

CORPORATE POLICY



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Policy Category: **Governance Policy**
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Department: Corporate Services
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Key Word(s): committee, Recruitment, Volunteers

POLICY STATEMENT:

The City of Waterloo acknowledges the value of committees and the advice they provide to Council. The creation, amendment, dissolution and administration of committees shall be conducted in a fair and equitable manner and in accordance with applicable legislation or Council-approved procedures.

PURPOSE:

The purpose of the policy is to provide a consistent and transparent framework for the administration of committees, recruitment, committee governance, etc. and to act as a guide for committee members and staff support.

DEFINITIONS:

Advisory Committee means a committee established to provide advice to Council as mandated in the Terms of Reference.

Statutory/Quasi Judicial Committee means a committee established by by-law and/or pursuant to Provincial Legislation. They shall function according to requirements of the by-law or provincial legislation.

Special Project Committee/Task Force means a committee established from time to time to deal with a specific issue and disband at the completion of the project or upon final report to Council.

Mandatory Policy, *Municipal Act*: No
Policy Administration Team, Review Date: September 2016
Corporate Management Team, Review Date: October 5, 2016

Staff Committee/ Ad Hoc committee means a committee established by recommendation of Council or established by staff to carry out specific functions with a primary focus of providing advice or assistance to staff. They can be created quickly to mobilize a group and address a particular project or task.

Inter-Agency Committees have representation appointed by a number of agencies and generally have terms of reference agreed to by all parties including an endorsement of the City of Waterloo Council.

All of the above are hereinafter referred to as “committee” or “committees”.

SCOPE:

The policy applies to all committees created by Council. Where conflict occurs between the policy and other legislation, the legislation will prevail.

POLICY COMMUNICATION:

The policy is posted on the City website on the committee page, is provided to applicants as part of the recruitment process, is provided to staff support and appointees and communicated through committee orientation.

POLICY:**1) CREATION, AMENDMENT OR DISSOLUTION****Procedure**

Council may create a new committee, amend an existing or dissolve a committee based on the analysis of the following:

- a) Council approved Staff Report recommending establishment of a committee which shall include an assessment of the following:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - ii. Is this committee’s mandate relevant;
 - iii. Is this committee’s mandate achievable;
 - iv. Is this committee’s mandate unique;
 - v. Is this committee’s mandate aligned with the corporate strategic plan;
 - vi. Is this committee operating effectively;
- b) Public Interest, community support or feedback;

Creation

The creation a new committee may be triggered by the following factors:

- a) Significant public issues or trends;
- b) Where public input is deemed desirable;
- c) Legislated requirement (Federal/Provincial/Municipal By-Law);
- d) Staff request.

On Council's direction, the appropriate department shall prepare a staff report which shall include the following:

- a) Public and financial considerations;
- b) Impact on other departments and users;
- c) Consideration of the Corporate Strategic Plan and departmental goals and objectives;
- d) Proposed Terms of Reference using the Council approved template **(Appendix A)**
- e) Recommended appointment of appropriate staff resources

After approval of the creation of a new committee, the Legislative Services division on behalf of Council will facilitate the appointment process, in accordance with this policy, based on the Committee Terms of Reference. The Committee will be added to the Active Committee list. **(Appendix B)**

Amendment

Changes to Terms of Reference will be based on Council decisions and may be triggered:

- a) Following the Annual Report to Council and/or initiated by Council
- b) By resolution of the committee
- c) By a recommendation and report by Staff

The following factors may be considered when amending a committee terms of reference:

- a) Result of annual report which measures progress against mandate
- b) Lack of material purpose, function or public interest
- c) New issues at Council or public pressure (could add or remove a mandate)
- d) Changes to legislation
- e) New Council
- f) Committee sunset clause

A staff report addressing the proposed changes will be prepared by the relevant Department or Division and presented to Council. The report will be analytical in nature and include specifically:

- a) Indication of which factor led to the amendment
- b) Assessment of the following factors as relevant:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - ii. Is this committee's mandate relevant;
 - iii. Is this committee's mandate achievable;
 - iv. Is this committee's mandate unique;
 - v. Is this committee's mandate aligned with the corporate strategic plan;
 - vi. Is this committee operating effectively;
- c) Supporting information; cause/effect, cost analysis and resources required;
- d) Impact on terms of reference

Dissolution

Dissolution of a Committee may be triggered by one of the following:

- a) Expiration of term
- b) Completion of task or mandate
- c) Resolution of issues
- d) Legislative requirement no longer exists
- e) Merger with another committee
- f) Following the annual review process
- g) Recommendation by Committee by resolution
- h) Recommendation by Staff in Staff Report

The following steps will be taken following the dissolution of a committee:

- a) Committee will be removed from the active committee list;
- b) Thank you letters on behalf of Council will be sent to committee members
- c) Relevant staff members will be informed;

2) APPOINTMENT OF MEMBERS

Nominations

The nominating committee is comprised of all members of Council.

All applications received by the established deadline will be forwarded to the nominating committee which will be responsible for reviewing the applications and recommending appointments. The applicant review process will be completed in camera as the process involves reviewing personal information of the applicants.

In an election year the nominating committee shall meet for the first time as soon as possible after the Inaugural Meeting of Council. Appointments will be made as soon as reasonably possible at the beginning of a Council term of office.

The nominating committee will make recommendations to Council. Council will consider the recommendations and appoint members by by-law.

The Legislative Services Division will notify all applicants of Council's decision and retain all applications according to the Retention By-Law.

Term of Committee Appointments

Generally recruited community appointments

Generally recruited community appointments will be appointed for a two-year term and will be eligible to serve for a maximum of four terms (eight years). Notwithstanding the foregoing, members will continue to serve until their successors are appointed by Council. The term of office may be longer if required by the terms of reference or provincial legislation but shall not exceed the term of Council.

Mid-term appointments will not be counted in the calculation of the maximum four-term (eight-year) limit.

All residents, property owners, business owners, employees of businesses in the City of Waterloo or individuals enrolled in a City of Waterloo campus of a post-secondary institution shall be eligible to serve on Committees, subject to specific legislative requirements or requirements in the Council approved terms of reference.

City of Waterloo staff are not eligible to sit as community appointments on City of Waterloo and Committees.

If a member misses more than three consecutive meetings or 25% of the annual meetings, Council must be notified by the staff support. The appointee will be deemed to have forfeited their committee position subject to an opportunity for the member to address Council in writing regarding their absenteeism and the committee chair to do the same. Council reserves the right to make the final decision regarding ending committee appointments.

A member may resign from a committee at any time and the resignation takes effect as of the date of resignation provided and upon notification of the Legislative Services Division. Council reserves the right to change committee membership at any point during a committee term.

Council appointments

Council appointments will be for the term of Council.

The Mayor is an ex officio member of all City of Waterloo Committees and may vote and participate without restriction.

Mid-term Vacancies

A mid-term vacancy may occur if:

- a) a member informs the Legislative Services division in writing of their resignation
- b) a member no longer meets the eligibility requirements
- c) a member misses more than 3 consecutive meetings or 25% of the annual meetings without the approval of the committee by resolution and affirmed by Council.

Mid-term vacancies for all City of Waterloo Committees with the exception of those listed on **Appendix C** will be filled in the last quarter of each year. Appointments will only be made for the remainder of the committee term. Members appointed mid-way through a committee term will be eligible to serve for a maximum of 8 years, commencing with their first full two-year term.

Application Process

Generally recruited community Appointments

Notice of the appointment process for both the beginning of a committee term or for the filling of vacancies will be published by the Legislative Services Division in the Waterloo Chronicle and on the City website.

The notice shall contain the name of the committee, approximate number of meetings per year, usual meeting date/time and a brief description of the committee

All applicants must complete an application form for each committee they wish to apply for. The application form may be downloaded from the City website or obtained from the Legislative Services division. The application form for each committee will include the terms of reference of the Committee and/or applicable legislation as available. The application form will require applicants to confirm they have read all documents attached to the specific application.

Student Resource Positions

Each Advisory Committee to Council shall include a student resource position recruited at the same time as generally recruited appointment. To be eligible the member must be registered in a post-secondary institution with a campus in the City of Waterloo.

Staff Appointments

Clerical/administrative or technical staff required to support a committee will be assigned by the Director or Commissioner of the relevant Department or by the Chief Administrative Officer. Community representatives are not required or expected to provide administrative support.

Staff attendance at Committees should be kept to a minimum in order to encourage member participation at meetings.

Council Appointments

Members of Council will be given the opportunity to serve on committee(s) of their choice by self-nomination. Council appointments shall be deliberated and discussed by all members of Council present at a public meeting of Council and shall not be discussed or considered in a closed meeting unless authorized by the *Municipal Act*.

Unless specifically required by the Council approved Terms of Reference, no City of Waterloo committee shall have more than one Councillor appointed.

Declaration of Office

Committee members appointed by Council must sign a Declaration of Office. **(Appendix D)**

3) COMMITTEE ADMINISTRATION

Roles

Role of Generally recruited community representative members:

- To provide needed skill/knowledge areas
- To provide desired representation of interests in the community

Role of Student Resource Position

- To provide needed skill/knowledge areas from a student perspective
- To provide desired representation of interests in the community
- Student Resource Positions shall be non-voting, do not effect quorum and are not required to meet the attendance policy requirements

Role of Committee Chair:

- To facilitate and chair the committee meetings
- To bring committee decisions forward to Council as required and speak as the official representative of the committee on committee approved statements

Role of Council Representatives

- To act as an informal liaison between the committee and Council
- To communicate Council's perspective on Council matters where appropriate

Role of Staff

- To provide clerical, administrative and/or technical support to the committee as required including the preparation and distribution of minutes and agendas
- To communicate the Corporate Strategic Plan, committee related policies and information items, departmental goals and objectives as required
- To provide guidance regarding timelines, workplan initiatives
- To incorporate formal committee comments and resolutions into Staff Reports where appropriate or where committee advice has been sought

Note:

Staff are not formal members of committees and have no voting privileges, unless otherwise provided in the Council-approved Terms of Reference.

Committee members are appointed to provide advice to Council and/or to make decisions as permitted by by-laws or other legislation. Members are not employees or representatives of the Corporation of the City of Waterloo, may not communicate on behalf of the corporation nor bind the corporation and shall not utilize City of Waterloo business cards or the like.

Rules of Procedure

The Rules of Procedure for Committees shall be same as Council as set out in the City of Waterloo Procedural By-Law except that committees shall not hold closed meetings.

Frequency of Meetings

The meeting frequency will be dictated in the Council approved Terms of Reference. Meeting dates and times shall be advertised during recruitment and can be changed upon unanimous vote of the Committee, during the next recruitment or upon direction of Council.

Quorum

A quorum of consisting of 50% voting members plus one is required for a Committee meeting.

First Meeting

At the first meeting of a committee term staff support shall provide a brief orientation session. Following the orientation the committee will elect a Chair and Vice-Chair. The Vice-Chair will act in the stead of the Chair, when required, due to the Chair's absence or resignation mid-term. Unless otherwise specified in the Council approved Terms of Reference, the Chair and Vice-Chair will be generally recruited community representatives, not members of City of Waterloo staff or nominees of other committees or organizations. If Terms of Reference require a City staff member to chair a Committee, the most senior staff member on the Committee will serve as Chair.

Agenda Items

Committees may meet to discuss matter pertinent to their Council approved terms of reference or as referred to the Committee by Council. The Agenda will be developed in conjunction with the staff support and Chair of the Committee.

Committees shall not consider personnel matters, but shall forward any such concerns to the relevant Director, Commissioner or the Chief Administrative Officer as appropriate.

Committees shall not provide advice or information to external boards, committees, agencies, organizations or other government bodies without the prior approval of Council.

Committee agendas and minutes shall be distributed to the committee by the Committee Secretary and distributed as requested in accordance with the *Municipal Act*, 2001 as amended and the City of Waterloo Procedural By-Law.

Agendas and Minutes

Agendas, minutes and relevant discussion items shall be distributed to all committee members at least 3 days in advance of the meeting. Committee agendas shall be posted on the City of Waterloo website in advance of the meeting and Minutes shall be posted within 14 days of being approved.

Reporting to Council

Advisory Committees will submit an annual report to Council at a special annual "Committee Night" to be established in the annual Council/Committee schedule.

The annual report will include:

- 1) An overview of the activities of the committee during the previous year.
- 2) Their intended direction or projects for the upcoming year.
- 3) Recommended revisions, as necessary, to their terms of reference.

Council upon receiving the annual reports may provide direction to the committee, determine if amendments to the Terms of Reference are required or determine the advisability of the committee continuing.

An additional committee networking and information sharing event shall be held once a year targeted at sharing information amongst committees on projects or initiatives to date.

The committee through the Committee Chair may elect to address Council as a delegation or provide communication to Council on behalf of the Committee at any point throughout the year. Unless mandated by Council, Committees will not speak on behalf of the City or make representations on behalf of the City without Council approval.

Committees of Council shall report to Council using the committee report template provided by the legislative services division. Report Numbers will be provided by the Legislative Services Division and a copy of the Report shall be maintained in the Legislative Services Division subject to applicable By-Laws.

Budget

Funding for Committees will be established as part of the City of Waterloo budget process.

6) CITY OF WATERLOO COUNCILLOR LIAISON

It has been a long standing practice to appoint Councillors as liaison to the various departments in the City. The City shall appoint the following Council liaison positions:

Community Services:	2 Councillors
Corporate Services (excluding Finance):	1 Councillor
Finance (Chair of the Finance and Strategic: Planning Committee)	1 Councillor
Economic Development:	1 Councillor
Integrated Planning & Public Works:	2 Councillors

Definition

The purpose of the liaison position is to be a conduit for the flow of information on key events or activities that may be happening within the department. It provides another opportunity for the Commissioner of the department to communicate its key projects underway or upcoming which Councillors can then pass along to Council as a whole. The definition is to act as liaison, not staff or department advocate, but to provide another communication mechanism between the policy making body of Council and the administration.

Appointment

Liaison appointments will be made for the term of Council.

Role

- to develop and maintain a relationship with the Commissioner based on mutual trust and respect
- to meet monthly with the Commissioner or at the request of the member of Council or Commissioner
- to seek advice from the Commissioner or appropriate Director with respect to constituent questions or concerns
- to provide advice and support to the relevant division
- to provide political input on key staff reports excluding expert or legislated content or opinion

7) EXTERNAL BOARDS AND COMMITTEE APPOINTMENTS

From time to time Council is requested to provide representation on External Boards and Committees. All appointments to external boards and committees including those of a provincial or national scope (AMO & FCM), must be approved by Council resolution.

To the extent possible, members of Council and staff serving on external Boards, Committees, Project Teams, etc. will follow and abide by the principles and procedures set out in this policy.

When serving on external Boards, etc. members of Council and staff acknowledge that they represent the City of Waterloo and the views expressed may be perceived as the views of the City.

COMPLIANCE:

In cases of policy violation, the City may investigate and determine appropriate corrective action.

Appendix A
Terms of Reference Template

[Insert Advisory Board or Committee Name] Terms of Reference

Date Approved by Council:

Sunset Date: [Insert if Applicable]

Mandate:

[Insert High Level Overview of Purpose of Committee:

Goals/Objectives:

[Insert high level overview of how mandate will be achieved]

Reporting to Council:

[Insert how the Committee reports to Council, for example through the Annual Committee Night or through Audit Committee Memo's to Council, circulation of decisions etc.]

Enabling Legislation, By-Law or Staff Report:

[Insert Legislation or By-Law that requires Committee or the Staff Report Number and the date to Council.]

Committee Composition:

[Bullet List of Membership, indicate how many general members to be recruited, how many members of Council and if there is specific representatives of external organizations being sought.]

Skills Requested

[Insert Skills that would be considered an asset for the recruitment of the general committee members.]

Administration Section

Department Linkage: [Insert name of Department that is aligned/administers this Committee]

Staff Support: [Insert how many staff will attend to provide support and what role]

Meeting Frequency: [Insert estimated meeting frequency]

Code of Conduct: [to be inserted by Legislative Services]

Legislative Services Review Date: [to be completed by Legislative Services]

Conforms to the City Policy: [to be completed by Legislative Services]

Appendix B

ACTIVE COMMITTEE LIST (updated September 2016)

ADVISORY COMMITTEES

Advisory Committee on Culture
Audit Committee
Community Cash Grants Advisory Committee
Sustainability Advisory Committee
Uptown Vision Committee
Waterloo Advisory Committee on Active Transportation
Waterloo Economic Development Committee
Waterloo Park Committee

STATUTORY/QUASI JUDICIAL COMMITTEES

Appeal Tribunal
Committee of Adjustment
Dog Designation Appeal Committee
Municipal Election Compliance Audit Committee
Municipal Heritage Committee
Sign Variance Committee

BOARDS

Waterloo North Hydro Board
Waterloo Public Library Board

TASK FORCES and AD HOC COMMITTEES

Neighbourhood Matching Fund Committee (currently under auspice of the Neighbourhood Strategy)

INTER-AGENCY COMMITTEES

Age Friendly Waterloo
Grand River Accessibility Advisory Committee
Town and Gown Committee

Appendix C

MID-TERM VACANY POLICY

EXEMPTIONS

- Appeals Tribunal
- Committee of Adjustment
- Dog Designation Appeal Committee
- Sign Variance Committee
- Waterloo Public Library Board

Appendix D

DECLARATION OF OFFICE

I do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability execute the position of Committee member, to which I have been appointed in this City, that I have not received and will not receive any payment, or promise thereof, as a result of my appointment, and that I will disclose any pecuniary interest, direct or indirect. I will abide by the relevant Code of Conduct for Members of Council or Members of Advisory Committees, the Committee Policy, Confidential Information Policy, Values and Expected Behaviours Policy, the City of Waterloo Procedural By-Law, Purchasing By-Law and any other relevant policies or by-laws.

Signature:

Date: