

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
Submitted by:	Brent Larmer, Municipal Clerk/ Director, Legislative Services Legislative Services Division blarmer@cobourg.ca	Meeting Type: Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
Meeting Date:	November 28, 2022		
Report No.:	Legislative Services-077-22		
Submit comments to Council			

Subject/Title: Striking Committee Recommendation – Governance and Appointments

RECOMMENDATION:

THAT Council receive the memo from the Council Striking Committee for information purposes; and

WHEREAS the Town of Cobourg is currently undertaking a Governance Structure Review that could advise of changes to the current governance model of a Committee of the Whole Coordinator Role System as described in Section 9 of the Procedural By-Law 009-2019; and

WHEREAS a Governance Structure Review is an outcome of the 2018-2022 Service Delivery Review conducted by KPMG with recommendations approved by Municipal Council through resolution #453-21;

THEREFORE BE IT RESOLVED THAT Sections 4.4, 9.3 and 9.4 of the Procedural By-Law, which requires Council to appoint Council Service Coordinators and Alternates, and describes the coordinator functions at the Committee of the Whole Meeting, be suspended until the Governance Structure Review has gone through due process, including public engagement and approval by Council; and

FURTHER THAT no Council appointments be made to Advisory Committees in the interim until the review and recommendations of Municipal Staff on the potential creation, amendment or dissolution of Advisory Committees;

FURTHER THAT Council appoints the following Council representatives to various Committees and Boards:

Committees and Boards Appointments:

Mayor Lucas Cleveland:

- Town of Cobourg Holdings Inc.
- Northam Industrial Park
- Audit Committee

Deputy Mayor Nicole Beatty:

- Northam Industrial Park
- Cobourg Police Services Board
- Audit Committee

Councillor Adam Bureau:

- Cobourg Police Service Board
- Community Emergency Management Committee

Councillor Brian Darling:

- Audit Committee
- Water Quality Accountability Liaison Committee
- Community Emergency Management Program Committee

Councillor Aaron Burchat:

- Cobourg Library Board
- Art Gallery of Northumberland

Councillor Miriam Mutton

- Water Quality Accountability Liaison Committee
- Ganaraska Region Conservation Authority

Councillor Randy Barber:

- West Northumberland Physician
- Recruitment and Retention Board
- Ganaraska Region Conservation Authority

1. STRATEGIC PLAN

Not Applicable.

2. PUBLIC ENGAGEMENT

The Special Council Meeting Agenda was published through the eSCRIBE Council Meeting Portal on November 21, 2022 and made available to members of the public. A Public Notice was sent out through the Town of Cobourg Communications channels notifying the public of the purpose of the meeting and setting out the date and time of the meeting.

3. PURPOSE

The purpose of this staff report is to present the Municipal Council with the correspondence received by the Town of Cobourg Striking Committee to the Municipal Clerk on the governance and appointments discussions and recommendations for the 2022 – 2026 Council Term.

4. ORIGIN AND LEGISLATION

Section 238 (2) of the *Municipal Act, 2001*, provides the requirement for Ontario municipalities to enact and approve a by-law to layout the procedures of Council governing system and the process and rules of meetings. The Town of Cobourg Procedural By-law No.009-2019 outlines the Council approved process to govern the calling, place and proceedings of meetings.

5. BACKGROUND

The Procedure By-law pursuant to Section 4.4 provides the authority of the Striking Committee composed of the Mayor and Deputy Mayor to prepare a report for presentation during the Inaugural Council meeting recommending the appointment of the Council Service Coordinators and their alternates. The Striking Committee recommended that only the appointments to the County of Northumberland be made, and that the governance structure review to take place and a suspension of the coordinator system until that review is complete.

On November 15, 2022, Municipal Council held the Inaugural Meeting of Council which no coordinator appointments occurred, and on November 21st 2022, Mayor Cleveland called a Special Council Meeting for members of Council to discuss the recommendation from the Striking Committee on moving forward with its recommendations.

6. ANALYSIS

As part of the recommendation to suspend the coordinator roles if approved, the Town of Cobourg Procedural By-law will need to be amended to include a suspension and amendment of the sections that involve the use of the Coordinator Roles. If Council agrees to the recommendation of the Striking Committee, Council will need to direct the Municipal Clerk to draft an amending By-law that would incorporate these changes.

The following sections will have to be amended:

7.2 *Every Public Meeting of Council shall be chaired by:*

- a) The Council Service Coordinator who called the Public Meeting, if present;*
- b) Their alternate, if the Council Service Coordinator who called the Public Meeting is absent; or*
- c) If both are absent, Council shall select an Acting Chair to serve as Chair.*

7.5 *Council Members in their capacity as Council Service Coordinators, will be responsible to Chair their respective Hearings, Public Meetings and Special Meetings of Council.*

The Procedural By-law update and amendment would be required to determine who would be acting as the Chair for a specific public meeting. For example, currently noted that the Coordinator of Planning and Development is the Chair of any Public Planning Meeting and the Coordinator of General Government Services is the Chair of any Budget Meetings of Council. Without the appointments of these coordinator roles the default of the Chair would be the Head of Council.

Alternatively, Council may determine who will Chair these meetings through a resolution of Council.

- 9.2** *The Committee of the Whole meeting agendas and all related materials will be prepared and circulated ten (10) days in advance of the meeting to provide ample time for Council Members to review the items and to ask questions of various Council Coordinators and Municipal Staff.*

The Procedural By-law update and amendment would be required to remove the reference to Council Coordinator.

- 9.4** *The Council Service Coordinator will assume the role of Chair for the portion of the Committee of the Whole meeting pertaining to their respective service area and will be responsible for announcements, presenting the items individually as listed in the agenda, for asking municipal staff to explain the reports, for reading out the motion, for facilitating the discussion, for dealing with amendments, for calling the vote and for announcing the status of the motion being carried, defeated or amended. Each Council Service Coordinator will be assigned a backup Council Member as approved by resolution of Council to fill this role and assume responsibility in their absence.*

The Procedural By-law update and amendment would include the removing and amending of Section 9.4 which provides the authority for the rotation of meeting chairs at the Committee of the Whole meetings pertaining to their services areas, as there will be no specified service areas that a specific Councillor will be overseeing. If this change is approved, the amendment would also have to include the Mayor as the Chair for both Committee of the Whole and Regular meetings of Council, unless the Mayor is absent, than this would fall to the Deputy Mayor, and if the Deputy Mayor is absent, Members of Council will vote amongst themselves as to who will assume the Chair role for that council meeting.

- 27.0** *Council/Coordinator Announcements are added to the Agenda for the sole purpose of informing other Members of Council and the general public on items of interest in each Council Member/Coordinator's respective portfolio. It also provides Council an opportunity to ask questions of clarification only relating to items in a Council Member/Coordinator's portfolio.*
- 27.2** *The Coordinator Announcement section in the Agenda does not allow for debate and, therefore, issues that have been previously considered by Council should not be brought forward under Co-ordinator Reports and no notes will be taken by the Clerk under this section unless directed by the Mayor or Presiding Officer to do so.*

The Procedural By-law update and amendment would be required to remove the reference to Coordinator and just state Member of Council Announcements. This section would only list the Council Members with no Coordinator areas reference beside their name. This section will provide an opportunity for Councillors to report on activities and business that they have been part of in between Council Meetings and also provide an update on the Boards and Committees that they sit on.

- 34.5** *Council Service Coordinators will review the applications under their assigned respective service area of responsibility and will make recommendations for prospective Committee Members from applications received in Closed Session for appointment by motion at a Regular Council Meeting for their areas of responsibility after each municipal election for any vacancies or expired terms of office or on an as needed basis.*

The Procedural By-law update and amendment would be required to remove the reference to Council Service Coordinators and update the wording to include all Members of Council will review applications for prospective Committee Members.

Advisory Committees and Local Boards

Currently the Legislative Services – Clerks Office has been recruiting members of the public to sit on Boards and Advisory Committees in the Town of Cobourg. This recruitment occurs at the start of every term of Council as Committee and Board Members term of office coincides with the Council Term, therefore all memberships expired November 14, 2022. The governance review will incorporate a review of all committees of Council and recommendations and options on their mandates and existence will be incorporated within the final governance review report to Council, therefore Staff supports the suspension of the Advisory Committee Appointments at this time except for those that are mandatory to be put into place such as the Quasi-Judicial and Legislative Committees.

The following Committee/Board Appointments should take place:

Cobourg Police Service Board – One (1) Vacancy
Cobourg Public Library Board – Six (6) Vacancies

Cobourg Accessibility Advisory Committee – Six (6) Vacancies

Committee of Adjustment/Property Standards – Five (5) Vacancies

It is recommended that for Heritage Permit Applications, that the delegation of authority that is currently in place for the Heritage Advisory Committee be extended until the Governance Review is complete as Staff will be providing recommendations on the Heritage Advisory Committee as part of the Review. If the delegation does not get approved, pursuant to the Heritage Permit By-law, Council should appoint members to the Heritage Advisory Committee, or alternatively, all Heritage Permit Application for approval shall be presented to Council as the approval authority.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no financial implications related to this report.

8. CONCLUSION

The purpose of this report was to provide Council with the correspondence received by the Striking Committee recommending the suspension of the coordinator system and appointments to priority committees and Boards needing Council representation for their functions. The next step is for Council to provide direction on the recommended resolution for Council consideration within the Striking Committee correspondence.

Report Approval Details

Document Title:	Striking Committee Recommendation Report - Legislative Services-077-22.docx
Attachments:	- Striking Committee Recommendation_Final (002).docx
Final Approval Date:	Nov 18, 2022

This report and all of its attachments were approved and signed as outlined below:

Tracey Vaughan, Chief Administrative Officer - Nov 18, 2022 - 4:36 PM