



Town of Newmarket
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Committee Structure Review Staff Report to Council

Report Number: 2019-47

Department(s): Legislative Services

Author(s): Andrew Walkom, Legislative Coordinator

Meeting Date: April 29, 2019

Recommendations

1. That the report entitled Committee Structure Review dated April 29, 2019 be received; and,
2. That Council approve revised Terms of Reference for the following Committees (**Attachment A**):
 - a. Accessibility Advisory Committee
 - b. Appeal Committee
 - c. Audit Committee
 - d. Committee of Adjustment
 - e. Elman W. Campbell Museum Board
 - f. Heritage Newmarket Advisory Committee
 - g. Newmarket Economic Development Advisory Committee
 - h. Property Standards Committee; and,
3. That Council approve the revised Committee Administration Policy and Committee Public Appointment Policy (**Attachment B**); and,
4. That Council dissolve the Newmarket Downtown Development Committee and direct staff to prepare a staff-led process for the evaluation and approval of Community Improvement Plan grant applications; and,

5. That Council dissolve the Newmarket Environmental Advisory Committee and direct staff to continue community wide engagement on Environmental projects; and,
6. That Council adopt amendments to the Code Of Conduct for Members of Council, Local Boards and Adjudicative Boards to remove the Newmarket Environmental Advisory Committee and the Newmarket Downtown Development Committee (**Attachment C**); and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This report provides a background on the Town's Advisory Committee and Board structure and outlines the challenges facing the current Committees. The report outlines general trends in both volunteerism and community engagement strategies. Trends show a preference among volunteers for shorter-term, goal-focused volunteer opportunities. Community engagement strategies have also continued to evolve, with new techniques and technologies allowing for wide community consultation.

Based on this review of the volunteer landscape and the current Committee Structure, Staff recommend a realignment of the current Committees. This includes the replacement of the Newmarket Downtown Development Committee with a staff-led working group. It also includes the replacement of the Newmarket Environmental Advisory Committee with a hybrid approach to engagement on the environment, utilizing both community-wide engagement strategies with short-term, project-based initiatives.

The report also examines additional Committees as identified during the Committee Structure Council Workshop. The first Committee option considered is a Youth Committee. Staff do not recommend the creation of a Youth Committee due to the challenges of engaging students through a traditional Committee structure. Alternatively, staff recommend the continued use of the extensive Youth Engagement strategies currently utilized by the Town. The report also examines a Mayor's Roundtable on Diversity and Inclusivity and recommends an annual or bi-annual forum format which would bring together representatives from local community organizations.

Finally, the report provides minor amendments to the Committee and Board Terms of Reference and Town's Committee policies including updates and housekeeping changes.

Purpose

This report is part of Council's established best practice to review the Town's Committee and Board structure at the beginning of each new term of Council.

Background

Committee Structure Review

Following the 2010-2014 term, Council adopted a best practice of reviewing the Committee structure after each term to ensure that Advisory Committees reflect the current term of Council and its strategic priorities. A post-term review provides an opportunity to evaluate the efficacy of Advisory Committees, and ensures that a Committee structure is the most appropriate mechanism for consideration of various municipal matters.

On February 25, 2019, a Council Workshop was held to present staff's findings on the existing Committee structure and seek Council's feedback on any potential changes. The following sections outline staff's findings related to the Committee structure and community engagement strategies more generally.

Evolving Trend in Community Consultation

A 2016 Ipsos Public Affairs survey conducted by Volunteer Canada shows that there has been gradual change in volunteerism. The 2018 community survey found a high level of citizen engagement in Newmarket. However, general trends show that volunteers now prefer short-term, goal-oriented opportunities. The traditional advisory committee structure poses a long commitment for today's volunteers and it is important that the Town's community consultation structure take this fact into account.

Challenges of current Council Advisory Committee structure

Unclear Roles and Responsibilities

Staff conducted a survey of committee members at the end of the 2014-2018 term and found many responses indicated an unclear relationship between their committee and Council. The advisory committee model provides advice from committees to Council through minutes. There is often a delay of many months before minutes are approved and sent to Council. There is also a potential for a lack of feedback between Council and committees, leading to a feeling that their advice has not been taken.

Narrow Consultation

The traditional advisory committee model appoints a small group of people to a committee for a set period, such as a four-year term concurrent with Council. By its nature, this model engages with a limited number of community voices. Both new models of consultation and technological advancements now allow for a much broader community consultation and more diverse set of voices.

Alternative Consultation Models

As noted above, volunteer trends continue to evolve and the traditional community consultation model of advisory committees is no longer the only option to reach

community members. New methods and technologies provide staff with alternate tools to reach community members, as well as experts in the relevant fields.

Code of Conduct – Status of Local Board under the Municipal Act

As of March 1, 2019, all Committees and Boards of the Town are considered 'Local Boards' under the Municipal Act and are subject to the Town's Code of Conduct. While Committee Members were previously subject to the Conduct section of the Committee Administration Policy, the Code of Conduct represents an additional responsibility for members. The additional requirements and integrity commissioner oversight may dissuade potential volunteers from joining committees and boards, if they feel it presents an additional responsibility. Staff will continue to monitor the effect the expanded Code of Conduct has on committee recruitment and retention.

Discussion

Committee Structure Review Council Workshop – February 25, 2019

At the Council Workshop held on February 25, 2019, Council provided feedback on the existing Committee structure and proposed changes to the structure. A number of themes emerged from the meeting:

- Advisory Committees should be created and structured to ensure effective community engagement and useful advice to Council and staff
- The traditional advisory committee structure is not the only way to receive advice and engage the community
- Cancelled meetings due to lack of quorum continue to be an issue with some committees
- Fewer meetings per year with more items on the agenda are preferable

Statutory Committees

Recruitment has been completed for the Town of Newmarket's statutory committees and Council has made its appointments to these committees. At this time, staff do not recommend changes to the structure of the statutory committees. Minor adjustments and housekeeping updates to the existing Terms of Reference (see **Attachment A**) for these committees are recommended and are detailed below.

At the February 25, 2019 Council Workshop, Council discussed the possibility of fewer meetings per year to have more full agendas and alleviate the issues with quorum. Staff have reviewed the meeting schedules for statutory committees and recommend schedules for the 2018-2022 term be set as follows:

| Committee or Board | Meeting Schedule | Proposed Change |
|--|-----------------------|---|
| Accessibility Advisory Committee | Six meetings per year | No change |
| Appeal Committee | Meet as required | No change |
| Audit Committee | 2-3 times per year | No change |
| Committee of Adjustment | Meet as required | No change |
| Elman W. Campbell Museum Board | Monthly | No change |
| Heritage Newmarket Advisory Committee | Monthly | Six meetings per year |
| Newmarket Public Library Board | 10 times per year | No change due to legislated meeting requirement |
| Property Standards Committee | Meet as required | No change |

Existing Advisory Committee Structure (non-statutory)

Audit Committee

At the June 7, 2018 meeting of the Audit Committee, the Audit Committee recommended changes to its terms of reference. The Committee recommended adding the following items to its mandate:

- a. Reviewing and making recommendations on external auditor's Request For Proposal scope documents;
- b. Reviewing and making recommendations on submissions received as part of the evaluation process for external auditor's RFPs; and,
- c. Meeting periodically with the internal auditors and reviewing their reports.

Legal and Procurement Services has advised that recommendation (a) above would be an acceptable change, provided the following rules are followed:

- o The recommendations must come from the committee collectively and not from individual members; **and**

- Committee members must sign a confidentiality agreement which acknowledges the importance of strict confidentiality regarding the scope of a request for proposal document prior to its release; **and**
- Committee members must sign a declaration confirming that they do not have a conflict of interest related to the matter, including specifically that no committee member participating in providing recommendations has a connection to any potential proponent.

The participation of the Audit Committee in providing recommendations on the development of the scope for the Request for Proposal document will give the Audit Committee a meaningful role in the process and allow the Town to benefit from their industry knowledge and experience. That said, it is a widely recognized best practice that the procurement function should be insulated from political influence. As a result, it is recommended that the involvement of the Audit Committee end after the provision of recommendations on the development of the document, and **not** extend to involvement in the procurement process itself as suggested in recommendation (b) above.

For clarity and consistency with the above advice, it is further recommended by staff that the following item in the current terms of reference be deleted: “To provide advice and recommendations to Council with respect to the appointment of the External Auditor, the scope and timing of the audit.” It is recommended that this item be reworded to read: “To provide advice and recommendations to Council with respect to the scope of the audit”.

Newmarket Downtown Development Committee

At the February 25, 2019 Committee Structure Review Council Workshop, Council discussed the current structure of the Newmarket Downtown Development Committee (NDDC). The Committee’s Terms of Reference suggests members should be property or business owners in the Community Improvement Plan area (CIP). It is possible that the appearance of conflict of interest would be present for these NDDC members. This concern has further weight with the legislated requirement of a Code of Conduct for Committee Members, which now applies to NDDC members. The potential for the appearance of conflict could represent an unfair burden on the members of the committee who are chosen specifically to represent CIP area businesses and landowners.

As Council has delegated the approval of CIP financial grants to the Chief Administrative Officer, the creation of a staff working group to provide recommendations to the CAO would represent a consistent approach.

Staff have found that a number of neighbouring municipalities have moved to a similar model for comparable grant programs, where applications are both evaluated and approved by staff.

It is recommended a staff working group be formed, which would be composed of one member each from Economic Development, Planning & Building Services, and Financial Services, and one other staff representative with demonstrated interest and knowledge on downtown issues, along with the Ward 5 Councillor. This five member group would be responsible for receiving and evaluating the grant applications using existing processes and making recommendations for approval to the CAO. A staff-led approach will provide a consistent and objective process for grant applications.

Newmarket Economic Development Advisory Committee

Legislative Services staff have received proposed revised Terms of Reference for the Newmarket Economic Development Advisory Committee (NEDAC) which suggests a number of amendments. One amendment expands the membership to up to twelve non Council/Chamber representative members. Members are to represent residents, local business owners or key stakeholders and strive to reflect the evolving economic and demographic diversity of this community, as indicated within the York Region Employment survey and recent Census data. This will provide NEDAC with a strong cross-sectorial lens on matters discussed by NEDAC and ultimately enhance its ability to make sound input to Council as requested.

Staff note that the Terms of Reference of NEDAC were previously amended (prior Term of Council) to reduce the size of the Committee to its current size of seven members. While a smaller Committee was generally effective, the amendments to allow the appointment of up to twelve resident and business representatives will ensure a broad cross-section of business sectors is represented.

Newmarket Environmental Advisory Committee

The Newmarket Environmental Advisory Committee (NEAC) was formally established in 2004. As discussed previously, community volunteerism as well as municipal community consultation models have changed a great deal during this period. As well, the Town of Newmarket's staff have also become much more involved in environmental issues, gaining expertise and knowledge in diverse areas. One prominent example is the hiring of a Climate Change Specialist. The Town of Newmarket has also become a leader in many environmental initiatives, such as Low Impact Development.

The Committee has faced a number of challenges including cancelled meetings due to lack of quorum and numerous resignations. Over the last term, the Committee had seven members resign and ended with a vacant position. NEAC has also struggled with a broad, unclear mandate and no designated staff support.

During the last Committee Structure Review in 2015, NEAC's mandate was narrowed to provide four focus areas for the Committee. However, this did not significantly improve the satisfaction of the Committee members with their role, as evidenced both by the high rate of turn-over and survey results. Staff note that the committee has often taken an environmental advocacy approach which differs from its mandate and purpose as an advisory committee to Council.

The trends in volunteerism show a preference for shorter-term activities with goal-oriented mandates. A recent example of this model with an environmental focus is the Newmarket Energy Efficiency Retrofit (NEER) Stakeholder Advisory Group which engages residents on a specific project for a limited time. This approach provides a valuable resource to staff and Council, and better accommodates the shift in volunteerism.

Staff note that the Committee Administration Policy provides for the dissolution of an advisory committee when its mandate has been completed. Criteria for the completion of a mandate include meeting the objectives identified in the Terms of Reference or if issues requiring the specific expertise of the Committee have been resolved. While the environmental issues which drive the Committee will never be fully resolved, staff note the Committee has been successful in elevating environmental issues to the forefront in the community. Indeed, Council now considers protection of the environment as one of its strategic priorities. With regard to the second point, Staff now possess considerable expertise in the environmental field and are less reliant on the community expertise provided by an advisory committee.

Staff recommend the Newmarket Environmental Advisory Committee be replaced by a hybrid model of broad community consultation and project-focused working groups. A hybrid approach will allow for Council and Staff to reach a broad cross-section of the community and diverse group of voices, but also will allow for tightly-focused mandates on specific issues with set timelines.

Recent projects have seen the use of community consultation models which are able to reach a broad sector of the community and receive diverse viewpoints. Staff note the limitations of the traditional advisory committee structure with respect to broad consultation. New tools are available to Town Staff including HeyNewmarket. Also, many projects now require separate public consultation. Examples have included the Grant Funding LID Policy, Stormwater Fee Manual, Urban Forestry Management Plan and Energy Management Plan.

Additional Advisory Committees

Youth Committee

At the Council Workshop held on February 25, 2019, staff were asked to examine the options for youth engagement, including the creation of a Youth Committee. Staff have reviewed the options for a Youth Committee as well as researched similar groups in other municipalities.

There are a number of challenges specific to reaching youth and engaging them in a Committee structure. The time commitments are challenging for both secondary and post-secondary students due to the demands of school, work and other extra-curricular activities. Similarly, it is difficult for students to commit to a long-term volunteer

opportunity such as a committee, due to their other commitments and their advancement through the education system. An additional challenge is that Newmarket is not located close to a post-secondary institution, and does not have a large post-secondary student population to engage. Staff note that an initiative in the early 2000s to appoint a youth representative to various advisory committees found similar challenges and was not continued.

Additional challenges to the formation of a Youth Committee would be an unclear and overly broad mandate. As previously discussed, volunteer trends show a preference toward goal-oriented, short-term opportunities, which is a preference that is all the more important for youth.

One previous example of a Newmarket youth-oriented committee was the “Task Force to Curb Youth Violence” which was later renamed the “Youth Support Task Force.” This task force existed for approximately four years during the mid-2000s and brought together youth, police and school board representatives to discuss community safety issues. This body is an example of a more focused youth-oriented mandate.

Youth engagement forms an important part of planning and designing Town programs, especially in the Recreation & Culture department. For example, extensive outreach took place during the creation of the Recreation Playbook, and similar outreach is planned for the Cultural Master Plan. Additional events such as the Newmarket Youth Summit held annually during Local Government Week in October specifically engage youth on Town issues and decision-making. Recreation & Culture also provides youth engagement services on projects led by other Town departments.

Staff recommend that current youth engagement strategies continue to be employed to reach a broad cross-section of Newmarket’s youth on key issues because it has proven to be an effective consultation approach with this age group.

Mayor’s Roundtable on Diversity and Inclusivity

At the Council Workshop held on February 25, 2019, staff were asked to examine the options for a Mayor’s Roundtable on Diversity and Inclusivity. An annual or bi-annual forum format will not require the formal approval of Council, as it does not require the appointment process. This format could be led by the Mayor’s Office to engage local stakeholders. Invitations could be made to local community groups and organizations for representatives to attend the event. This approach would also offer opportunity for collaboration with existing Town groups, such as the Accessibility Advisory Committee for example.

There are a number of inclusivity and diversity initiatives which are currently engaged by the Town and Town staff. This includes a staff working group on an inclusion strategy and a York Region diversity and inclusion working group which is composed of multiple stakeholders such as all 10 York Regional municipalities, York Regional Police, Southlake Regional Health Centre, Mackenzie Health, and Lake Simcoe Region

Conservation Authority to name a few. This group is currently engaged in developing a digital toolkit for community partners to use as part of their campaigns to increase awareness and education around inclusion.

Recently at the March 4, 2019 meeting, Council endorsed the Inclusion Charter for York Region with the following paragraph specific to Newmarket:

The Town of Newmarket commits to nurturing and embracing diversity in creating an environment for extraordinary public service. The Town promotes equity, accessibility, and inclusion through our thoughts and actions in support of our growing community. This Charter positions us to build our community together by inspiring personal, social, and economic development aligned with our core values: Courage & Creativity; Accountability & Accessibility; Respect & Integrity; and Excellence.

As further stated in the [staff report](#) on the Diversity and Inclusion Charter, endorsement of the Inclusion Charter represents a leading practice to promote inclusivity in our respective communities.

Revisions to Terms of Reference

Staff have prepared revised Terms of Reference for the existing Committees and Boards. These amendments include the changes discussed throughout this report, as well as housekeeping amendments and updates to ensure consistency between committees. The Terms of Reference have been updated with the new Council Strategic Priorities for the 2018-2022 term. These Terms of Reference are attached to this report as **Attachment A**.

Amendments to Committee Policies

Staff have prepared amendments to the Committee Administration Policy and the Committee Public Appointment Policy. These changes include housekeeping amendments and updates to ensure consistency between the policies and with other policies. These Policies are attached to this report as **Attachment B**.

The Conduct section of the Committee Administration policy has been deleted, as the Code of Conduct now applies to all Advisory Committee members and supersedes the policy.

Committee and Board Remuneration

Only the members of the Appeal Committee, Committee of Adjustment and Property Standards Committee are provided with remuneration for attending meetings. Staff have reviewed the remuneration for Appeal Committees, Property Standards Committees and Committees of Adjustment across York Region to determine if remuneration is similar to neighbouring municipalities. The findings are presented in a chart below (note that information from Richmond Hill was not obtained at the time this report was written):

| York Region Municipalities | |
|-----------------------------------|--|
| Aurora | |
| Committee of Adjustment | \$115/meeting for Chair \$110/meeting for members |
| Appeal Committee | No remuneration |
| Property Standards | No remuneration |
| East Gwillimbury | |
| Committee of Adjustment | \$80/meeting + mileage |
| Appeal Committee | \$80/meeting |
| Property Standards | (part of Appeals Committee) |
| Georgina | |
| Committee of Adjustment | \$81/meeting |
| Appeal Committee | \$40/meeting |
| Property Standards | \$40/meeting |
| King | |
| Committee of Adjustment | \$80/meeting + mileage |
| Appeal Committee | No remuneration |
| Property Standards | No remuneration |
| Markham | |
| Committee of Adjustment | \$3000/yr for Chair (~\$167/mtg) \$2400/yr for members (~\$133/mtg) * based on average of 18 meetings a year |
| Appeal Committee | No remuneration |
| Property Standards | No remuneration |
| Vaughan | |
| Committee of Adjustment | \$234/meeting for Chair \$200/meeting for members |
| Appeal Committee | (part of Property Standards) |

| | |
|-------------------------------|--|
| Property Standards | \$30/meeting for Chair \$25/meeting for members |
| Whitchurch-Stouffville | |
| Committee of Adjustment | \$80/meeting |
| Appeal Committee | \$75/meeting |
| Property Standards | (part of Appeals Committee) |

The remuneration for Town of Newmarket Committees is provided in the table below, with staff's recommended increase to be comparable to neighbouring municipalities:

| Committee | Current Remuneration | Proposed Remuneration |
|-------------------------------------|-----------------------------------|------------------------------------|
| Committee of Adjustment | \$90.00 per meeting for the Chair | \$110.00 per meeting for the Chair |
| | \$75.00 per member per meeting | \$100.00 per member per meeting |
| Appeal Committee | \$50.00 per member per meeting | \$80.00 per member per meeting |
| Property Standards Committee | \$50.00 per meeting per member. | \$80.00 per meeting per member. |

Conclusion

The recruitment for the Town's statutory boards and committees has been completed and meetings have begun. Following the completion of this Committee Structure Review, staff will begin the recruitment process for the remaining Advisory Committees and Boards.

Staff will continue to monitor community engagement efforts for improved or alternative tools and strategies. Staff will continue to monitor the effectiveness of the revised Committee Structure including member satisfaction throughout the 2018-2022 term, in anticipation of the next Committee Review.

Business Plan and Strategic Plan Linkages

This report relates to the Well-equipped and Managed link of the Town's Community vision – implementing policy and processes that reflect sound and accountable governance.

Consultation

Staff consulted widely across the corporation, including the departments associated with the committees and boards reviewed in this report. Staff reviewed advisory committee structures including terms of reference for similar committees widely across Greater Toronto Area municipalities.

A survey of committee members, committee chairs and Council representatives was undertaken and feedback was used to inform the recommendations of this report.

Human Resource Considerations

None.

Budget Impact

Increased remuneration for the Committee of Adjustment, Appeal Committee, and Property Standards Committee will have a small budget impact which is expected to be accommodated by the relevant departments. This amount will also be offset by the reallocation of the budget for the Newmarket Environment Advisory Committee.

Attachments

Attachment A - Revised Committee Terms of Reference

Attachment B - Revised Committee Administration Policy and Committee Public Appointment Policy

Attachment C – Draft Code of Conduct Amending By-law

Approval

Kiran Saini

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Contact

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