) council members. The Town of Collingwood has three (3) Standing Committees, five (5) advisory Committees, two (2) Task Forces, and three (3) Statutory Boards. Municipal Business is held at Standing Committee's where staff reports are placed on the agenda for discussion. Recommendations from Standing Committees are presented at the Regular Council meeting in the form of a report. This report and all recommendations therein are considered in a single motion to Council.

***Town of Essex (Population: 20,427) \*Standing Committee System***

Essex Town Council is made up of the Mayor, Deputy Mayor, and six (6) councillors. Essex Town Council has two (2) Standing Committees, three (3) advisory committees, and nine (9) Statutory Committees/Boards. Municipal business is carried out at Standing Committee meetings and Regular Council meetings.

**Current System - Committee of the Whole/General Committee System**

Committee of the Whole meetings are intended to be a less formal meeting with all of Council to discuss matters and become fully informed. Committee of the Whole (CofW) must comply with the Municipal Act, 2001, requirements, including accountability and transparency practices. Staff, together with advisory/ad hoc



committees, etc. present reports to CofW for consideration and debate. CofW cannot approve reports for action. They can refer reports to staff for further information or recommend the report be referred to Council for final consideration and ratification/approval.

The common CofW structure includes alternating regular Council and CofW meetings every other week, with or without additional committees/boards. The strength of this model is that all members of Council have the ability to debate at the CofW and matters can be more thoroughly reviewed prior to Council consideration.

CofW is a less formal, discussion-oriented meeting. It facilitates the decision-making process of Council. The Committee is comprised of all members of Council who fully participate in debate and forward recommendations to Council for final decision. The CofW is an important forum for policy debate and public input on issues within Council's area of responsibility.

### **Benefits/Opportunities**

- All members of Council can participate in the informal discussion of all staff reports and matters before the Committee.
- CofW is not restricted by mandates of the standing committee terms of reference and reports can be more evenly distributed between meetings.
- The number of meetings is lower with this system and all members are able to participate in the less formal CofW discussion.
- Opportunity for the public and community stakeholders to have direct involvement in the details of matters being considered.
- Delegations are able to present to all members of Council in the CofW format, ensuring that all members have the benefit of listening to the full presentation and asking questions and clarification of the presenters.
- All members of Council become more familiar with all aspects of municipal business which is important when making decisions that impact the entire community.
- The CofW structure provides opportunity for other members of Council to learn and have the opportunity to chair meetings, which provides for a great professional development and growth opportunity. Chairs are determined through Coordinator roles.

### **Challenges/Weakness**

- Members of the public that would be more interested in a specific standing committee mandate is required to follow all CofW agendas to understand when matters that interest them are being addressed.
- Members of the public on occasion must wait long into the meeting (1 to 2 hours) to hear their specific interest in a meeting agenda due to the combined length of CofW agendas that are arranged by topic.
- Members don't have a specialty or focus area of municipal business and are required to be familiar with all aspects of the agenda.

- With the full Council participating in CofW, meetings are longer as there are all members present to debate matters. The Chair must be more cognizant about limiting discussion when appropriate.
- Perception that when a matter is approved by CofW it will be automatically approved by Council. The public needs to understand the workings of the governance structure and understand that approval at the CofW does not necessarily mean it will be approved by Council. Following debate and discussion at the CofW, the public will still be provided with one (1) week in between meetings should they wish to contact their Council representatives or register to speak as a deputation at the Council meeting, prior to Council finally considering a matter that was before the CofW.
- the continued regular meeting coordination and management.
- the tendency of Council to re-debate matters at Council meetings to replicate the debate that took place at the CofW meeting;

This traditional CofW system does not provide the opportunity for Council members to specialize in areas, as they are required to become familiar with the details of the very broad mandate of Council's decision-making responsibilities. One of the defining characteristics of the Town of Cobourg Governance Model is the Coordinator system which allows a Council member to be responsible for a specific area and work with Staff in that area to be champions of those matters when they come before Council.

Having the recommendations of the CofW meeting come forward at the following Council meeting, one (1) week later, provides time for the public to submit any additional comments on a matter and for staff to make any adjustments to their reports should additional information be requested prior to council's final decision on the matter. One week may be too short of a time, thus the option to push a Regular Council meeting for two (2) weeks may be an option to consider for better engagement for the public, if Council were to keep the CofW structure.

### **Standing Committee System**

Municipal Councils have a broad range of responsibilities and workload. For this reason, Councils often have a number of standing committees consisting exclusively of members of Council, which cover the broad mandate of municipal governance.

These committees carry out much of the work for Council and then report back to Council with recommendations. Examples of Council committees include: planning, parks and recreation, public works, finance, administration, personnel, etc.

A very significant advantage of the standing committee system is that it divides up the very broad range of Council responsibility into specialized areas of interest.

Council members with particular interest in an area can become proficient, thereby developing and providing a valuable resource to assist Council in its decision-making. Under a standing committee system, every item that appears on a Council agenda would have already appeared on a standing committee agenda for discussion and review and then recommended for Council consideration.

The composition of a Standing Committee can vary according to organizational and Council needs. Typically, for a council size of seven to eight (9 -11) members, Standing Committees can be composed of three (3) or five (5) Members of Council. It is also suitable to allow Standing Committees to be composed of **all** Members of Council, if required. Membership to the Standing Committee can be reviewed when Council deems fit to allow for movement between the various Standing Committee(s), and to provide council members the opportunity to increase knowledge and experience to aid their understanding of municipal operations.

A standing committee structure has been known to streamline processes and ensure that recommendations are considered in their proper forum under processes that preserve the openness, transparency, and accountability of decision-making. Each standing committee should establish a clear mandate and would be associated with one or more Municipal departments which would see the committee as the primary forum for their respective reports.

### **Benefits/Opportunities**

- Each standing committee can champion the recommended initiatives / services / programs when the matter is before full Council for consideration.
- It divides up the very broad range of Council responsibility into specialized areas of interest. Council members with particular interest in an area can become proficient, thereby developing and providing a valuable resource to assist Council in its decision-making.
- Not all Division Directors are required to be on all standing committees causing greater staff efficiency.
- Eliminates current non-public coordinator meetings and more discussion on items of significance in the public forum.

### **Challenges/Weakness**

- There are occasions when committee access to all Division Directors is important regardless of the standing committee reporting structure. Equally, that Division Directors stay informed on the decision-making considerations of all committees that may impact their departments or drafting of future policy recommendations.
- More committee meetings to manage, and less flexibility for scheduling. If a report is not finalized by the agenda time, then the matter is on hold until next month.

### **Options of a Standing Governance Structure for Cobourg**

The current Council Coordinator portfolios include General Government, Planning and Development, Public Works, Parks and Recreation, Protection Services, Arts, Culture & Tourism, and Economic Development (EcDev was removed in 2019 as a coordinator role as there was no Economic Development Department). As previously noted, it is recommended that if Council would like to update the governance system to a Standing Committee Model the council portfolio structure would be ceased and an open meeting standing committee structure would be implemented and reorganized to better reflect the operations and divisions of the municipality.

**Option Discussion: Divisional Standing Committee(s)**

To align with best practices of other municipalities and enter into more modern approach to governance from the Town’s current structure but still keeping in-line with a focus area of a coordinator system, Staff would recommend that Cobourg’s Town Council legislative function be arranged to include Standing Committees that are affiliated with municipal divisions and overall municipal priorities and policy decisions and with a membership consisting of four (4) Standing Committees with three (3) members of Council forming their membership with the Mayor being one of those three (3) member on each committee. The Chair and Vice-Chair would be chosen from the membership and the Mayor would not be eligible to Chair Standing Committees.

Each Standing Committee would have specific Terms of Reference defining their mandate. Mandates will also focus on the functional responsibilities of Council. The proposed municipal department alignment, mandate, and standing committee is set out below.

It is important to note that the revised governance structure will be made in accordance with the *Municipal Act’s* emphasis on accountability, transparency, and open government. A standing committee governance structure will allow members to:

- ensure accountability and transparency of the Town’s operations,
- direct strategy and policy,
- determine program and service priorities and evaluate their effectiveness,
- receive input from the public and community stakeholders,
- make recommendations to Council,
- refer Council matters to relevant committee(s).
- reduce the Council meeting length.

Committee	Principle Reporting Department(s)	Number of Members
<p><b>Strategic Priorities and Policy Committee</b></p>	<p>CAO and all other Divisions and Department when necessary. Items:</p> <ul style="list-style-type: none"> <li>• Strategic Planning (Implementation, Tracking, Annual Review)</li> <li>• Governance Review (Mid-way Point)</li> <li>• Organization Reviews</li> <li>• Asset Management</li> <li>• Studies (DC, Fees and Charges, other)</li> <li>• Corporate Policy</li> <li>• Budget Process</li> <li>• Holdco, Northam</li> <li>• Financial Audits,</li> <li>• Property Matters – Sales, Acquisitions,</li> <li>• Accountability Matters</li> <li>• Council appointments</li> </ul>	<p><b>All Members of Council on the Standing Committee</b></p> <p><b>Meeting Chair – Deputy Mayor</b></p>

<b>Corporate, Finance and Legislative Committee</b>	<ul style="list-style-type: none"> <li>• Clerks, Customer Service, AEDI</li> <li>• Finance, Information Technology, Procurement,</li> <li>• Human Resources/ Personnel, Communications</li> </ul>	<b>Three (3) Members</b>  <b>Mayor Councillor/ Deputy Mayor Councillor/ Deputy Mayor</b>
<b>Public Works, Planning &amp; Development,</b>	<ul style="list-style-type: none"> <li>• Engineering, Roads, Capital Projects, GIS, Environmental Services</li> <li>• Planning &amp; Development, Building Department,</li> </ul>	<b>Three (3) Members</b>  <b>Mayor Councillor /Deputy Mayor Councillor/ Deputy Mayor</b>
<b>Community Services, Protection, and Economic Development</b>	<ul style="list-style-type: none"> <li>• Parks Recreation and Facilities, Culture and Tourism, Waterfront and Marina</li> <li>• Economic Development, Venture 13</li> <li>• Fire Department</li> <li>• Municipal Law Enforcement</li> </ul>	<b>Three (3) Members</b>  <b>Mayor Councillor/ Deputy Mayor Councillor/ Deputy Mayor</b>

### Flow of Information in a Standing Committee System:



## **Council Decision-Making Process**

Under the recommended governance structure, as it relates to a Standing Committee model, would have the following provisions within to name a few specifics:

- Standing Committees would consist of three (3) members of the Council including the Mayor on each Committee. If Mayor cannot attend, the Deputy Mayor would be the alternate. For the Standing Committees with a membership of three (3) Quorum would be two (2) members.
- The Chair and Vice-Chair of each Standing Committee would be determined by Members and would rotate annually.
- Council Members would be given the choice mid-way through the Council Term to change Standing Committees during the review.
- Other Members of Council could attend other Standing Committees which they are not members to ask questions and hear information to prepare for Regular Council Meetings.
- All staff reports would be submitted to their respective Standing Committee for deliberation. Members would vote to recommend that Council approve the suggested course of action, or they could make alternate proposals through amendments.
- Standing Committee decisions and recommendations from Advisory Committees and Task Forces will be reported to the respective Standing Committee with a recommendation and then if endorsed sent on to Council. If more information is needed, Council may receive more information on a recommendation from Staff to be brought back to the Committee, or prior to being brought back before the Regular Council Meeting.
- Delegations would be first heard at the Standing Committees, with an opportunity to show up at the time of meeting to delegate on an Agenda item. If more information is needed and more details, a delegate could be referred to Regular Council to redelegate based on the direction Council took at the standing Committee.
- Correspondence would be separated and organized between Standing Committees and actions, or recommendations discussed if necessary and then forwarded on for action to Regular Council if not just received for information purposes.
- At a Regular Council meeting, a vote would be taken to approve the recommendation of the standing committee, or of staff, and then embody the decision in a Resolution or By-law.
- To accommodate exceptional circumstances where matters are added to a Regular Council agenda by Staff, procedures for exceptions would be

provided to allow this to happen with a clear process of an emergency or a time sensitive matter.

- It is *optional* to propose that any and/or all staff reports that did not receive a unanimous vote at the Standing Committee be added to the Regular Council agenda as a report for further deliberation and voted on. If a vote was unanimous, the Clerk would make this part of a consent agenda with like reports to be voted on in one single resolution at Council.
- The Regular Council Meeting Agenda would have consent agendas with Standing Committee recommendations that would be passed in a single resolution. If there is more information needed or a vote was not unanimous, these items would be placed on the Regular Agenda for a separate vote.

The above noted bullets are highlights as to what the Standing Committee Meetings and governance may look like as items that would need to be considered and worked into all of the amendments and updates to the By-laws and Policies.

**Other Considerations:**

- Standing Committee Meeting Times
- Days of the week that the Standing Committee Meetings and Regular Council Meetings would take place.

Below is an example of two (2) months with Standing and Regular Council Meeting dates. The structure could be to conduct one (1) meeting a day, or two (2) meetings a day. Council could also consider doing a combination, in order to allow two (2) weeks between the Standing Committees and Regular Council.

## September 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 Strategic Priorities and Policy Committee	5 Corporate, Finance and Legislative Committee	6 Community Services, Protection, and Economic Development	7 Public Works, Planning & Development,	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26 Regular Council Meeting	27	28	29	30

#1 OPTION WITHOUT MEETING TIMES  
 ONLY DAYS OF THE WEEK  
 STANDING COMMITTEES

# October 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 Strategic Priorities and Policy Committee	4 Corporate, Finance and Legislative Committee	5	6	7
8	9	10 Community Services, Protection, and Economic Development	11 Public Works, Planning & Development	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31 Regular Council Meeting				

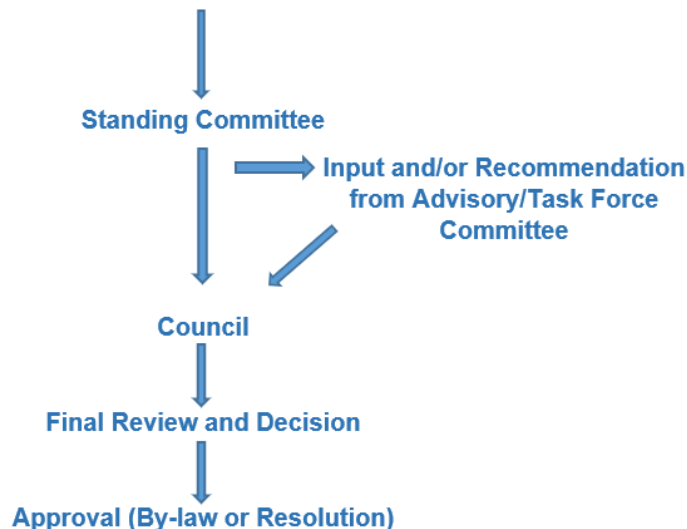
#2 OPTION WITHOUT MEETING TIMES  
 ONLY DAYS OF THE WEEK  
 STANDING COMMITTEES

## Streamline Meeting Process

Further to the Standing Committee structure, a modification to the current agenda composition is recommended for Regular Council and/or Standing Committee meetings, with the addition of a General Consent Agenda item as noted above and currently used as a trail within the current governance structure. The purpose of a General Consent Agenda would be to receive for information routine items pertaining to Council business that *do not* require further discussion or are not of a wider community interest. Under the General Consent Agenda, all Members of Council must deem appropriate to approve or deal with together, without discussion, or by individual Motions, because the matter is deemed routine and/or non-contentious.

## Proposed Decision-Making process:

Staff Reports/Council Notices/Advisory/Task Force Recommendations





## **Discussion – Advisory Committees Ad Hoc Committees and Task Forces and Public Participation:**

### Council Committees:

The roles and responsibilities of the Council's Committees are documented in the Town of Cobourg Terms of Reference By-law. The duties of each Council Committee should be clearly identified and require specific terms of reference for each Committee. Their relationship to the Council should be fully explained and understood by all parties. Council should retain the role of policy-approver and place considerable reliance on the assigned Council Committee to bring forward policy recommendations that consider input from the Administration and other stakeholders.

Standing Committees should be charged with the role and responsibility of policy development, review and interpretation. The benefits of dealing with a matter at the committee level are the in-depth discussion allowed by the more flexible procedural rules and the opportunity to hear from all stakeholders.

### Advisory and Ad Hoc Committees

Advisory and Ad Hoc Committees of Council have traditionally been created by municipal councils to provide feedback/advice on specific projects, events or issues. Committee members are appointed by Council and can provide valuable expertise and perspectives that add richness and authenticity to initiatives and projects, etc. Committees can also facilitate communication between community members and can serve as a liaison between municipal staff, local partners and community members. Additionally, Advisory and Ad Hoc Committees can provide an important mechanism for engagement and information exchange. The mandate, purpose and objectives of Committees are usually captured in a Terms of Reference document and the approved minutes of meetings are usually included on current Regular Council Meeting agendas for information purposes.

Advisory and Ad Hoc Committees generally require significant municipal resources to support. For instance, in Cobourg, these committees typically have a Committee Secretary to record minutes and assist with meeting procedure, and Staff Liaison(s), whose role it is to serve as a conduit between the Town and the committee, and provide support and direction. Many of the Town's traditional Advisory Committees were created before electronic and social media tools were in general use and were the primary way for councils to receive advice directly from citizens about specific issues. Over the past several years however, there have been significant improvements in municipal government approaches to resident engagement. This has increased the ability of residents to interact directly with their elected representatives and municipal staff in less formal ways and without participation on Committees. An example of these changes is through the engage Cobourg website being a new online web tool [www.engagecobourg.ca](http://www.engagecobourg.ca) to facilitate and increase public engagement on Municipal projects, programs and initiatives. This changing public consultation landscape in local government has coincided with an emerging trend of reducing the number of Committees in Ontario municipalities.

Significant municipal resources are required to support Committees with the Towns Governance structure. In fact, with the 2019 amendments to the Municipal

Act (via Bill 68) Cobourg Advisory Committees now constitute “local boards” under the Act. The implications of this designation are numerous and far-reaching. For instance, this would require them to abide by many of the same rules as Council (e.g. adherence to open meeting requirements, implementation of codes of conduct, retaining an Integrity Commissioner, maintaining a conflict of interest registry, etc.). These require the expertise of Staff and the Clerk’s Office to support all Committees in following policy and procedure.

Currently, divisional/department staff provide the resourcing for these Committees, and the clerk’s office provides training and supports for staff, but do not have the capacity to provide secretary services to all committees and correspond with members and attend meetings regularly. The result of the Clerks Office not being able to attend each Committee meeting and assist in the meeting processes, provide for a lack of consistency and expertise to support members. Additionally divisional/department staff are left to assume the Clerk’s department role and also keeping up with department administrative and customer service duties in their respective divisions.

To ensure the Town is better able to provide adequate support to each Committee and to offer a meaningful volunteer experience for those Committees with citizen members, staff suggest that the Town reduce its current number of Committees and that Council revamp the Committee structure to align better with Council’s Strategic Plan and to provide the value input and Council recommendations that will support Council in the term and beyond. Staff also recommend new Committees be reclassified as “Task Forces” with a 12 to 18 month term of appointment and utilizing a more modern meeting procedure approach that is less formal and intimidating for some members to navigate. This recommended change will allow these appointed bodies to function with greater flexibility and less formality and will alleviate the issues some committees have experienced achieving quorum for meetings and provide for a new crop of engaged volunteers.

For example, in the previous term of Council, a Zero Emissions Ad Hoc Committee was struck and delivered Council with a detailed report on electrification of the Town’s fleet and outlining the benefits of this undertaking to the community within a final report and recommendation. The Committee had a specific mandate and a short-term existence for a four (4) month working term, the members met based on membership availability and in a more informal working type meeting. This committee was made up of experts in the field of fleet electrification and professionals in the climate mitigation workforce who were able to provide Council with a detailed document to be used as an starting point for the Electrification of the Town’s fleet if Council were to provide direction on this policy change. Staff could use this document as a starting point for such an initiative that was developed and delivered at no cost by engaged and professional individuals living within our community.

The public is interested in greater accountability from government and more transparency in decision making. At the same time, local governments are looking for opportunities to gather greater public input. Not surprisingly, this has resulted in the emergence of other (and arguably more effective) public consultation methods (public open houses, online surveys, social media). It is clear that the traditional “one-size-fits-all” approach to public engagement exemplified by a traditional Committee centric governance model is no longer appropriate for the

Town. As issues emerge in the future, it is recommended that the Town explore this alternative public engagement option such as the ones noted above to create time-limited Task Forces and to regularly use open houses or the online engagement tools to generate feedback from residents on important issues and programs.

### **Committee Appointments:**

The current process for appointments to various Committees is currently comprised of the Mayor Deputy Mayor and all Councillors, who review applications submitted by residents as reviewed and submitted by Staff and there is no formal review or interview process. This year due to the number of applications received and the recent changes to the *Planning Act*, for the Committee of Adjustment changes, Staff conducted, with Council consent, a formal interview process. This process allowed Staff and appointed members of Council the opportunity to ask questions of each applicant and to expand on their application with an in-person meet and greet. This process is common within municipalities, in order to receive applicants and volunteers who will provide the greatest amount of contribution and expertise for Council decisions.

Staff is recommending if Council supports a new modern committees and task force option, aligning with the Strategic Plan, that Council allow for staff to formalize the application process with interviews through and Appointment Committee to be tasked with conducting the interviews for the following statutory bodies: Committee of Adjustment, Cobourg Heritage and the Library Board and the Police Services Board. Interviews for all other newly created Committees, Ad Hoc or Task Forces would be conducted as needed by the Clerks Department with recommendations brought forward for Council's approval. This streamlined appointment procedure will result in a more efficient process that is less demanding on the schedules of the Mayor, Deputy Mayor and Councillors.

### **Public Participation:**

As part of the governance review, an important factor to consider is public engagement and participation in local government decision making. To achieve this objective there should be an emphasis to improve systems and information to increase ease of access to Council Agenda materials for the average resident. User friendly information about how to participate and as much advanced notice on specific important community topics is important for meaningful input. The average resident may find it difficult and complicated to find information and hard to navigate and understand the way Council recommendations are presented, limiting effectiveness in creating transparency, Therefore the governance review should also present a primary means and solution to address user friendly related information on how to observe what is upcoming on Council's agenda and how to participate. Staff will work on this topic and when the governance structure is decided and implemented, staff will also present details on how to make the information and materials more accessible and reported in the public.

Delegations to Council at meetings are another important part of the decision-making process and provides Council with direct comments and feedback from residents on matters in the community and that are under consideration for decision at a Council meeting. Council will have to consider updates to the delegation process which can be organized in a more modern approach, based

upon the governance model that is chosen. Municipal Staff have heard feedback that sometimes the delegation submission timelines are difficult to navigate or to meet. Also on occasion, members of the public only hear about the topic they wish to delegate to on the day of the meeting and the item may be important enough that they would like to address Council prior to any discussion or decision. There are different approaches that Council can explore depending on the governance model that is approved.

### **Governance Review Working Group**

As a result of the governance review and depending on the direction that Council decides to endorse on its governance, an overhaul of the Town's various governing policies and by-laws will need to be drafted, reviewed, commented on and finalized and brought to all of Council for approval. These policies include:

- Town of Cobourg Procedural By-law
- Town of Cobourg Terms of Reference
- Staff and Council Relations Policy
- Advisory Committee Policy and Procedures

The attached terms of reference as appendix 'B' shall outline the Working Groups mandate and purpose for the review. Ultimately all documents needing creation or amendments will be drafted by Staff and brought to the working group for review, comment and vetting prior to all of Council and the public for final review and comment. Staff is recommending that three (3) members of Council be appointed to the working group, the Mayor, Deputy Mayor and one (1) Councillor.

The following mandate of the Governance Review Working Group would include reviewing and making recommendations related to:

- Best practices.
- Accountability, transparency, and timeliness.
- Modernization and trends.
- Housekeeping.

### **Monitoring for Success of the Governance System:**

Once Council has clarified the roles and responsibilities of Council and its Committees to achieve its vision and strategic plan, it needs to develop a mechanism to monitor progress. In addition to monitoring the performance of the Administration, Council, and its committees, it should also monitor their own achievements, and this includes the current governance at the time of the review as well as the productivity of the various committees of Council. If Council selects the standing committee structure, there could be a review of the Town's Procedural By-law and Governance at the end of the Second year of the Council term, marking the midway point. This review could happen at the Strategic Priorities and Corporate Policy Committee.

Successful governance involves leading by example and setting the tone at the top. A successful Council will monitor its progress towards achieving its priorities

and strategic plan and periodically assess whether course adjustments are required. This can be best accomplished through periodic self-evaluations at the Council level. Annual self-evaluation will allow Council to identify ongoing opportunities to incorporate leading practices into the Town's governance model.

## 7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

The Town of Cobourg Governance Review has been and will be fully conducted by internal staff within the Legislative Services Division and there will be no additional costs other than staff time and some communications resources, including some public engagement exercises, materials and advertisements.

Once the formal governance review has been conducted, the next stage will be to transfer the results of the review into various by-law, policies, and terms of references. It should be noted that significant staff time will be required to successfully implement and manage a new governance structure; however, no direct additional budget impacts are anticipated.

Outside of the governance review process and academic review, there may be opportunities for other cost savings and efficiencies through the review process. For example, under the current governance model, the meeting structure of Committee of the Whole System, meetings tend to have a longer meeting timeframe and are scheduled in the evening hours (6 PM). Transitioning to the new governance structure could allow for an adjustment in meetings to occur during regular business hours. This will reduce staffing costs for overtime allowances to attend evening meetings and well as the elimination of 12-to-14-hour days for the Clerks Office. This example only being one that may be a discussion of Council.

## 8. CONCLUSION

In conclusion, it is recommended that Council provide direction to staff to bring forward recommendation(s) to implement the new governance structure in accordance with the information outlined in the staff report and that Council engage the public throughout the process to further involve the public in the governance process of Council.

### Report Approval Details

Document Title:	Town of Cobourg Municipal Governance Review Preliminary Report - Legislative Services-098-23.docx
Attachments:	
Final Approval Date:	Apr 12, 2023

This report and all of its attachments were approved and signed as outlined below:

**Tracey Vaughan, Chief Administrative Officer - Apr 12, 2023 - 4:55 PM**