



Staff Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

| | | | |
|-------------------------|--|-----------------------|------------|
| Report To: | General Government Committee | | |
| Date of Meeting: | March 4, 2024 | Report Number: | LGS-011-24 |
| Submitted By: | Rob Maciver, Deputy CAO/Solicitor | | |
| Reviewed By: | Mary-Anne Dempster, CAO | Resolution#: | |
| Authored By: | Lindsey Turcotte, Committee Coordinator | | |
| File Number: | | By-law Number: | |
| Report Subject: | Advisory Board and Committee's Terms of Reference Update | | |

Recommendations:

1. That Report LGS-011-24, and any related delegations or communication items, be received;
2. That Resolution #GPA-008-04, regarding the Protocol for Council – Appointed Advisory Committees, approved in 2004, be rescinded;
3. That Clarington's Task Force on Affordable Housing be discontinued and that the members be thanked for their contribution;
4. That the Tourism Advisory Committee be discontinued;
5. That the proposed new Terms of References for Clarington's Advisory Committees, as Attachments 1 through 7 to Report LGS-011-23, be approved;
6. That Staff be directed to advertise for the vacancies on the Accessibility Advisory Committee and Samuel Wilmot Nature Area Management Advisory Committee; and
7. That all interested parties listed in Report LGS-011-24, and any delegations be advised of Council's decision.

Report Overview

This report details recommended changes to the Advisory Committees' Terms of Reference to provide a standardized and consistent governance approach.

1. Background

- 1.1 At the January 12, 2004, General Purpose and Administration Committee meeting, Resolution #GPA-008-04 was passed:

That [Report PSD-007-04](#) be received;

That the Protocol for Council – Appointed Advisory Committees be approved; and

That a senior management member from the Department responsible for each Committee to which the protocol applies be directed to attend the first meeting of each new term to advise the Committee of their role and mandate, and to review the Protocol.

- 1.2 The Protocol, [Attachment 1 to Report PSD-007-04](#), was created to set out the matters that are to be included in our Advisory Boards and Committee's Terms of Reference and to establish standardized rules of procedure for the committees and members.

2. Terms of Reference Review

- 2.1 Since the protocol was approved in 2004, there have been many changes in technology, governance, accountability, and general procedures. Therefore, the best approach to account for the changes is to create a standardized template for all Advisory Committees.
- 2.2 The new template addresses issues and inconsistencies between the Committees and provides better governance, including improved efficiency and effectiveness.
- 2.3 The template includes purpose and mandate, scope of activities, definitions, composition, qualifications, length of term, remuneration, election of members, staff resources, responsibilities, and obligations of members (conduct of members, absences, resignations, chair and vice chair, and conflict of interest), frequency of meetings, quorum, land acknowledgment statement, procedure and rules, recommendations, public participation, electronic participation, open meetings, agendas, minutes, budget, purchasing/procurement policy, and insurance.

Notes Applicable to all Committees

- 2.4 This report, and review, does not include the four Municipal Services Boards (MSBs) (Tyrone Hall Board, Solina Hall Board, Newcastle Hall Board, and Newcastle Arena Board) as they have different legislative requirements and are established through a by-law, not a separate Terms of Reference. The review of the MSBs will be coming at a future date.
- 2.5 Composition – many of the Committees had a minimum/maximum or a range of members, which made it unclear how many members the Committee needed and difficult to determine quorum and for Council to appoint members. Therefore, any of the Committees that had a minimum/maximum range of members have been changed to a set number of members and is reflected in their Terms of Reference.
- 2.6 Subcommittees – Subcommittees have been included in the Terms of Reference in the past, however, Staff believe they are not required or needed in most cases. Therefore, a clause that states “Board/Committee functions or tasks can take place using voting members and volunteers, without creating a subcommittee or working group.” has been added to the terms of reference and is notwithstanding any existing subcommittees or working groups.
- 2.7 Removal of a member – Previously, when a member was absent for three consecutive meetings, the Chair was to notify the Municipal Clerk for removal and did not apply to absences of a Member of Council. As Council appoints the members, Staff are suggesting that the Committees, by resolution, request Council to remove the member, including a member of Council, from the Committee. Additionally, Staff have added a clause to allow the Committee to request that Council remove a member if they are misrepresenting the Committee.
- 2.8 Workplan and Annual Report – All Committees shall prepare an annual report and work plan that will include an update of initiatives and activities for Council to review, by either a presentation to Council or through the Committee’s minutes. This will give Council a better understanding of the activities of the Committee and the accomplishments they have achieved.
- 2.9 Clarington’s Advisory Committees’ Terms of Reference have been replaced with the new template, but some Committees have particular aspects of their Committee that need to be changed or clarified. Staff have consulted with each Committee, who concur with the new terms of reference. All changes outlined below are reflected in each Committees’ Terms of Reference.

Accessibility Advisory Committee

- 2.10 Staff are recommending the composition be changed from 7-10 voting members to 9 voting members (8 citizens and 1 Member of Council).
- 2.11 Accordingly, since Council appointed 7 members in January 2023, Staff are seeking approval to advertise for 1 additional member.

Clarington Active Transportation and Safe Roads Advisory Committee

- 2.12 Staff are recommending the composition be changed from 8-10 voting members to 12 voting members (10 citizens, 1 Member of Council, Clarington's appointee to the Durham Active Transportation Committee).
- 2.13 In January 2023, Council appointed 10 members to the Committee, therefore no further appointments are required.

Diversity Advisory Committee

- 2.14 In January 2024, Council amended the composition from 8 to 10 citizen members, therefore no changes were required.

Clarington Heritage Committee

- 2.15 Staff are recommending the composition be changed from 5-12 voting members to 14 voting members (10 citizens, 1 Member of Council, 1 representative from the Newcastle Village Historical Society, 1 representative from the Clarington Library, Museum, and Archives, and 1 representative from the Architectural Conservancy Ontario – Clarington Branch).
- 2.16 In January 2023, Council appointed 10 members to the Committee, therefore no further appointments are required.

Samuel Wilmot Nature Area Management Advisory Committee

- 2.17 Staff are recommending changing the composition from "a minimum of 8 voting members" to "12 voting members".
- 2.18 Accordingly, since Council appointed 10 members to the Committee in January 2023, Staff are seeking approval to advertise for the 1 remaining vacancy.
- 2.19 In 1998, when the Committee was established, there was a greater need for reporting to the Ministry. Since that time, this Committee has evolved to be more of a Clarington advisory Committee and less of a Ministry advisory Committee. Additionally, the provision of the minutes to the Ministry has not been consistent and the Ministry has not been concerned with missing oversight, so Staff are recommending that we discontinue the requirement for the minutes to be sent to the Ministry. Should this change in the future, this is an operational function that could happen and would not need to be embedded in the Terms of Reference.

3. Task Force on Affordable Housing

- 3.1 The [Clarington Task Force on Affordable Housing](#) was created, in 2018, to provide advice, comments, and recommendations to Council on issues related to affordable rental housing for both low and moderately-low-income households and seniors housing needs to support and address seniors both financially and physically.
- 3.2 The Task force was instrumental in developing Clarington's Affordable Housing Tool Kit. The Tool Kit was approved by Council in 2019 ([CAO-013-19](#)) and has resulted in several initiatives including the Affordable Housing Fund. In the past two years changes to legislation have impacted the provision of affordable housing in the province. The changes culminated in Clarington's Housing Pledge, which outlines the actions Clarington will undertake to support the development of 13,000 housing units by 2031 ([PDS-009-23](#); February 2023). Staff are implementing both the Tool Kit and the Housing Pledge. The decision-making process associated with the Housing Pledge rest with Council. With these changes, it is the appropriate time to discontinue the Affordable Housing Task Force.

4. Tourism Advisory Committee

- 4.1 The [Tourism Advisory Committee](#) was established in 2018, arising out of a recommendation contained in the Tourism Service Delivery Review. It was created to provide advice, comments, and recommendations to Council on tourism services, activities, and initiatives to promote the Municipality. Since that time, many forces have affected Clarington's tourism including changes in Clarington Staff/structure, the removal of a Member of Council from the Committee, and COVID-19, which has changed how we approach Tourism – from focusing on visitor attraction to offering the same business retention, attraction, and expansion services provided to the Municipalities and other business sectors. In January 2023, when the new term started, no members were appointed to the Committee as it was noted that the Committee was under review. As a result of the review, Staff are recommending that the Tourism Advisory Committee be discontinued.

5. Financial Considerations

Not Applicable.

6. Strategic Plan

The recommendations of this report are consistent with L.1.3 of the Strategic Plan to empower staff to identify opportunities to improve efficiency and effectiveness and strengthening existing and build new partnerships with upper levels of government, academia, businesses, community groups, and other sectors.

7. Concurrence

Not Applicable.

8. Conclusion

It is respectfully recommended that Committee approve the updated Terms of References for Clarington's Advisory Committee's and direct Staff to advertise for any open vacancies.

Staff Contact: Lindsey Turcotte, Committee Coordinator, 905-623-3379 ext. 2106 or lpatenaude@clarington.net.

Attachments:

Attachment 1 – Accessibility Advisory Committee's Terms of Reference

Attachment 2 - Agricultural Advisory Committee

Attachment 3 - Bowmanville Santa Claus Parade

Attachment 4 - Clarington Active Transportation and Safe Roads Advisory Committee

Attachment 5 - Clarington Heritage Committee

Attachment 6 - Clarington Diversity Advisory Committee

Attachment 7 - Samuel Wilmot Nature Area Management Advisory Committee

Interested Parties:

The following interested parties will be notified of Council's decision:

Accessibility Advisory Committee

Agricultural Advisory Committee

Bowmanville Santa Claus Parade

Clarington Active Transportation and Safe Roads Advisory Committee

Clarington Heritage Committee

Clarington Diversity Advisory Committee

Samuel Wilmot Nature Area Management Advisory Committee