



Municipality of Port Hope

Staff Report

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Report Title: Appointing Council Representatives to Advisory Boards and Committees for the 2022-2026 Term

Report to: Council

Date of meeting: December 6, 2022

Report Author:

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Department responsible:

Corporate Services

Report Number: CS 20-22

Recommendation:

1. That Council identify and/or appoint Council members to the following municipal boards (Refer to Resolutions):
 - a. Ganaraska Region Conservation Board of Directors (2 to be appointed);
 - b. Police Services Board (2 to be appointed); and
 - c. Library Board (1 to be appointed)
2. That Council direct the Mayor to bring forth a recommended Resolution identifying appointees to the remaining boards/committees to be considered at a later date.

Highlights:

- The Municipality's Procedure By-law 49-2015 provides Council the authority to appoint Council representatives to advisory committees and local boards.
- To ensure that the Municipality is complying with all applicable legislation and ensuring the continuity of business, staff are recommending that Council appoint representatives to the local boards, being Ganaraska Region Conversation Board of Directors, Police Services Board and Library Board, immediately.
- Further, staff are recommending that the Mayor, who has the authority under the Procedure By-law to oversee the appointment process, be directed to identify appointees to all remaining boards and committees and bring forward a resolution for Council's consideration at a later date, determined by Council.

Background:

The Municipality of Port Hope has 9 advisory committees and 5 quasi-judicial boards/committees (see Appendix 1 for complete listing and summary). These [boards and committees](#) are comprised of volunteers made up of residents, business owners, and other stakeholders and have been formed to either provide advice to Council,

exercise authority and responsibilities delegated by Council, or perform certain functions prescribed by legislation. The Municipality's Procedure By-law 49-2015 provides Council (with the Mayor overseeing the process), the authority to appoint Council representatives to Advisory Boards and Committees, as well as to local boards to carry out the provisions of specific Legislation/Acts. The Procedure By-law is silent on the timing of the Council appointments, but traditionally these are made early in a Council's term.

Discussion:

Municipal boards and committees are generally established to provide recommendations and advice to staff and Council. Such bodies play an important part in the corporate decision-making process by providing a means to receive the views and advice from residents and stakeholders on a variety of matters that contribute to the development of policies, programs and initiatives that enhance the municipality's quality of life.

In Port Hope, advisory committees traditionally serve a four-year term commencing a year following the incoming Council. This allows the incoming Council to get acquainted with the work that the committees are doing, and actively participate in the recruitment of new committee members once their term expires. For example, the current advisory committees' terms commenced in 2019, and will be ending on December 31, 2023.

It is important to note, however, that local boards that are governed by other legislation have different terms and may require earlier appointments. For example, as per the Public Libraries Act, the term of the current members ends with the end of the Council term, and appointments to the Library Board must be made as soon as possible to ensure continuity of Library Board business. We are currently recruiting for members of all the relevant committees and boards that have expiring terms, and it is pertinent to appoint Council representatives as soon as possible.

Of the Municipality's advisory and quasi-judicial boards/committees, some are required by legislation while most are discretionary and formed by Council based on identified need (see Appendix 1 for legislation associated with the current Boards and Committees). Only 1 of the Municipality's 9 advisory committees is required by legislation, that being the Accessibility Advisory Committee, a requirement of the Accessibility for Ontarians with Disabilities Act (AODA). The Ontario Heritage Act contains permissive powers for Council to form a municipal heritage committee, which Council has formed through Heritage Port Hope. The remaining advisory committees have no statutory basis and are formed exclusively at Council's discretion.

Of the quasi-judicial committees, the Property Standards Committee is a requirement of the Building Code Act due to the Municipality having a Property Standards By-law. A municipality also has permissive powers to form a Committee of Adjustment under the Planning Act. The boards, being Library Board, Police Service Board, and Ganaraska Region Conservation Board of Directors, are required by legislation and operate under their own mandate.

Between 2019-2021, the Legislative Services division completed a comprehensive review of the Municipality's boards and committees, with the purpose of improving functionality and ensuring alignment with the Municipality's strategic mandate. The results of the review, and the subsequent Advisory Committee By-law (By-law 05-2021) were approved by Council in February 2021. With the commencement of a new Council Term and the potential review of the current Procedural By-law, there is an opportunity to review the Advisory Committee by-law again and further streamline processes to ensure the continued enhanced role of committees as public engagement tools. This includes reviewing the terms that Council representatives serve on each advisory committee. Currently, Council representatives serve a four-year term, but that is subject to review as necessary.

In the interim, the Procedure By-law states that "Council may appoint representatives to serve on Local Boards, Authorities, Commissions, Advisory Committees, or any other body to which Council is required or empowered to appoint a representative" (Section 13.2). The process to appoint Council Representatives is not specifically outlined in the Procedure By-law, but it does provide for the Council, under the supervision of the Mayor, to appoint Council Representatives to local boards and Advisory Committees (Section 36.2). Traditionally, these appointments are done via resolution.. The timelines to appoint representatives is not outlined in the Procedure by-law, however, traditionally these are completed early in the Council term.

Staff are recommending that some of the more urgent appointments to local boards, where Council representatives form a key part of quorum and are required to make important decisions that advance the business of the board should be made as soon as possible. For the Police Services Board, Ganaraska Region Board of Directors and the Library Board, which are governed by their own legislation, the terms of office for current members is also ending or has already ended, which is why it is pertinent that Council appointees to these boards be made as soon as possible. Other committees, such as the advisory committees, may have representatives appointed at a later date.

As the Procedure By-law is silent on the process for Council appointments to advisory committees, staff are recommending that the Mayor oversee the process, and provide recommendations in the form of a resolution for Council's consideration at a later date. This will ensure that the business of advisory committees continues in a timely manner.

Financial Considerations:

There are no noted financial considerations for this report.

Communication and Public Engagement:

Not applicable.

Conclusion:

In the near future, staff will be recommending a review of the Procedure By-law to streamline the process for appointing Council Representatives to boards and committees, in addition to other changes/enhancements to better reflect best practices

and ensure accurate, efficient and transparent council/committee proceedings. In the interim, staff are recommending that Council consider appointing Council representatives to the local boards immediately and request the Mayor to oversee the process for assigning Council representatives to the remaining boards/committees.

Attachments:

Appendix 1 – List of Existing Boards and Committees