Clarington

Staff Report

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Report To:	**General Government Committee**		
Date of Meeting:	November 8, 2021	**Report Number:**	LGS-030-21
Submitted By:	Rob Maciver, Director of Legislative Services		
Reviewed By:	Andrew C. Allison, CAO	**Resolution#:**	
File Number:		**By-law Number:**	
Report Subject:	Review of Boards and Committees Appointment Policy		

Recommendations:

1. That Report LGS-030-21, and any related correspondence, be received;

2. That the draft Appointment to Boards and Committees Policy (Attachment 1 to Report LGS-030-21) be approved, replacing the current Policy; and

3. That all interested parties listed in Report LGS-030-21, and any delegations, be advised of Council's decision.

Report Overview

This report details recommended changes to the appointments to boards and committees to provide for a standardized, transparent and fair appointment policy.

1.   Background

Request for Appointment Policy

1.1   On September 15, 2014, Council passed a resolution directing Staff to report back on a recommended policy, including the Council voting procedure, for the establishment of a standardized, transparent and fair process for Council appointments to boards and committees.

1.2   At the January 19, 2015 General Purpose and Administration Committee, Council passed Resolution #GPA-045-15 to approve the recommended policy contained in Report CLD-004-15.

1.3   With recent changes to the process, prompted by the COVID-19 pandemic, Staff felt it was time to review the appointment process.

2.   Application and Evaluation Process Proposal

Current Process

2.1   Vacancies are posted on the municipal website, ClaringtonVolunteers website, local newspaper, and social media for three weeks.

2.2   The Committee Coordinator receives, assembles the applications, and forwards a copy of the packages to the appropriate Department Head for input into the matrix. NOTE: Staff had discontinued submitting the applications to the appropriate Department Head (unless requested) because there was an issue with the timing of them preparing the matrix, so the Committee Coordinator has been preparing the matrix.

2.3   The Committee Coordinator prepares a report to the General Government Committee, presenting the applications along with a committee matrix (showing qualifications for both existing members and new applicants).

Proposal

2.4   Since it is difficult to capture (and frankly sometimes subjective) all aspects of an application in a matrix, Staff recommends removing the matrix and providing an application package that includes each applicant's resume and cover letter (if submitted). In addition, the appointment report will state, in the background section, the skill requirements from the Terms of Reference for the specific committee.

2.5   The online application forms have been updated to ensure questions directly relating to the board/committee's requirements (outlined in the Terms of Reference) are included (i.e. ward or skills requirements). Their application will be provided at the beginning of each applicant's resume as a summary of the main components required from the Terms of Reference. It will provide a quick glance of the specific qualifications the board/committee requires.

3.   Voting Process

Pre-COVID-19 Process

3.1   The Chair announced the number of positions to be filled for the board/committee under consideration and where deemed necessary, the list of candidate's names was displayed.

3.2   Each Member of Council was provided a supply of blank ballots and recorded their name at the top in the space provided.

3.3   Each Member of Council recorded their vote on the ballot. The Municipal Clerk, or designate, then collected the ballots and announced each vote (beginning with the name of the Member of Council followed by the applicants(s) for whom they voted).

3.4   The Municipal Clerk, or designate, recorded the votes as they were stated, and if the number of positions to be filled and the number of nominee(s) with a majority of votes were equal, those nominees were declared appointed to the committee.

3.5   The results were displayed on an Excel document in the Council Chambers.

Proposal

3.6   Since the pandemic, Committee and Council meetings have been held virtually, which meant the voting process had to change. Staff are recommending that the current virtual voting process remain once the pandemic is over.

3.7   Rather than providing printed ballots, the Municipal Clerk, or designate, will display an excel sheet that includes a list of candidates and the Members of Council. The Municipal Clerk, or designate, shall ask each Member of Council for their vote and record it on the displayed excel sheet as shown below (see attachment 1 for full voting process) within MS Teams so that all attendees and those watching the webcast can view.

	A	B	C	D	E
1	**Appointment to the *Name of Committee***				
2	Vote for:	2			
3	**Date:**				
4					
5					
6	**Round Number:**	1			
7					
8		First, Last	First, Last	First, Last	First, Last
9					
10	Councillor Anderson	1			1
11	Councillor Hooper		1	1	
12	Councillor Jones		1		1
13	Councillor Neal		1		1
14	Councillor Traill	1			1
15	Councillor Zwart		1		1
16	Mayor Foster	1			1
17	Totals	3	4	1	6

This approach will reduce the extra work by staff to prepare, distribute, and pick up the ballots, which had been compounded when the Committee recommendation went to Council because ballots had to be prepared for the Council meeting in the event that the recommendation was pulled and new votes were needed. In addition, this approach will be seamless if there is one, or more, Members attending electronically.

3.8   In the future (probably 2023, following the 2022 Municipal Elections), Staff will be reviewing the possibility of implementing an eSCRIBE voting module, which may allow this type of voting to be electronic (both in the Council Chambers and for those participating electronically) via a mobile device or laptop. This will result in simultaneous voting and will better mirror the "paper ballots" process.

3.9   Staff have updated the policy for the above changes, as well as several smaller changes.

4.   Clarington Public Library Board and Museum and Archives Advisory Committee (MAAC)

4.1   The Library CEO has noted that "both the Library Board and the MAAC are governance bodies. As the MAAC is an advisory committee that reports directly to the Board, the Board is responsible for advertising and selecting additional public member(s) as appointees. To be effective, the additional MAAC member(s) should have a high degree of interest in local history matters." Similarly, for appointments to the Library Board, the Library CEO believes that it is important that Members of Council be provided with a "library board member skills matrix".

4.2   Therefore, the Clerk's Division will forward the confidential applications to the Library CEO, who has committed to providing the matrix to the Clerk's Division Staff immediately after the close of the applications for the Library Board, and prior to finalizing the report for approval by the CAO. The distribution of the confidential applications is consistent with the past practice and this approach for the library matrix has been added to the proposed policy.

5.   Samuel Wilmot Nature Area Management Advisory Committee

5.1   At their October 19, 2021 meeting, the Samuel Wilmot Nature Area Management Advisory Committee (SWNAMAC), discussion took place concerning the possibility of input into the selection process. In an excerpt of their minutes, "it was noted that our committee is a very active one, with physical activity often involved. Persons with the appropriate academic backgrounds and/or experience with environmental/nature matters would be ideal. Discussion also took place about when and how many persons should be added to the committee at one time. No decision was reached but we do appear to have the authority to bring new members on board individually or all at once."

5.2   Staff are assuming that this request would apply only to the irregular vacancies (i.e. not to the appointment of the full Committee at the beginning of the Council term) and is not related to applications to sub-committees of SWNAMAC.

5.3   Staff have discussed the matter with Brian Reid, Chair of SWNAMAC, who indicated that the Committee's main concern is that the new members are unprepared or unaware of the time/type of commitment required for their active Committee. He believes that this may have led to recent turnover in members which, in turn, undermines the Committee's ability to keep consistency of members. Mr. Reid suggested that these problems might be solved if Committee members had an opportunity to review the applicants and discuss the Committee's work with the applicants and possibly make recommendations to the Council representative.

5.4   Staff expressed the following concerns about this request to Mr. Reid:

a) Privacy Concerns about providing the applications to the SWNAMAC members.

b) Review of applications is outside the mandate of the SWNAMAC Terms of Reference.

c) Bias - Sharing applications with current board/committee members, may present a concern where they steer the membership of the board/committee towards a particular point of view/bias. It may also create animosity from the board/committee if Council disagreed with their appointment recommendations.

d) Timing – There is also a concern about how this change would impact timing of appointments. It already takes several weeks to appoint someone (one week for lead time in placing advertisements; three weeks for advertising; and could be another two weeks, depending on where we are within the meeting cycle). The deadline is often set close to the report deadline (i.e. report is written, and we add names/applications as they come in) to allow as much time as possible to apply. Staff assume that the Committee would need to meet as a group to review and advise (otherwise it is individual members, not representing the Committee), which would add more weeks as they only meet monthly.

5.5   Staff acknowledge the concerns of the Committee and have agreed, with Mr. Reid, to take the following steps to improve the process rather than provide the applications:

a) Make changes to the "[Committee webpage](#)" to better describe the work that is done by the committee and the skills and time commitments required by members (this will be done for all Committees).

b) Add the skills requirement to the particular application form for each committee (this will be done for all Committees).

c) Either in the application form and/or on the webpage advertising the vacancy, add the contact information for the Chair and Vice-Chair (will only be done for Committees who request this). Applicants will be urged to contact the Chair or Vice-Chair to learn more about the workings and time/skills requirements for the Committee.

d) The appointment report, containing the applications, will include:

    a. the list of required skills for the vacancy; and

    b. an indication if an applicant does not meet the minimum requirements for the Committee.

Staff and Mr. Reid believe that the above changes will mitigate the Committee's concerns.

6. Concurrence

Department Heads have reviewed the policy and are in concurrence.

7. Conclusion

It is respectfully recommended that the policy for appointments to boards/committees, as detailed in Attachment 1 to this Report, be approved.

Staff Contact: June Gallagher, Municipal Clerk, 905-623-3379 ext. 2102 or jgallagher@clarington.net.

Attachments:
Attachment 1 – Appointment to Boards/Committees Policy

Interested Parties:
Brian Reid, Chair, Samuel Wilmot Nature Area Management Advisory Committee
Linda Kent, Library CEO, Clarington Library and Museums
Bowmanville BIA
Newcastle BIA
Newcastle Village Community Hall Board
Orono BIA
Property Standards Committee
Solina Community Hall Board
Tyrone Community Hall Board
Newcastle Arena Board
Accessibility Advisory Committee
Agricultural Advisory Committee

Active Transportation and Safe Roads Committee
Clarington Task Force on Affordable Housing
Diversity Advisory Committee
Clarington Heritage Committee
Tourism Advisory Committee