

Date: 2022-11-09

Subject: **2022 – 2026 City Council Governance Structure**

Secondary Title: **Proposed Committee Structure and Appointments**

Contact: Charlotte Gravlev, Deputy City Clerk, Legislative

Report Number: Legislative Services-2022-978

Recommendations:

1. That the report titled **2022 - 2026 City Council Governance – Proposed Committee Structure and Appointments**, to the Special Council Meeting of November 16, 2022, be received;
2. That the following Committee Structure be established and the corresponding terms of reference attached as Appendix 2 be approved, unless Council decides otherwise:
 - a. Standing Committees:
 - i. Committee of Council
 - ii. Planning and Development Committee
 - b. Functional and Ad Hoc Committees:
 - i. Audit Committee (subject to further Staff review and recommendations to Council regarding updated terms of reference and mandate for the Committee including composition)
 - ii. Budget Committee
 - iii. Governance and Council Operations Committee
 - iv. Citizen Appointments Committee
 - v. CAO Performance Review Committee
 - c. Adjudicative Committees and Administrative Tribunals
 - i. Property Standards Committee (subject to further review regarding possible integration with the Brampton Appeal Tribunal)
 - ii. Brampton Appeal Tribunal (subject to further review regarding possible integration with the Property Standards Committee)
 - iii. Committee of Adjustment
 - iv. Committee of Revision
 - v. Brampton Election Compliance Audit Committee

3. That Council consideration of the re-establishment of the following current committees be deferred to a future meeting of Council, to provide Members the opportunity to become familiar with or investigate the utility, function and corresponding terms of reference for each:
 - a. Citizen-based Advisory Committees
 - i. Brampton Community Safety Advisory Committee
 - ii. Brampton Sports Hall of Fame Committee
 - iii. Brampton Heritage Board
 - iv. Brampton School Traffic Safety Council
 - v. Brampton Transit Advisory Committee
 - vi. Accessibility Advisory Committee
 - vii. Age-Friendly Brampton Advisory Committee
 - viii. Environment Advisory Committee
 - ix. Cycling Advisory Committee
 - x. Vehicle-for-hire Advisory Committee
4. That staff be requested to investigate, develop and report to Council with draft Terms of Reference for Council approval regarding any new committees under consideration by Council;
5. That the City Clerk be requested to canvass Members for their appointment preferences, based on the Committee structure established by Council, for consideration and such voting as may be necessary guided by the process set out in Appendix 1 to this report, for Chairs, Vice-Chairs and membership to Council Standing Committees and Ad Hoc / Functional Committees;
6. That the current (2018-2022) appointed membership term of the Sports Hall of Fame Committee be extended to the end of June 2023 to provide continuity through to the conclusion of the 2023 Sports Hall of Fame induction event;
7. That the current (2018-2022) appointed membership term of the two statutorily regulated bodies of the Brampton Heritage Board and the Accessibility Advisory Committee be extended until successor appointments are made by Council, to provide continuity in heritage and accessibility advice and processes;
8. That, upon Council establishment of citizen-based advisory committees and approval of requisite committee terms of reference, the City Clerk be requested to initiate the necessary processes to recruit, interview and appoint citizens through the recommended Citizen Appointments Committee, to the various adjudicative committees, administrative tribunals and citizen-based advisory committees, in accordance with Council's Citizen Appointments Procedure, unless directed otherwise by Council.

Overview:

- This report proposes, for the most part, the current Committee structure for the new term of Council, with further review proposed with regard to the re-establishment of practically or operationally required committees.
- The report identifies processes to be undertaken to make appointments to the various committees, as required for the new term.

Background:

At the start of each new term, Council must establish the governance system it will use to facilitate its decision-making. A governance structure which includes various types of committees assists Council by enabling focused investigation and consideration of issues, resulting in the preparation of recommendations for Council deliberation.

This report recommends a Council Committee structure, for meetings of its current standing committees, along with various advisory committees and tribunals. The report proposes various adjustments to the current Committee structure for the new term of Council, with regard to the re-establishment of practically or operationally required committees, and the possible conclusion of committees which are deemed to have completed their respective mandates.

As per section 2.5 of the Procedure By-law, at the start of the Council term, the City Clerk shall canvass, for Council approval, Members of Council for the appointment preferences for:

- (a) Chairs and Vice-Chairs of Standing Committees and sections, and
- (b) Membership and Chairs of other functional and ad hoc committees, sub-committees, consultative, and other bodies.

Such communication will be undertaken between the City Clerk and the Members of Council once the committee structure has been established. Appendix 1 sets out a process for Council to appoint Chairs, Vice-chairs and Member appointments, should Council decide follow an appointment process.

Current Situation:**1. Standing Committees (2)**

The current structure of two standing committees, being Committee of Council and the Planning and Development Committee, is recommended to continue as identified within Procedure By-law 160-2004, as amended. All Members of Council serve on each standing committee, with the Mayor as an ex officio member.

Committee of Council

Business of the Committee of Council is divided into five sections, each with a Member of Council appointed as Chair, and as Vice Chair(s), and each section to consider and make recommendations to Council for those matters identified:

Economic Development Section

- matters including economic development, Brampton Entrepreneur Centre, competitive policy and business research, and advancing the City's economic development priorities

Corporate Services Section

- matters related to services to the Corporation within the jurisdiction of the Chief Administrative Officer and Corporate Support Services Departments, including finance, administration, information technology, human resources, corporate operations, public relations and strategic communications, tourism, film, culture and events

Public Works and Engineering Section

- matters within the jurisdiction of the City's Public Works and Engineering Department, including public works and infrastructure, environment and development engineering, construction and maintenance, corporate buildings and property services and Brampton Transit

Community Services Section

- matters within the jurisdiction of the City's Community Services Department and Fire and Emergency Services, including parks maintenance and forestry, recreation services, fire services, emergency measures, the performing arts, as well as Service Brampton and real estate

Legislative Services Section

- matters within jurisdiction of the Legislative Services Department including legal services, animal services, court administration, risk management, city clerk's office, and also matters related to the enforcement of by-laws and municipal licensing matters

Planning and Development Committee

The Planning and Development Committee shall consider and make recommendations to the Council with regard to:

- matters including land use planning, growth management, urban design and operational matters within the jurisdiction of the Chief Building Official; and
- holding of public meetings required by the Planning Act, which shall be conducted in accordance with the rules under the Procedure By-law.

Existing terms of reference for these standing committees is set out in Appendix 2 to this report.

2. Functional and Ad Hoc (Member) Committees, Citizen-Based Advisory Committees and Administrative Tribunals

The adopted terms of reference for each of these previously constituted advisory and decision-making committees is available for review on the City website and in Appendix 2 to this report. It is recommended that Council defer consideration of establishing or re-establishing any further Committees of Council pending the outcome of any Council term priority setting sessions through the early period of the term.

The committees listed below are deemed to have fulfilled their mandate, and have completed their scheduled meetings. As such, it is proposed they not been included within the proposed schedule of 2023 meetings, and the current members be thanked for their service and released. Should Council wish to reconstitute or extend the mandate for any of these committees, it maintains the option to do so by resolution and adoption of appropriate terms of reference:

Previous Committees – possible reason not to be re-established at this time

- Brampton Transit Advisory Committee – required to meet very infrequently, strategic objectives can be achieved through other committee structures.
- Age-Friendly Brampton Advisory Committee - committee mandate has been completed; strategic framework in place to guide future implementation actions.
- Brampton Community Safety Advisory Committee – challenges in achieving quorum with current composition; Council adopted a Community Safety Action Plan (2022-2027) in September 2022; Council resolution to consider establishing a Brampton Road Safety Advisory Committee for the 2022-2026 term of Council; future localized matters may be addressed through Committee of Council.
- Vehicle-for-hire Advisory Committee – challenges to achieving appointments/representation from industry sectors identified with the terms of reference, mandate no longer required; operational matters can be addressed through Committee of Council.

As the City moves forward with implementation on these matters, it will find ways to involve the community expertise and advocates that participated in these previous committees to help further City priorities and community objectives.

It is expected City Council will undertake a process to establish its priorities for the term. Committee of Council has the ability to bring focus and opportunity to those areas deemed appropriate for consideration and activity. It is therefore recommended that the striking of the various discretionary subject-specific advisory committees be held off until the new Council has had an opportunity to consider and set its priorities, and

subsequently allow for alignment of the committee structure with the priorities ultimately determined.

That said, there are various committees which are required by legislation to be in place, or due to the nature of their function would logically continue at this time, and are noted below for Council's consideration. Appendix 2 to this report include current terms of reference for these committees for consideration and deliberation.

Functional and Ad Hoc (Member of Council) Committees

a) Audit Committee

This committee will enhance the understanding of financial and control reporting as well as enable Members to further enhance oversight capabilities and stewardship responsibilities. It will meet quarterly and include a minimum of five members.

For the 2018-2022 term of Council, the Audit Committee included three citizen members appointed by Council. During the last term, the Committee terms of reference and Audit Charter, defining the Audit Committee's role and mandate, was the subject of Council review on a number of occasions, including a staff report as recently as September 2022, which was not considered as the Committee did not achieve quorum. A copy of the current and recently proposed terms of reference for the Committee is included in Appendix 2 to this report.

Given Council's recent deliberations on the role and mandate of the Committee, staff recommend the Audit Committee be established, subject to further Staff review and recommendations to Council regarding updated terms of reference and mandate for the Committee, including composition and necessity for citizen appointments to the Committee for this term.

b) Budget Committee

This committee will recommend the current and capital budgets and consider long-term financial planning matters. It will meet quarterly and include all ten members, with the Mayor as Chair.

c) Citizen Appointments Committee

This committee will conduct interviews of citizens for appointment to various City committees, unless Council decides otherwise. It will meet as required and include a minimum of three members.

d) Governance and Council Operations Committee

This committee will consider initiatives that have a direct impact on Council governance and operations that affect all Members of Council. This committee will meet quarterly and include a minimum of four members. During the last term of Council, a Procedure By-law Review Sub-committee was established to conduct a review of the Procedure By-law. The Governance and Council Operations Committee may wish to consider whether to continue with a review and update to Council's Procedure By-law.

e) CAO Performance Review Committee

This committee will conduct the annual review of the CAO's performance and consider the CAO's annual objectives. The committee will meet at least once per year and includes all members.

In accordance with the Procedure By-law, the Mayor is an ex officio member for all Council-established committees.

Adjudicative Committees and Administrative Tribunals

A number of adjudicative committee and administrative tribunals, which issue their respective findings/rulings, are also recommended to continue:

a) Brampton Appeal Tribunal

This tribunal hears appeals from the decisions of the License Issuer and the Poundkeeper that carry right of appeal to the Tribunal, as set out in the Licensing By-law and the Dog By-law. This committee will meet monthly, as required, and include five citizens. Staff will continue to review this tribunal's mandate and may propose future recommendations to Council to possibly combine the tribunal with the Property Standards Committee.

b) Committee of Adjustment

This committee hears applications for granting a minor variance to any zoning by-law in respect to land, buildings or structures, or their use. The committee also hears applications for granting consents with respect to various transactions including severing new lots, rights of ways and easements. This committee will meet every three weeks and include five citizens.

c) Committee of Revision

This committee hears objections against proposed local improvement work. This committee will meet as needed. The Committee of Adjustment acts as the Committee of Revision.

d) Property Standards Committee

This committee hears appeals from the orders to demolish or repair from the Property Standards Officers, and makes decisions to confirm, modify or rescind the order or to extend the time for complying with the order. This committee will meet monthly, as required, and include five citizens. Staff will continue to review this committee's mandate and may propose future recommendations to Council to possibly combine the committee with the Brampton Appeal Tribunal.

During 2023, staff will be investigating the potential for combining and integrating the functions of the Brampton Appeal Tribunal and Property Standards Committee in to one multi-function adjudicative deliberative body.

e) Election Compliance Audit Committee

This committee has already been established for the 2022-2026 Council term to meet the requirements of the *Municipal Elections Act*. This committee reviews applications submitted by eligible electors for a compliance audit of a candidate's campaign finances and determines if an audit is warranted, in addition to reviewing possible over-contributions to candidate campaigns. This committee will meet as needed and includes up to seven citizens. To-date, Council has appointed four members and one alternate, with additional recruitment ongoing.

The recruitment of members for appointment to the Adjudicative Committees and Administrative Tribunals resides with the City Clerk by authority of Council resolution. The process for recruiting these positions to recommend appointments to Council is proposed to commence shortly before the conclusion of 2022.

Citizen-Based Advisory Committees

a) Accessibility Advisory Committee

This committee will advise Council on the preparation of the mandated municipal accessibility plan as well as accessibility to City services, programs, buildings, structures or premises. It will meet quarterly and include Members and citizens.

b) Brampton Heritage Board

This committee will advise Council on resources that are identified as being of cultural heritage value or interest. It will meet monthly and include Members and citizens. It is recommended that the current membership be extended until successor appointments are made by Council to provide continuity in heritage advice and processes

c) Brampton School Traffic Safety Council

This committee will consider student pedestrian / traffic safety matters around Brampton schools and educate the school community on these matters. It will review existing, temporary or prospective school crossing guard locations. This committee will meet monthly and include Members and citizens.

d) Brampton Sports Hall of Fame Committee

This committee will recognize and honour the names and deeds of those who have brought fame to Brampton through athletic prowess or contribution to sports. It will collect and preserve objects and histories which are significant to the development of sport in Brampton. This committee will meet monthly and include Members and citizens. It is recommended that the current membership term be extended to the end of June 2023 to provide continuity through to the conclusion of the 2023 induction event.

e) Age-Friendly Brampton Advisory Committee

This committee advises City Council on matters related to the achievement of an age-friendly City. This committee meets bi-monthly and includes Members and citizens.

f) Environment Advisory Committee

This committee advises City Council on identifying and implementing new or existing programs, approaches or policies relating to the protection, sustainability and enhancement of natural resources and systems in the City of Brampton in cooperation with other organizations where appropriate, including the City's Environmental Master Plan. The committee meets quarterly and includes Members and citizens.

g) Cycling Advisory Committee

This committee provides input and advice to City staff and to Council regarding the development and maintenance of a safe and connected cycling network within the City of Brampton and to neighbouring municipalities as part of an integrated multi-modal transportation system. This committee meets bi-monthly and includes Members and citizens.

As Council establishes its term priorities early in 2023, it may decide to retire, integrate or merge existing committees or establish additional advisory committees and/or expert panels to facilitate and guide action on its strategic term priorities.

3. Appointments to Local Boards and External Organizations and Agencies

The City Clerk receives letters of request from various organizations for representation thereon by Members of Council or Brampton residents. Examples of which include:

a) Local Boards (with an independent operational board)

- Brampton Public Library - two Members of Council
- Downtown Brampton Business Improvement Area (BIA) – two Members of Council

b) Other External Organizations and Agencies

In the past, Council Member representative(s) have been appointed as members of various other external committee and agencies, including the:

- GTAA Consultative Committee
- Brampton Senior Citizens Council
- Brampton Sports Alliance
- Partners in Project Green: The Pearson Eco-Business Zone, Executive Management Committee
- Bovaird House
- St. Leonard's House
- United Way Council Ambassador (internal committee)

The City Clerk's Office will endeavor to identify and confirm all such community requirements of these organizations, to confirm current appointment requests and defined municipal purposes for participation, so as to confirm the need and implications of serving on such non-municipal organization boards, and report to Council as appropriate.

Corporate Implications:

Financial Implications:

The approved City Clerk's Office budget supports City Council and Committee decision-making processes and meetings. At this time, there are no direct financial implications identified from Council establishing its Committee structure based on this report.

Other Implications: nil

Term of Council Priorities:

This report achieves the previous Term of Council Direction/Priorities of a Well-run City through the establishment of a committee structure to facilitate Council decision-making.

Conclusion:

The proposed City Council Governance Structure reflects the requirements of the Procedure By-law, addresses specific considerations, and seeks to maximize the efficiency of the legislative Council/committee decision-making process. Once approved, the necessary processes to appoint Members of Council, and citizens (in accordance with the Citizen-based Advisory Committee Guideline and Appointments Procedure), to the various committees as outlined, will be promptly undertaken.

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Attachments:

Appendix 1 – Election of Standing Committee Chairs / Vice-Chairs and Other
Committee Appointments – Voting Procedures

Appendix 2 – Committee Structure Overview – Terms of Reference for City Council
Established Committees