

# committee AGENDA



TO **Governance Committee**

DATE January 11, 2010

LOCATION Council Committee Meeting Room (Rm 112)

TIME 3:00 p.m.

## disclosure of pecuniary interest

**confirmation of minutes** – December 7, 2009

## PRESENTATIONS (Items with no accompanying report)

a)

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

Item	City Presentation	Delegations	To be Extracted
GOV-A.1 2009 Governance Committee Annual Report of			
GOV A.2 2010 Governance Committee Work Plan			
GOV A.3 Governance Committee Quarterly Report			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

## items extracted from consent agenda

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

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**Other business**

**Next meeting:** February 8, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday December 7, 2009, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday December 7, 2009 in the Committee Meeting Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Burcher, Hofland and Wettstein

Also Present: Councillor Bell

Staff Present: Mr. M. Amorosi, Director of Human Resources; Ms. M. Neubauer, Director of Finance; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on October 13, 2009 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2009 A.21 – Delegation of Authority
- GOV-2009 A.22 – Comparator Municipalities

2. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT the balance of the Governance Committee December 7, 2009 Consent Agenda, as identified below be adopted:

a) **Sustainable Guelph – Our Commitment**

REPORT

THAT Council endorse the sustainability statement "Sustainable Guelph – Our Commitment" developed by community partners and designed to foster city-wide economic, social, and environmental sustainability at all levels in the community.

Carried

**Delegation of Authority**

REPORT

3. Moved by Councillor Hofland  
Seconded by Councillor Burcher

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority for approval of the following matters, as set out in Schedules "A" to "M" attached to the report of the Director of Information Services/Clerk, dated December 7<sup>th</sup>, 2009

- the execution of various types of routine administrative agreements;
- community festivals and special occasion permits;
- special events.

Carried

**Comparator Municipalities**

REPORT

4. Moved by Councillor Burcher  
Seconded by Councillor Wettstein

THAT when producing comparative statistics, only municipalities from the attached Schedule "2" be used, and that when only selected municipalities from this list are to be used, a full explanation be provided as to why others have been excluded.

Carried

5. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT the Governance Committee now hold a meeting that is closed to the public with respect to:

**Citizen Appointments to a Committee**

S. 239 (2) (b) personal matters about identifiable individuals

Carried

**Closed Meeting**

**Personal Matters about identifiable Individuals**

REPORT TO COUNCIL  
IN COMMITTEE OF  
THE WHOLE

6. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT staff be given direction with respect to citizen appointments to a committee.

Carried

December 7, 2009

**Governance Committee**

Page No. 3

The meeting adjourned at 3:30 p.m.

.....  
Chairperson

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**January 11, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
GOV-2010 A.1) <b>2009 GOVERNANCE COMMITTEE ANNUAL REPORT</b>  THAT the attached report entitled "2009 Governance Committee Annual Report be received.	Receive
GOV-2010 A.2) <b>2010 GOVERNANCE COMMITTEE WORK PLAN</b>  THAT the attached 2010 Governance Committee work plan be received.	Receive
GOV-2010 A.3) <b>GOVERNANCE COMMITTEE QUARTERLY REPORT</b>  THAT the Governance Committee Quarterly Report dated January 11, 2010, be received for information.	Receive

**B Items for Direction of Committee**

attach.

# COMMITTEE REPORT



**TO** **Governance Committee**

SERVICE AREA Corporate Administration  
DATE January 11, 2010

**SUBJECT** **2009 Governance Committee Annual Report**  
REPORT NUMBER

The attached report constitutes the 2009 Annual Report for the Governance Committee.

## **CORPORATE STRATEGIC PLAN**

The development of an annual report relates directly to Strategic Plan objective 5.6 focused on organization excellence in planning and management.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

This report was previewed with the Senior Management Team.

## **COMMUNICATIONS**

n/a

## **ATTACHMENTS**

Appendix A – Governance Committee 2009 Annual Report

A handwritten signature in cursive script, appearing to read "K. Farbridge".

Recommended By:  
Karen Farbridge, Mayor

Governance Committee  
2009 Annual Report

	Frequency			2009	Comments
	Annual	Term	Need	Action	
<b>Effective Corporate Governance</b>					
Regularly review Council's governance principles, policies and procedures and make recommendation for necessary improvements to further organizational effectiveness efforts			•	✓	New policy regarding the attendance of Council members at municipal government events; new procedures regarding closed meetings; initiated the development of a consolidated Governance Binder; draft has been reviewed; corporate social responsibility commitment recommended to Council; recommendation regarding comparator communities
Review the Council Code of Conduct at the beginning of each new term to ensure a thorough and common understanding of expectations.		•			Addressed prior to Committee being formed; Code of Conduct developed by the ad hoc Accountability and Transparency Committee
Annually review the effectiveness of the implementation of the Code of Conduct	•			✓	Recommendation to use an Integrity Commissioner to enforce the Council Code of Conduct
<b>Accountability and Transparency</b>					
	Annual	Term	Need	Action	Comments
Review and confirm the delegation of authority protocols		•		✓	Policy regarding delegation authority approved by Council prior to Committee being formed; recommendations regarding the delegation of authority approved by Council
Each term, assess the need for discretionary positions as defined by the Municipal act and make appropriate recommendations to Council		•			Need for discretionary positions was previously reviewed by the ad hoc Accountability & Transparency Committee and recommendations provided to Council; further review in 2010
<b>Strategic Planning</b>					
	Annual	Term	Need	Action	Comments
Review and recommend governance principles, policies and guidelines with respect to strategic planning for Council approval.		•		✓	Recommendation approved by Council
Ensure an effective strategic planning and priority setting process is implemented during each new term of Council and advise on necessary improvements.		•			Addressed prior to Committee being formed
Ensure a process is established to annually review the Strategic Plan and priorities to each budget process.	•			✓	Provided input into the 2009 Priority Setting process
Review and recommend an annual strategic planning work plan for Council approval.	•			✓	Strategic plan work plan provided to Council



Recommended to Council an internal and external communication plan for reporting on the progress of strategic plan priority initiatives.	•			✓	Received a presentation on the development of the Corporate Communications Plan; Council workshop held
Receive quarterly update reports on the status of priority initiatives to ensure appropriate progress with respect to budget and timelines	•			✓	Quarterly reports received

<b>Committee and Council Effectiveness</b>	Annual	Term	Need	Action	Comments
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Regularly assess Council effectiveness and solicit input on governance concerns to be addressed	•			✓	Delivered a survey of Council and reported on actions to address priority areas
Provide input on changes to the Citizen Advisory Committee appointment process.		•		✓	New process recommended to Council
Recommend core elements of an orientation and ongoing training program for the following term of Council to address learning and knowledge requirements in a timely manner.		•		✓	Work initiated on the development of an orientation and training program for the 2010-2014 term; Council survey to identify skills, knowledge and competencies required to perform their role and responsibilities effectively
Review the Procedural By-law and recommend any changes to Council.		•		✓	Several changes to the procedural by-law recommended (e.g. voting, procedural motions, notice of motions)
Review and recommend changes to the Committee Mandate and Charter of each Standing Committee of Council		•		✓	Developed Mandate and Charter for Governance Committee & initiated the development of Mandates and Charters for each Standing Committee

<b>CAO/SMT Performance and Review</b>	Annual	Term	Need	Action	Comment
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Review and recommend governance principles, policies and procedures with respect to the recruitment, delegation of authority, compensation, succession planning and evaluation of the CAO.			•		Addressed prior to committee being formed
Oversee the recruitment process for new CAO consistent with policy guidelines.			•		Not applicable in 209
Direct and review the performance evaluation process for the CAO consistent with policy guidelines.	•			✓	Completed for 2009
Oversee the development of annual performance objectives for the CAO consistent with policy guidelines	•			✓	Completed for 2009

Direct and review CAO succession planning efforts consistent with policy guidelines.	•			✓	Received a presentation on succession planning goals
Recommend changes to the CAO compensation for Council approval	•				Not applicable in 2009
Review SMT development and capacity building progress and recommend required support.	•				To be discussed
Receive and review the SMT group performance assessment process and results.	•				to be discussed

<b>Council Compensation</b>	Annual	Term	Need	Action	Comment
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Regularly review and assess ongoing work requirements of Council.		•		✓	Survey distributed to members of Council
Direct the development of recommendations regarding principles of compensation for Council approval.		•		✓	Process initiated
Recommend an appropriate compensation review process involving citizens and stakeholders		•		✓	Process initiated; citizen representatives recommended to Council
Review and recommend required updates to existing compensation policies.		•		✓	2010 workplan

<b>Committee Performance Reporting</b>	Annual	Term	Need	Action	Comments
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Ensure the creation of quarterly information reports to Council on progress achieved by the Committee. The report shall be prepared by the Committee Chair with input from staff	•			✓	Annual planning agenda and schedule developed to track work; four quarterly reports submitted to Council
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# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Administration  
DATE January 11, 2010

**SUBJECT 2010 Governance Committee Work Plan**  
REPORT NUMBER

## RECOMMENDATION

That the attached 2010 Governance Committee work plan be received.

## REPORT

The attached plan constitutes the 2010 Governance Committee work plan.

Key items listed below identify known initiatives and related timeframes. This list does not limit required additions that arise throughout the year:

### Quarter 1

January Meeting

- 1) Annual Work Plan
- 2) 2009 4<sup>th</sup> Quarter Report
- 3) Governance Structure of Standing Committees

February Meeting

- 1) Review of discretionary positions under Municipal Act
- 2) Annual Strategic Plan work plan
- 3) Council time commitment
- 4) Complaint Process under Code of Conduct

March Meeting

- 1) Governance Binder
- 2) Review of delegation of authority protocols
- 3) Quarterly Report

### Quarter 2

April Meeting

- 1) Roles and Responsibilities for City Clerk
- 2) Roles and Responsibilities for CFO/Treasurer
- 3) Advisory Committee Mandates

May Meeting

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- 1) Council effectiveness review
  - 2) Corporate Communications Plan update

June Meeting

- 1) Orientation and Professional Development Plan for 2011-2014

**Quarter 3**

July Meeting

- 1) Priority Review session

August Meeting

- TBD -

September Meeting

- 1) Strategic Plan process for 2011
- 2) Quarterly reports

**Quarter 4**

October Meeting

TBD

November Meeting

TBD

December Meeting

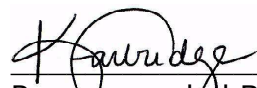
- 1) Quarterly Reports

**CORPORATE STRATEGIC PLAN**

The development of an annual work plan relates directly to Strategic Plan objective 5.6 focused on organization excellence in planning and management.

**ATTACHMENTS**

Appendix A – 2010 Governance Committee Work Plan



Recommended By:

Karen Farbridge, Mayor

Governance Committee  
2010 Draft Work Plan

	Frequency			2009	Comments
	Annual	Term	Need	Action	
<b>Effective Corporate Governance</b>					
Regularly review Council's governance principles, policies and procedures and make recommendation for necessary improvements to further organizational effectiveness efforts			•	✓	Finalize governance binder and identify policy gaps; develop plan to address policy gaps; role and responsibilities for CFO/Treasurer and City Clerk.
Annually review the effectiveness of the implementation of the Code of Conduct	•			✓	Review and finalize the complaint process.
<b>Accountability and Transparency</b>					
Review and confirm the delegation of authority protocols		•		✓	Review any further delegation protocols.
Each term, assess the need for discretionary positions as defined by the Municipal Act and make appropriate recommendations to Council		•			Need for discretionary positions was previously reviewed by the ad hoc Accountability & Transparency Committee and recommendations provided to Council; further review in 2010
<b>Strategic Planning</b>					
Review and recommend governance principles, policies and guidelines with respect to strategic planning for Council approval.		•		✓	Receive and review recommendations for the 2011 process.
Ensure a process is established to annually review the Strategic Plan and priorities prior to each budget process.	•			✓	Receive and review recommendations for a 2010 priority planning session.
Review and recommend an annual strategic planning work plan for Council approval.	•			✓	Development of a 2010 strategic plan work plan.
Recommend to Council and internal and external communication plan for reporting on the progress of strategic plan priority initiatives.	•			✓	Recommendations of the Corporate Communications Plan.
Receive quarterly update reports on the status of priority initiatives to ensure appropriate progress with respect to budget and timelines.	•			✓	Receive and review.

<b>Committee and Council Effectiveness</b>	Annual	Term	Need	Action	Comments
Regularly assess Council effectiveness and solicit input on governance concerns to be addressed.	•			✓	Review survey and plan for reassessment.
Citizen Advisory Committee		•		✓	Review advisory committee mandate.
Recommend core elements of an orientation and ongoing training program for the following term of Council to address learning and knowledge requirements in a timely manner.		•		✓	Receive and assess the orientation and professional development plan for 2011-2014 term.
Review Standing Committee Governance Structures		•		✓	Assess recommendations for improvements as required.
<b>CAO/SMT Performance and Review</b>	Annual	Term	Need	Action	Comments
Review SMT development and capacity building progress and recommend required support.	•				Review governance role.
Receive and review the SMT group performance assessment process and results.	•				Review governance role.
<b>Council Compensation</b>	Annual	Term	Need	Action	Comments
Regularly review and assess ongoing work requirements of Council.		•		✓	Information report on time commitment. Review of staff recommendations coming forward.
Review and recommend required updates to existing compensation policies.		•		✓	Report to Council
<b>Committee Performance Reporting</b>	Annual	Term	Need	Action	Comments
Ensure the creation of quarterly information reports to Council on progress achieved by the Committee. The report shall be prepared by the Committee Chair with input from staff.	•			✓	Prepare quarterly reports.

# COMMITTEE REPORT



TO **Guelph City Council**

SERVICE AREA Corporate Administration  
DATE January 11, 2010

**SUBJECT Governance Committee Quarterly Report**  
REPORT NUMBER

This report represents the Governance Committee's fourth quarterly report for 2009.

### **Governance binder**

- Reviewed draft

### **Council Effectiveness**

- Recommendation to Council regarding Notices of Motion
- Recommendations to Council regarding the review of Council Compensation for the 2011 - 2014 term
- Recommendations regarding delegation of authority
- Recommendations regarding comparator communities

### **Council Compensation**

- Recommended appointments to Citizen Review Committee

### **Other**

- Recommendation regarding a request for a Council appointee to the Aeronautical Noise Management Committee, Region of Waterloo International Airport.
- Recommendation regarding endorsing the Sustainability Commitment

### **Reporting**

- Third quarterly report completed and submitted to Council for review
- Annual report distributed

A handwritten signature in black ink, appearing to read "K. Farbridge", written over a horizontal line.

Recommended By:  
Karen Farbridge, Mayor





**The Corporation of the City of Guelph  
Governance Committee  
Monday January 11, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday January 11, 2010 in the Council Committee Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard (arrived at 3:30 p.m.), Hofland and Wettstein

Absent: Councillor Burcher

Also Present: Councillors Bell and Farrelly

Staff Present: Mr. M. Amorosi, Director of Human Resources; Ms. M. Neubauer, Director of Finance; Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Hofland  
Seconded by Councillor Wettstein  
THAT the minutes of the Governance Committee meeting held on December 7, 2009 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.1 2009 Governance Committee Annual Report
- GOV-2010 A.2 2010 Governance Committee Work Plan
- GOV-2010 A.3 Governance Committee Quarterly Report

**Governance Committee Quarterly Report**

2. Moved by Councillor Wettstein  
Seconded by Councillor Hofland  
THAT the Governance Committee Quarterly Report dated January 11, 2010, be received for information.

Mayor Farbridge

Carried

**2009 Governance Committee Annual Report**

Mayor Farbridge

3. Moved by Councillor Beard  
Seconded by Councillor Wettstein  
THAT the attached report entitled "2009 Governance Committee Annual Report" be received.

Carried

**2010 Governance Committee Work Plan**

The Committee discussed in detail the proposed 2010 Governance Committee Work Plan.

Ms. B. Boisvert

The Committee requested that the following items be incorporated into the work plan, and that the work plan be placed on the next Governance Committee agenda:

- Rules/regulations for a member of Council running for a Provincial/Federal seat
- Council/Senior Management Workshop on expectations of working together
- explore suitable framework for materials disclosure
- how better governance policies translate into better governance

The meeting adjourned at 3:45 p.m.

.....  
Chairperson

# COMMITTEE AGENDA



TO **Governance Committee**

DATE February 8, 2010

LOCATION Committee Meeting Room (Room 112)

TIME 3 p.m.

## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – January 11, 2010

## PRESENTATIONS (Items with no accompanying report)

a)

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-4 Statutory Position of Municipal Clerk			
GOV-5 Municipal Council Members Running for MP or MPP			
GOV-6 Discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman			
GOV-7 Strategic Priorities Quarterly report – Q4, 2009			
GOV-8 2010 Governance Committee Work Plan			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

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## **ITEMS EXTRACTED FROM CONSENT AGENDA**

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

## **OTHER BUSINESS**

**NEXT MEETING** – March 8, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday January 11, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday January 11, 2010 in the Council Committee Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard (arrived at 3:30 p.m.), Hofland and Wettstein

Absent: Councillor Burcher

Also Present: Councillors Bell and Farrelly

Staff Present: Mr. M. Amorosi, Director of Human Resources; Ms. M. Neubauer, Director of Finance; Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Hofland  
Seconded by Councillor Wettstein

THAT the minutes of the Governance Committee meeting held on December 7, 2009 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.1 2009 Governance Committee Annual Report
- GOV-2010 A.2 2010 Governance Committee Work Plan
- GOV-2010 A.3 Governance Committee Quarterly Report

**Governance Committee Quarterly Report**

2. Moved by Councillor Wettstein  
Seconded by Councillor Hofland

THAT the Governance Committee Quarterly Report dated January 11, 2010, be received for information.

Carried

Mayor Farbridge

**2009 Governance Committee Annual Report**

Mayor Farbridge

3. Moved by Councillor Beard  
Seconded by Councillor Wettstein  
THAT the attached report entitled "2009 Governance Committee Annual Report" be received.

Carried

**2010 Governance Committee Work Plan**

The Committee discussed in detail the proposed 2010 Governance Committee Work Plan.

Ms. B. Boisvert

The Committee requested that the following items be incorporated into the work plan, and that the work plan be placed on the next Governance Committee agenda:

- Rules/regulations for a member of Council running for a Provincial/Federal seat
- Council/Senior Management Workshop on expectations of working together
- explore suitable framework for materials disclosure
- how better governance policies translate into better governance

The meeting adjourned at 3:45 p.m.

.....  
Chairperson

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**February 8, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee’s consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p>GOV-2010 A.4)     <b>STATUTORY POSITION OF MUNICIPAL CLERK</b></p> <p>THAT the report of the Director of Information Services/Clerk with respect to the statutory position of municipal clerk, be received and incorporated into Council’s Governance Manual.</p>	Approve
<p>GOV-2010 A.5)     <b>MUNICIPAL COUNCIL MEMBERS RUNNING FOR MP OR MPP</b></p> <p>THAT the report of the Director of Information Services/Clerk with respect to rules relating to municipal council members running for the offices of MP and MPP, be received.</p>	Receive
<p>GOV-2010 A.6)     <b>DISCRETIONARY POSITIONS OF AUDITOR GENERAL, LOBBYIST REGISTRAR AND OMBUDSMAN</b></p> <p>THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability &amp; transparency provisions of the Municipal Act, be received; and</p> <p>THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.</p>	Approve
<p>GOV-2010 A.7)     <b>STRATEGIC PRIORITIES QUARTERLY REPORT – Q4, 2009</b></p> <p>THAT the report of the Manager of Strategic Planning and Corporate</p>	Receive

Initiatives with respect to Strategic Priorities Quarterly Report – Q4, 2009 dated February 8, 2010, be received for information.

GOV-2010 A.8) **2010 GOVERNANCE COMMITTEE WORK PLAN**

Receive

THAT the attached 2010 Governance Committee Work Plan be received for information.

**B Items for Direction of Committee**

attach.



# COMMITTEE REPORT



**TO** **Governance Committee**

SERVICE AREA Information Services  
DATE February 8, 2010

**SUBJECT** **Statutory Position of Municipal Clerk**  
REPORT NUMBER GOV-2010 A.4

## RECOMMENDATION

THAT the report of the Director of Information Services/Clerk with respect to the statutory position of municipal clerk, be received and incorporated into Council's Governance Manual.

## BACKGROUND

Information relating to the statutory officers of the City is being prepared for incorporation into Council's governance manual.

## REPORT

The position of municipal clerk is one of the oldest of public service professions. The position dates back to ancient times, when the keepers of public archives were called "remembrancers". Before writing came into use, their memory served as the public record. They have been known by such other titles as "scribes", "reminders", and "clarkes". From earliest times, the clerk has been historian, archivist, public reader of official documents, keeper of the laws, as well as being responsible for publishing official documents. These traditional duties have remained largely unchanged throughout the years.

In addition to the traditional duties, today's municipal clerk has a wide variety of responsibilities, all of which contribute directly to the effective operation of government. Prominent among these duties is the responsibility for administering legislative processes, managing public records, and conducting elections. Over the years, the municipal clerk has become the direct link between the citizens and their local government. Canadian political scientist and historian, Professor William Bennett Munro, writing in one of the first textbooks on municipal administration, stated:

"No other office in municipal service has so many contacts. It serves the mayor, the city council, the city manager, and all administrative departments, without exception. All of them call upon it, almost daily, for some service or information. Its work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience. The public does not realize how many loose ends of administration this office pulls together."

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The Clerk is an officer of the municipality, whose duties are prescribed in more than 60 distinct pieces of Ontario legislation. (see attached) More specifically, the Municipal Act requires that a municipality shall appoint a clerk whose duty it is,

- (a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- (d) to perform the other duties required under this Act or under any other Act; and
- (e) to perform such other duties as are assigned by the municipality.

The clerk reports to City Council legislatively, and to the Chief Administrative Officer for administrative purposes. In certain areas the City Clerk is independent of City administration and Council, particularly with respect to the conduct of municipal elections, which is mandated by the Municipal Elections Act.

In Guelph, the clerk supports Council's governance processes in a variety of ways:

**Advisory** - The Clerk acts as an advisor to Council on a variety of topics:

- o matters of procedure;
- o matters of policy;
- o compliance with provincial legislation;
- o governance matters;
- o interpretation of Council and committee decisions.

**Legislative** – Preserving the integrity of the local legislative process through:

- o issuing formal notices of meetings, decisions, etc.
- o publishing of agendas,
- o Preparation of by-laws;
- o Maintaining a formal record of Council's decisions
- o Execution of City by-laws and documents

**Administrative** – In support of the decision making processes of the City:

- o Coordination of Standing Committees
- o Maintaining a calendar of Council and Committee meetings
- o Creation, maintenance and retention of official City records
- o Coordination of the Council appointment process for advisory committees, agencies, boards and commissions

**Policy** – Researching and developing policies for Council approval such as:

- o Delegation of Authority
- o Codes of Conduct
- o Accountability & Transparency
- o Governance Matters

**Elections** - Preparing for and conducting local elections for:

- 
- Offices of Mayor, Ward Councillors and School Board Trustees
  - Questions on Ballots
  - Recounts

### **CORPORATE STRATEGIC PLAN**

Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

n/a

### **COMMUNICATIONS**

n/a

### **ATTACHMENTS**

List of Statutes

“original signed by Lois Giles”

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#### **Recommended By:**

Lois A. Giles,  
Director of Information Services/Clerk.  
(519) 822-1260 x 2232  
lois.giles@guelph.ca

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## Statutes with Responsibilities for Municipal Clerks

Accessibility for Ontarions with Disabilities Act  
Aggregate Resources Act  
Ambulance Act  
Anatomy Act  
Assessment Act  
Boundaries Act  
Building Code Act  
Clean Water Act  
Commissioners for Taking Affidavits Act  
Conservation Authorities Act  
Construction Lien Act  
Development Charges Act  
Drainage Act  
Education Act  
Elections Act  
Electricity Act  
Environmental Assessment Act  
Environmental Protection Act  
Escheats Act  
Fire Protection & Prevention Act  
Fluoridation Act  
Greenbelt Act  
Health Protection & Promotion Act  
Highway Traffic Act  
Homes for the Aged & Rest Homes Act  
Housing Development Act  
Line Fences Act  
Liquor Licence Act  
Livestock, Poultry & Honey Bee Protection Act  
Long-Term Care Homes Act  
Marriage Act  
Marriage Act  
Municipal Act  
Municipal Affairs Act  
Municipal Arbitrations Act  
Municipal Conflict of Interest Act  
Municipal Corporations Quieting Orders Act  
Municipal Elections Act  
Nutrient Management Act  
Ontario Heritage Act  
Ontario Lottery & Gaming Act  
Ontario Municipal Board Act  
Ontario Planning & Development Act  
Ontario Water Resources Act  
Pesticides Act  
Places to Grow Act

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Planning Act  
Pounds Act  
Provincial Offences Act  
Public Hospitals Act  
Public Libraries Act  
Public Transportation & Highway Improvement Act  
Registry Act  
Residential Tenancies Act  
Road Access Act  
Safe Drinking Water Act  
Shoreline Property Assistance Act  
Social Housing Reform Act  
Surveys Act  
Tile Drainage Act  
Vital Statistics Act  
Weed Control Act  
Workplace Safety & Insurance Act

# COMMITTEE REPORT



**TO** Governance Committee

SERVICE AREA Information Services  
DATE February 8, 2010

**SUBJECT** Municipal Council Members Running for MP or MPP  
REPORT NUMBER GOV-2010 A.5

## RECOMMENDATION

THAT the report of the Director of Information Services/Clerk with respect to rules relating to municipal council members running for the offices of MP and MPP, be received.

## BACKGROUND

The Governance Committee has requested information relating to rules that apply to individuals who hold municipal office and who wish to run for the offices of MP or MPP.

## REPORT

There is no requirement in Ontario legislation that requires a member of a municipal council to do either of the following in order to run for the office of MPP:

- Resign from municipal office, or
- Take a leave of absence from municipal office.

Ontario legislation does provide that a member elected as an MPP is deemed to have resigned from municipal office when election to the Legislative Assembly is published in the Ontario Gazette.

Federal legislation has no comparable provisions with respect to candidates who hold municipal office.

Staff are not aware of any legislation, provincial or federal, that would allow a municipality to enact a regulation requiring either a resignation or leave of absence in order to run for the higher offices. Staff are not aware of any municipalities who have adopted such requirements.

Currently, Council's Code of Conduct has certain provisions that could relate to activities involved in running for elected office at the provincial or federal level, a copy of which is attached. It should be noted that to date, Council has not appointed an Integrity Commissioner to investigate complaints of non-compliance with the Code of Conduct, and who could make recommendations for the imposition of penalties for non-compliance.

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**CORPORATE STRATEGIC PLAN**

n/a

**FINANCIAL IMPLICATIONS**

n/a

**DEPARTMENTAL CONSULTATION**

n/a

**COMMUNICATIONS**

n/a

**ATTACHMENTS**

n/a

“original signed by Lois Giles”

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**Recommended By:**

Lois A. Giles,  
Director of Information Services/Clerk.  
(519) 822-1260 x 2232  
lois.giles@guelph.ca

EXCERPT FROM COUNCIL CODE OF CONDUCT

<p>use of city property</p>	<p>No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:</p> <ul style="list-style-type: none"> <li>• Reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the City incurs no additional costs relating to such use, and the use is of limited duration and frequency.</li> <li>• Use of City property and facilities where such use is universally known to be available to other residents upon request and on equal terms.</li> </ul> <p>No member shall obtain financial gain from the use of City developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Guelph.</p> <p>No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.</p>
<p>WORK OF A POLITICAL OR PERSONAL NATURE</p>	<p>Members are required to follow the provisions of the Municipal Elections Act, 1996. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters and websites linked through the City’s website) for any election campaign or campaign-related activities. No member shall undertake campaign-related activities in any City facility for the purpose of seeking the support of City employees working in that facility. No member shall use the services of persons for his or her election campaign purposes during the working hours for which those persons receive compensation from the City.</p> <p>No Member shall use City facilities, services or property for his or her personal or business use. No member shall use the services of persons for his or her personal or personal business use during the working hours for which those persons receive compensation from the City.</p>



<p>CONDUCT RESPECTING CURRENT AND PROSPECTIVE EMPLOYMENT</p>	<p>No member shall allow the prospect of his / her future employment by a person or entity to detrimentally affect the performance of his / her duties to the City.</p>
<p>BUSINESS RELATIONS</p>	<p>No member shall act as a paid agent before Council, its committees, or an agency, board or commission of the City except in compliance with the terms of the Municipal Conflict of Interest Act. A member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.</p>
<p>INFLUENCE ON STAFF</p>	<p>Only Council as a whole has the authority to approve budget, policy, committee processes and other such matters. Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the City.</p> <p>Council directs the business of the City and passes by-laws, or resolutions as appropriate, for decisions adopted by Council. Council has delegated responsibility to the Chief Administrative Officer (CAO) for the administration of the affairs of the City in accordance with decisions adopted by Council. This means that under the direction of the CAO, staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy. Accordingly, staff establish the appropriate administrative policies, systems, structures and internal controls to implement the goals and objectives of Council, and manage implementation within the resources at their disposal. The Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. No member shall compel any staff member to engage in activities that are contrary to the directions of Council or the policies of the municipality.</p> <p>No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for</p>

	<p>refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person’s duties, including the duty to disclose improper activity.</p>
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**IMPROPER USE OF INFLUENCE**

No member of Council shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties. Examples of prohibited conduct are the use of one’s status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one’s immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member’s supposed influence within Council in return for present actions or inaction.

For the purposes of this provision:

“private advantage” does not include a matter:

- that is of general application;
- that affects a member of Council, his / her immediate relatives, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
- that concerns the remuneration or benefits of a member of Council.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE February 8, 2010

**SUBJECT Discretionary Positions of Auditor General, Lobbyist Registrar and Ombudsman**

REPORT NUMBER GOV-2010 A.6

## RECOMMENDATION

THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability & transparency provisions of the Municipal Act, be received; and

THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.

## BACKGROUND

Under the Accountability and Transparency provisions of the Municipal Act, a council has the discretion to appoint the following positions:

1. Integrity Commissioner who reports to council and who is responsible for performing the functions assigned by the municipality regarding the code of conduct for members of council and for members of local boards.
2. Registrar responsible for a lobby registration which is a formal tracking of lobbyists and their meetings with public officials that would be made available for public inspection.
3. Ombudsman responsible for investigating any decision or recommendation made or act done or omitted in the course of the administration of the municipality, its local boards or municipally-controlled corporations.
4. Appoint an Auditor General responsible for assisting Council in "holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations".

All of the above positions are mandatory under the City of Toronto Act. For the balance of Ontario, these appointments are discretionary. In 2008, City Council passed a resolution taking no action to appoint the discretionary positions at that time, but did direct that the appointment of these discretionary positions be reviewed again prior to the end of the current term of Council. This report will deal only with the positions of Lobbyist Registrar, Ombudsman and Auditor General.

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## REPORT

As required under the City of Toronto Act, that city has appointed both the mandatory Ombudsman and Lobbyist Registrar positions, and they have a combined annual budget of approximately of \$2.2 million. Beyond Toronto, there continues to be limited experience in Ontario at this time with respect to these two discretionary positions.

The discretionary position of Auditor General seems to have gained some momentum in Ontario. In addition to Toronto's mandatory appointment, a number of municipalities have used their discretion to appoint an Auditor General including, Ottawa, Oshawa, Sudbury, Windsor and Markham.

City	2009 Budget
Greater Sudbury	\$321,300
Markham	\$195,700
Oshawa	\$233,000
Ottawa	\$1.94 million
Toronto	\$4.3 million
Windsor	\$550,000

As previously reported, the Finance Department has established an internal audit function for the City that will deal with matters of internal financial control. This function will operate independently of the annual audit process, and report to the Audit Committee. As such, it is recommended that the matter of whether or not the City should appoint an Auditor General be re-visited, along with the other two discretionary positions, during the next term of Council.

## CORPORATE STRATEGIC PLAN

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

## FINANCIAL IMPLICATIONS

No funds have been budgeted for any of these discretionary positions in 2010.

## DEPARTMENTAL CONSULTATION

Finance Department

## COMMUNICATIONS

n/a

"original signed by Lois Giles"

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Recommended By:  
Lois A. Giles,  
Director of Information Services/Clerk.  
(519) 822-1260 x 2232  
lois.giles@guelph.ca

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration

DATE February 8, 2010

**SUBJECT Strategic Priorities Quarterly Report – Q4, 2009**

REPORT NUMBER GOV-2010 A.7

## REPORT

The following information constitutes a 2009 fourth quarter report on Council's identified strategic priorities. Quarterly status information is also now captured on the new interactive timeline tool developed by staff and located at [guelph.ca](http://guelph.ca). Going forward, the community will be regularly alerted to the availability of this regular update information through press releases, the city news pages and the [guelph.ca](http://guelph.ca) website.

Initiative	Progress and Next Steps
Community Energy Plan (CEP)	<ul style="list-style-type: none"><li>- The Mayor's Task Force on Community Energy, approved in the fall of 2009, will select its members, hold its inaugural meeting in Q1 2010 and establish its sub-committees, work plan and budget. A report to Council is expected in Q1, 2010.</li><li>- Integrating the CEP into the Official Plan Update will occur throughout Q1 and Q2 2010.</li></ul>
Organic Waste Processing Facility	<ul style="list-style-type: none"><li>- The amendment to the Certificate of Approval was submitted to the Ministry of the Environment on October 29, 2009. Staff anticipate receiving the amendment from the MOE by March 2010.</li><li>- Demolition of the old facility and site remediation work began in October 2009 and will be completed in Q1 2010.</li></ul>
Official Plan Amendment and Downtown Secondary Plan	<ul style="list-style-type: none"><li>- Work continued to ensure that adoption of the Official Plan Amendment update is on target for Q2 2010. Approval by the Ministry of Municipal Affairs and Housing will be required.</li><li>- The Downtown Secondary Plan work continued to progress. It will include</li></ul>

	<ul style="list-style-type: none"> <li>- implementation strategies for presentation to Council in early 2010.</li> </ul>
Guelph Innovation District	<ul style="list-style-type: none"> <li>- Efforts to complete the Memorandum of Understanding between the Ministry of Energy and Infrastructure and City continued. Completion is anticipated in Q1, 2010.</li> <li>- The consulting team of Hicking, Arthurs, Low and Urban Strategies Inc. will provide a final report regarding the Guelph Agri-Innovation Cluster in Q1, 2010. This report details opportunities for the Guelph Innovation District.</li> </ul>
Downtown Investment Action Plan	<ul style="list-style-type: none"> <li>- Renovation of the former City Hall for use as a Municipal Court House continued as scheduled.</li> <li>- Marketing and promotion efforts focused on a construction mitigation program will be launched in Q1, 2010.</li> </ul>
Strategic Urban Forest Management Plan	<ul style="list-style-type: none"> <li>- Staff worked to prepare an action plan for the continued development of the Strategic Urban Forest Management Plan and feasibility study for a revised tree by-law.</li> <li>- A current status chart on the plan recommendations is available at <a href="http://guelph.ca">guelph.ca</a></li> </ul>
City/County Service Agreements	<ul style="list-style-type: none"> <li>- Arbitration hearings took place this fall regarding the service agreement. A decision was expected by Q1, 2010 and has been received.</li> </ul>
Alternative Development Standards	<ul style="list-style-type: none"> <li>- Work continued on this initiative. It is being coordinated with the citywide Storm water Management Master Plan study. Completion is expected by 2011.</li> </ul>
Eastview Landfill Community Park	<ul style="list-style-type: none"> <li>- The Pollinator Park Technical Committee met with City representatives to finalize a License Agreement. This agreement will allow the group to locate and develop the first Pollinator Park Demonstration Garden in Guelph.</li> </ul>
Hanlon Creek Business Park	<ul style="list-style-type: none"> <li>- Staff continued work with the Ministry of Natural Resources (MNR) to develop and implement a monitoring program to assess the possibility of other salamanders and the potential impact on current subdivision plans and design. This work is scheduled to be completed by June 2010.</li> <li>- Staff also worked with MNR to determine what development work could safely proceed</li> </ul>

	<ul style="list-style-type: none"> <li>- during the effort.</li> </ul>
Imico	<ul style="list-style-type: none"> <li>- Environmental investigations and remedial cost estimates were completed.</li> <li>- A staff report with recommendations for moving forward is expect in the Spring of 2010.</li> </ul>
Zoning By-law	<ul style="list-style-type: none"> <li>- Amendments to the zoning by-law to reflect the CEP and conform with the Official Plan will be initiated following approval of the Official Plan update.</li> </ul>
City Marketing and Promotion Programs	<ul style="list-style-type: none"> <li>- Prosperity 2020, approved by Council in 2009, serves as the city's new economic development strategy.</li> <li>- Staff continue to host international delegations and work with local businesses on new development, expansions and re-location opportunities.</li> </ul>
Parks, Recreation and Culture Master Plan	<ul style="list-style-type: none"> <li>- An interdepartmental staff team continue to review recommendations and will come forward to Council with a phased response to the Master Plan in 2010.</li> </ul>
Corporate Governance Framework/Manual	<ul style="list-style-type: none"> <li>- The governance manual was provided to the Governance Committee for review in 2009.</li> <li>- Additional policies and position descriptions will be added throughout 2010.</li> </ul>
Corporate Service Review	<ul style="list-style-type: none"> <li>- A building services review was completed with the goal of enhancing customer service.</li> <li>- A review of Downtown Maintenance was initiated by Operations staff and work will continue on this into 2010.</li> <li>- Additional opportunities for continuous improvement continue to be identified.</li> </ul>
Official Plan Update	<ul style="list-style-type: none"> <li>- Staff continued work on updating the Official Plan. Approval of the amendment update is anticipated by the end of Q2, 2010.</li> </ul>
South End Emergency Service Station	<ul style="list-style-type: none"> <li>- A ground breaking ceremony took place on October 2, 2009 with representatives from police, fire and ambulance as well as local officials in attendance.</li> <li>- Progress will continue and is on time and on budget.</li> </ul>
Civic Square Construction	<ul style="list-style-type: none"> <li>- Construction of the Square is being coordinated with adjacent road reconstruction, transportation and capital projects. The project is set to be constructed over the 2010 season with completion by the</li> </ul>

	<ul style="list-style-type: none"> <li>- end of 2010.</li> </ul>
Festival Framework	<ul style="list-style-type: none"> <li>- An interdepartmental team of staff continued work on a draft framework for community consultation. Completion is anticipated in early 2010.</li> </ul>
Corporate Social Responsibility Framework	<ul style="list-style-type: none"> <li>- Following a successful 2009 sustainability forum, a community framework was developed.</li> <li>- A second forum was planned for January 6<sup>th</sup>.</li> <li>- Trillium funds were secured by the organizing group to further this initiative on a community wide basis.</li> </ul>
Guelph Trails Master Plan	<ul style="list-style-type: none"> <li>- Work continued on the development of a trail connection from the proposed Beverley Robson Park, within the Victoriaview North Subdivision, to Guelph Lake Road as part of the Northview Estates Phase 2 trail work anticipated in 2010.</li> <li>- Additional trails in Hanlon Creek Conservation area, including two foot bridges were completed as scheduled.</li> <li>- Planning for the Trail in the vicinity of the Waste Water Treatment plant is in progress.</li> </ul>
Transit System Growth Strategy	<ul style="list-style-type: none"> <li>- The Transit Growth Strategy was awarded and work was initiated.</li> <li>- Staff anticipate that recommendations will come forward in Q1 2010.</li> </ul>
Water Supply Master Plan	<ul style="list-style-type: none"> <li>- In addition to undertaking initiatives linked to the Water Supply Master Plan, staff continued to promote community participation in the City's Royal Flush Rebate program, Smart Wash Clothes Washer Rebate Program, Landscape Assessment Program, Residential Grey Water Reuse Pilot Program and Industrial, Commercial and Institution (ICI) Capacity Buyback Program.</li> <li>- These efforts will continue into 2010.</li> </ul>
Wilson Street Parking Garage	<ul style="list-style-type: none"> <li>- This project was prepared for a design/build RFP. Fiscal constraints delayed further progress.</li> </ul>

Completed Projects (Q4 2006 - Q4 2009): 20 minute transit service, Solid Waste Management Master Plan, People Practices Strategy (implementation ongoing); review of the Farmers Market; bicycle racks on buses; debt issue (annual process);



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development charges update (under appeal to the OMB); Local Growth Management Plan update and expansion of the Municipal Register of Cultural Heritage Properties (Phase 2 and 3 ongoing).

Quarterly updates for 2010 can be expected in March, June, September and December.

### **CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

The Senior Management Team has reviewed this report.

### **COMMUNICATIONS**

Consistent with recommendations from the Governance Committee, quarterly priority report information on the strategic priorities is communicated widely to the public and staff primarily through [guelph.ca](http://guelph.ca) and the city news pages.

A 2009 comprehensive annual report detailing successes from all four quarters is prepared each year – the 'Making a Difference Report'. Staff will ensure that availability of this information is also well communicated.

### **ATTACHMENTS**

n/a

“original signed by Brenda Boisvert”

“original signed by Hans Loewig”

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**Prepared By:**

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**Recommended By:**

Brenda Boisvert  
Manager, Strategic Planning and  
Corporate Initiatives

Hans Loewig, CAO

# COUNCIL REPORT



TO **Guelph City Council**  
SERVICE AREA Corporate Administration  
DATE  
SUBJECT **2010 Governance Committee Work Plan**  
REPORT NUMBER

The attached plan constitutes the 2010 Governance Committee work plan.

Key items listed below identify known initiatives and related timeframes. This list does not limit required additions that arise throughout the year:

## **Quarter 1**

### January Meeting

- 1) Annual Work Plan
- 2) 2009 4<sup>th</sup> Quarter Report
- 3) Governance Structure of Standing Committees

### February Meeting

- 1) Review of discretionary positions under the Municipal Act
- 2) Complaint process under Code of Conduct
- 3) Council Leave of Absence Policy
- 4) Roles and Responsibilities for City Clerk
- 5) Strategic Priorities Quarterly Report
- 6) Revised Annual Work Plan

### March Meeting

- 1) Governance Binder
- 2) Review of delegation of authority protocols
- 3) Annual Strategic Plan work plan
- 4) Quarterly Report

## **Quarter 2**

### April Meeting

- 1) Roles and Responsibilities for CFO/Treasurer
- 2) Advisory Committee mandates

### May Meeting

- 1) Council effectiveness review
- 2) Corporate Communications Plan update
- 3) Corporate Performance Reporting

### June Meeting

- 
- 1) Orientation and Professional Development Plan for 2011-2014
  - 2) Framework for Material Disclosure
  - 3) Quarterly report

### **Quarter 3**

July Meeting

- 1) Priority Review session

August Meeting

TBD

September Meeting

- 1) Strategic plan process for 2011
- 2) Awards status report
- 3) Quarterly report

### **Quarter 4**

October Meeting

TBD

November Meeting

TBD

December Meeting

- 1) Quarterly Report

## **CORPORATE STRATEGIC PLAN**

The development of an annual work plan relates directly to Strategic Plan objective 5.6 focused on organization excellence in planning and management.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

This report was previewed with the Senior Management Team.

## **COMMUNICATIONS**

n/a

## **ATTACHMENTS**

Appendix A – 2010 Governance Committee Work Plan

“original signed by Brenda Boisvert”

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**Recommended by:**

Mayor Karen Farbridge

## Governance Committee 2010 Draft Work Plan

	Frequency			2009	Comments
	Annual	Term	Need	Action	
<b>Effective Corporate Governance</b>					
Regularly review Council's governance principles, policies and procedures and make recommendation for necessary improvements to further organizational effectiveness efforts.			•	✓	Finalize governance binder and identify policy gaps; develop plan to address policy gaps; role and responsibilities for CFO/Treasurer and City Clerk.
Annually review the effectiveness of the implementation of the Code of Conduct.	•			✓	Review and finalize the complaint process.
Review corporate performance reporting practices.	•				Assess the status of corporate performance reporting and related improvement plans.
Ensure an award status report.	•				Review efforts to promote applications for awards and assess the status of efforts along with measures to improve the frequency of award applications. Ensure efforts to internally and externally recognize the benefits related to improved governance policies and practices.
Ensure the development of an effective Council Leave of Absence Policy.			•		Receive and recommend a policy for Council approval that sets out guidelines for Council leaves resulting from application to other levels of office.
Meet with the SMT to discuss strengthening collaboration for increasingly more effective governance.			•	✓	Workshop set for Q1 with the SMT. Divergent thinking tools and ideas for improved collaboration will be discussed.
Meet with Board representatives to discuss collaborative communication opportunities.	•				Discuss information sharing, communication vehicles and opportunities for joint communications e.g.City Matters, City Holler web pages.
<b>Accountability and Transparency</b>					
Review and confirm the delegation of authority protocols.		•		✓	Review any further delegation protocols.

Each term, assess the need for discretionary positions as defined by the Municipal Act and make appropriate recommendations to Council.		•			Need for discretionary positions was previously reviewed by the ad hoc Accountability & Transparency Committee and recommendations provided to Council; further review in 2010
Ensure the development of a framework for material disclosure.		•			Receive and review information from stratf on how this is currently addressed by the corporation.

<b>Strategic Planning</b>	<b>Annual</b>	<b>Term</b>	<b>Need</b>	<b>Action</b>	<b>Comments</b>
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Review and recommend governance principles, policies and guidelines with respect to strategic planning for Council approval.		•		✓	Receive and review recommendations for the 2011 process.
Ensure a process is established to annually review the Strategic Plan and priorities prior to each budget process.	•			✓	Receive and review recommendations for a 2010 priority planning session.
Review and recommend an annual strategic planning work plan for Council approval.	•			✓	Development of a 2010 strategic plan work plan.
Recommend to Council an internal and external communication plan for reporting on the progress of strategic plan priority initiatives.	•			✓	Recommendations of the Corporate Communications Plan.
Receive quarterly update reports on the status of priority initiatives to ensure appropriate progress with respect to budget and timelines.	•			✓	Receive and review.

<b>Committee and Council Effectiveness</b>	<b>Annual</b>	<b>Term</b>	<b>Need</b>	<b>Action</b>	<b>Comments</b>
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Regularly assess Council effectiveness and solicit SMT input on governance concerns to be addressed.	•			✓	Review survey and plan for reassessment.
Citizen Advisory Committee.		•		✓	Review advisory committee mandate.
Recommend core elements of an orientation and ongoing training program for the following term of Council to address learning and knowledge requirements in a timely manner.		•		✓	Receive and assess the orientation and professional development plan for 2011-2014 term.
Review Standing Committee Governance Structures		•		✓	Assess recommendations for improvements as required.

<b>CAO/SMT Performance and Review</b>	<b>Annual</b>	<b>Term</b>	<b>Need</b>	<b>Action</b>	<b>Comments</b>
Review SMT development and capacity building progress and recommend required support.	•				Review governance role.
Receive and review the SMT group performance assessment process and results.	•				Review governance role.
<b>Council Compensation</b>	<b>Annual</b>	<b>Term</b>	<b>Need</b>	<b>Action</b>	<b>Comments</b>
Review and recommend required updates to existing compensation policies.		•		✓	Report to Council.
<b>Committee Performance Reporting</b>	<b>Annual</b>	<b>Term</b>	<b>Need</b>	<b>Action</b>	<b>Comments</b>
Ensure the creation of quarterly information reports to Council on progress achieved by the Committee. The report shall be prepared by the Committee Chair with input from staff	•			✓	Prepare quarterly reports.

**The Corporation of the City of Guelph  
Governance Committee  
Monday February 8, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday February 8, 2010 in the Council Committee Room at 3:00 p.m.

Attendance amended by  
Resolution #1 of  
March 8, 2010

Present: Mayor Farbridge and Councillors Beard, Findlay and Piper

Absent: Councillor Wettstein

Also Present: Councillors Bell and Farrelly

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on January 11, 2010 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

2. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the Governance Committee February 8, 2010 Consent Agenda, as identified below be adopted:

**a) Statutory Position of Municipal Clerk**

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to the statutory position of municipal clerk, be received and incorporated into Council's Governance Manual.

**b) Municipal Council Members Running for MP or MPP**

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to rules relating to municipal council members running for offices of Mp and MPP, be received.

**c) Discretionary Positions of Auditor General, Lobbyist Registrar and Ombudsman**

REPORT

THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.

**d) Strategic Priorities Quarterly Report – Q4, 2009**

Ms. B. Boisvert

THAT the report of the Manager of Strategic Planning and Corporate Initiatives with respect to Strategic Priorities Quarterly Report – Q4, 2009 dated February 8, 2010, be received for information.

**e) 2010 Governance Committee Work Plan**

Mayor Farbridge  
Ms. B. Boisvert

THAT the attached 2010 Governance Committee Work Plan be received for information.

Carried

The meeting adjourned at 3:03 p.m.

.....  
Chairperson



# COMMITTEE AGENDA



TO **Governance Committee**

DATE March 8, 2010

LOCATION Council Committee Meeting Room (Room 112)

TIME 3 p.m.

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## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – February 8, 2010

## PRESENTATIONS (Items with no accompanying report)

a)

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-9 2010 Council Strategic Plan Work Plan - Revised			
GOV-10 Governance Committee Quarterly Report: January – March 2010 - Revised			
GOV-11 Discretionary Position of Integrity Commissioner			
GOV-12 Complaints process under Council's Code of Conduct			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

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## **ITEMS EXTRACTED FROM CONSENT AGENDA**

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

## **OTHER BUSINESS**

**NEXT MEETING** – April 12, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday February 8, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday February 8, 2010 in the Council Committee Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Burcher, Findlay and Piper

Absent: Councillor Wettstein

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on January 11, 2010 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

2. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the Governance Committee February 8, 2010 Consent Agenda, as identified below be adopted:

a) **Statutory Position of Municipal Clerk**

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to the statutory position of municipal clerk, be received and incorporated into Council's Governance Manual.

b) **Municipal Council Members Running for MP or MPP**

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to rules relating to municipal council members running for offices of Mp and MPP, be received.

c) **Discretionary Positions of Auditor General, Lobbyist Registrar and Ombudsman**

REPORT

THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.

d) **Strategic Priorities Quarterly Report – Q4, 2009**

Ms. B. Boisvert

THAT the report of the Manager of Strategic Planning and Corporate Initiatives with respect to Strategic Priorities Quarterly Report – Q4, 2009 dated February 8, 2010, be received for information.

e) **2010 Governance Committee Work Plan**

Mayor Farbridge  
Ms. B. Boisvert

THAT the attached 2010 Governance Committee Work Plan be received for information.

Carried

The meeting adjourned at 3:03 p.m.

.....  
Chairperson

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**March 8, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee’s consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p>GOV-2010 A.9)     <b>2010 COUNCIL STRATEGIC PLAN WORK PLAN - REVISED</b></p> <p>THAT the Governance Committee receive the revised 2010 Council Strategic Plan Work Plan for review and consideration.</p>	Receive
<p>GOV-2010 A.10)   <b>GOVERNANCE COMMITTEE QUARTERLY REPORT: JANUARY – MARCH 2010 - REVISED</b></p> <p>THAT the Governance Committee revised Quarterly Report: January – March 2010, dated March 8<sup>th</sup>, 2010 be received for information.</p>	Receive
<p>GOV-2010 A.11)   <b>DISCRETIONARY POSITION OF INTEGRITY COMMISSIONER</b></p> <p>THAT the report of the Director of Information Services/Clerk concerning the discretionary position of Integrity Commissioner under the accountability &amp; transparency provisions of the Municipal Act, be received;</p> <p>AND THAT the appointment of an Integrity Commissioner be deferred for consideration during the 2011 budget process.</p>	Approve
<p>GOV-2010 A.12)   <b>COMPLAINTS PROCESS UNDER COUNCIL’S CODE OF CONDUCT</b></p> <p>THAT the process for complaints under the Council Code of Conduct, attached hereto as Schedule “A”, be approved.</p>	Approve

**B Items for Direction of Committee**

attach.

# COMMITTEE REPORT



**TO** **Governance Committee**

**SERVICE AREA** Corporate Administration

**DATE** March 8, 2010

**SUBJECT** **2010 Council Strategic Plan Work Plan - Revised**

**REPORT NUMBER**

## **RECOMMENDATION**

That the Governance Committee receive the 2010 Council Strategic Plan Work Plan for review and consideration.

## **BACKGROUND**

City of Guelph Council adopted a new Strategic Plan in 2008 to set the course for a responsive and prosperous community and to help successfully guide city operations. Since that time a number of measures have been put in place to ensure that the goals and objectives are met, including the identification of priority initiatives. Each year, in advance of the budget process, the priorities are assessed and at the end of every quarter, progress is evaluated and reported to the community and staff. As well, a work plan is developed annually to set out activities that will occur throughout the year. The following information constitutes the annual Council Strategic Plan Work Plan.

## **REPORT**

For 2010, five primary strategic plan related activities will take place:

- development of the 2010 Council Strategic Plan work plan;
- regular quarterly updates that set out progress achieved in the previous quarter;
- an annual Making a Difference Report which provides a comprehensive summary of achievements as well as information on how the community is working to make a difference;
- a Council report with recommendations for the 2011 Strategic Plan process based on research and input solicited from both Council and senior staff; and
- an information report with the 2010 Senior Management Team work plan that incorporates Council's strategic priority projects.

## 2010 Council Strategic Plan Work Plan

	Components	Q1			Q2			Q3			Q4		
1	2010 Council Strategic Plan Work Plan			X									
2	Quarterly Updates				X			X			X		
3	Annual Making a Difference Report			X									
4	2011 Strategic Plan Process Recommendations							X					
5	2010 SMT Work Plan				X								

### CORPORATE STRATEGIC PLAN

5.6 – Organizational excellence in planning and management

### FINANCIAL IMPLICATIONS

As this is an operational matter there are no financial implications.

### DEPARTMENTAL CONSULTATION

The Senior Management Team was consulted on this report content.

### COMMUNICATIONS

n/a

### ATTACHMENTS

n/a

“original signed by Brenda Boisvert”

“original signed by Hans Loewig”

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#### Prepared By:

Brenda Boisvert,  
Manager, Strategic Planning  
and Corporate Initiatives

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#### Recommended By:

Hans Loewig, CAO



**TO** Guelph City Council

**SERVICE AREA** Corporate Administration  
**DATE** March 8, 2010

**SUBJECT** Governance Committee Quarterly Report: January –  
March 2010 - Revised

**REPORT NUMBER**

This report represents the Governance Committee's first quarterly report for 2010.

## **REPORT**

### **Effective Corporate Governance**

- Training session held on strengthening collaboration with the Senior Management Team
- Meeting planned to discuss shared communication and learning opportunities for 2010 with boards (e.g. Police and Library Boards)
- Council receipt of information regarding Council leave of absence requirements if running for another level of office
- Council approval of a review of discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman and a recommendation that this item be re-visited during the next term of Council

### **Committee and Council Effectiveness**

- Assessment of the Standing Committee structures
- Council approval of the new Social Services and Housing Committee
- Council approval of Land Ambulance reporting to the ECO Committee

### **Governance Manual**

- Council approval of the City Clerk statutory position roles and responsibilities for incorporation into the Council Governance Manual

### **Strategic Planning**

- Completion of 2010 Council Strategic Plan Work Plan for Council review

### **Reporting**

- Annual Work Plan completed and approved by Council
- 2009 4<sup>th</sup> quarter report on Council's Strategic Priorities completed and approved by Council
- New interactive timeline reporting tool introduced on Guelph.ca
- First quarter report for 2010 completed and submitted to Council for review

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**CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

**FINANCIAL IMPLICATIONS**

n/a

**DEPARTMENTAL CONSULTATION**

The Senior Management Team has reviewed this report.

**COMMUNICATIONS**

n/a

**ATTACHMENTS**

n/a



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Recommended By:  
Karen Farbridge,  
Governance Committee Chair

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE March 8, 2010

**SUBJECT Discretionary Position of Integrity Commissioner**  
REPORT NUMBER

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## RECOMMENDATION

THAT the report of the Director of Information Services/Clerk concerning the discretionary position of Integrity Commissioner under the accountability and transparency provisions of the Municipal Act, be received; and

THAT the appointment of an Integrity Commissioner be deferred for consideration during the 2011 budget process.

## BACKGROUND

Under the Accountability and Transparency provisions of the Municipal Act, a council has the discretion to appoint an Integrity Commissioner who reports to council and who is responsible for performing the functions assigned by the municipality regarding the code of conduct for members of council and local boards. This position is mandatory in the City of Toronto, but for the balance of Ontario it is discretionary.

In 2008, Council adopted a Code of Conduct (see attached). Also in 2008, Council determined that it would not take any action to appoint an Integrity Commissioner. Council did agree to review the need for this discretionary appointment prior to the end of the current term of Council. In 2009, Council instructed staff to prepare a budget package for contracting the services of an Integrity Commissioner, however the package was not funded in the 2010 budget.

## REPORT

A number of Ontario municipalities have appointed integrity commissioners. In most cases, the individuals appointed have a background in law, either through its practice, or through law enforcement, and have broad knowledge in the areas of current municipal law, municipal conflict of interest matters, and other administrative law, as well as expertise in investigative techniques and conducting inquiries. Budgets vary widely depending on whether the position is considered to be full time, and whether the position is also required to provide advice or education to members of Council. At the high end, Toronto budgets approximately \$200,000 annually for the Office of the Integrity Commissioner to cover salary, benefits and expenses, including clerical support.

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Other municipalities have chosen to appoint an integrity commissioner on a retainer, on the understanding that additional fees would be charged for actual investigation of complaints on a time spent and expense incurred basis.

A somewhat different approach was taken by the City of Brantford, which appointed its City Solicitor to conduct independent investigations in the capacity of Integrity Commissioner. The City Solicitor is entitled to engage a qualified outside consultant to either assist in or perform the investigation. The City Solicitor and/or consultant are to be afforded the other powers and authority of the Integrity Commissioner as set out in the legislation. Brantford has had three recent investigations, and in all cases outside legal services were retained to conduct the investigations. To date, the City has incurred costs of approximately \$50,000 for those investigations.

In light of the uncertainty surrounding the potential costs associated with appointing an Integrity Commissioner to conduct investigations, it may be prohibitive in our current economic climate to do so. Council may wish to consider the appointment of an Integrity Commissioner during the 2011 budget process.

A separate report appears on this Governance Committee agenda recommending the adoption of a complaints process which would serve as an interim measure until such time as Council determines that an Integrity Commissioner should be appointed to conduct investigations under the Code of Conduct. If that report is adopted by Council, there will be a process in place for persons to make complaints under the Code of Conduct including the investigation of those complaints, and for Council to take certain actions in response to investigations.

### **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

### **FINANCIAL IMPLICATIONS**

No funds have been budgeted for this discretionary position in 2010.

### **DEPARTMENTAL CONSULTATION**

n/a

### **COMMUNICATIONS**

n/a

### **ATTACHMENTS**

n/a

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### **Recommended By:**

Lois A. Giles

Director of Information Services/Clerk

519-822-1260 x 2232

[Lois.giles@guleph.ca](mailto:Lois.giles@guleph.ca)

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<b>Tab</b>	CITY COUNCIL
<b>Authority</b>	S.223.2(1) Municipal Act
<b>Subject</b>	COUNCIL CODE OF CONDUCT
<b>Related Policies</b>	Accountability and Transparency
<b>Approved by</b>	Date
<b>Review Date</b>	Annually

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## **POLICY STATEMENT**

A written Code of Conduct helps to ensure that the members of Council, advisory committees, and local boards of the municipality (as defined in the Municipal Act), share a common basis for acceptable conduct. This code is designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Guelph's elected and appointed representatives operate from a base of integrity, justice and courtesy. The key principles that underline the Code of Conduct are as follows:

- all members shall serve and be seen to serve their constituents in a conscientious and diligent manner;
- members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent;
- members are expected to perform their duties in office in a manner that promotes public confidence and will bear close public scrutiny;
- members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.

## **PURPOSE**

Municipal Council Members hold positions of privilege. Therefore, they must discharge their duties in a manner that recognizes a fundamental commitment to the well being of the community and regard for the integrity of the Corporation. The purpose of the Code of Conduct is to:

- Protect the public interest.
- Encourage high ethical standards among members of Guelph City Council and local boards.

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- Provide a universal understanding of the fundamental rights, privileges, and obligations of members of Guelph City Council and local boards.
  - Provide a means for members of Guelph City Council and local boards to obtain information on some contemplated conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct.

## DEFINITIONS

Members – include the Mayor and Members of Guelph City Council and the following local boards, and their predecessors, and other boards which may be established from time to time:

- Accessibility Advisory Committee
- Committee of Adjustment
- Downtown Board of Management
- Board of Trustees of the Elliott
- Guelph General Hospital Commission
- Guelph Museums Board of Management
- Guelph Non-Profit Housing Corporation
- Heritage Guelph
- Property Standards/Fence Viewers Committee
- River Run Board of Directors

**Confidential Information** – while the classification of information as “confidential” is a matter of Council discretion whether labeled as confidential or not, disclosure of information will not constitute a breach of the Code of Ethics unless that information is of an inherently confidential nature such as:

- Personal data of employees or others.
- Records related to internal policies and practices, which if disclosed, may prejudice the effective performance of a municipal operation.
- Records of a financial nature reflecting information given or accumulated in confidence.
- Files prepared in connection with litigation and adjudicative proceedings.
- Reports of consultants, draft documents and internal communications, which, if disclosed, may prejudice the effective operation and reputation of the municipality, its officers and employees and its effective operation.

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## GIFTS AND BENEFITS

No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his / her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or advance paid to, or a gift or benefit, provided with the member's knowledge to a member's spouse, child or parent or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member. The following are recognized as exceptions:

- a) compensation authorized by by-law;
- b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- c) a political contribution otherwise reported by law;
- d) services provided without compensation by persons volunteering their time;
- e) a suitable memento of a function honouring the member;
- f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign country;
- g) food and beverages consumed at banquets, receptions or similar events, if:
  - I. attendance is in keeping with his or her representative role;
  - II. the person extending the invitation or a representative of the organization is in attendance; and,
  - III. the value is reasonable and attendance at events sponsored by the same entity is infrequent.
- h) communication to the offices of a member, including subscriptions to newspapers and periodicals.

In the case of categories (b) (e) (f) (g) and (h), if the value of the gift or benefit exceeds \$300, or if the total value received from any one source during the course of a calendar year exceeds \$300, the member shall within 30 days of receipt of the gift or reaching the annual limit, file a disclosure statement with the City Clerk.

The disclosure statement must indicate:

- the nature of the gift or benefit;
- its source and date of receipt;
- the circumstances under which it was given or received;

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- its estimated value;
  - what the recipient intends to do with the gift; and,
  - whether any gift will at any point be left with the City.

Any disclosure statements will be a matter of public record.

Except in the case of category (f), a member may not accept a gift or benefit worth in excess of \$500 or gifts or benefits from one source during a calendar year worth in excess of \$500. No member shall seek or obtain by reason of his / her office any personal privilege or advantage with respect to City Services not otherwise available to the general public and not consequent to his or her official duties.

#### CONFIDENTIALITY

All information, including documentation or deliberation received, reviewed or taken in closed session of Council and its committees is confidential. Members shall not disclose or release by means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so. Under the Procedural By-law, authorized under section 239 of the *Municipal Act*, where a matter that has been discussed in an in-camera (closed) meeting remains confidential, no member shall disclose the content of the matter, or the substance of deliberations, of the in camera meeting. Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential. Particular care should be exercised in ensuring confidentiality of the following types of information;

- items under litigation, negotiation, or personnel matters;
- information that infringes on the rights of others (e.g., sources of complaints where the identity of a complainant is given in confidence)
- price schedules in contract tender or Request For Proposal submissions if so specified;
- information deemed to be "personal information" under the *Municipal Conflict of Interest Act*; and
- statistical data required by law not to be released (e.g. certain census or assessment data).

This list is provided as an example and is not exhaustive. Requests for information should be referred to appropriate staff to be addressed as either an informal request for



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access to municipal records or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

Members of Council should not access or attempt to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

#### USE OF CITY PROPERTY

No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:

- Reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the City incurs no additional costs relating to such use, and the use is of limited duration and frequency.
- Use of City property and facilities where such use is universally known to be available to other residents upon request and on equal terms.

No member shall obtain financial gain from the use of City developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Guelph.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

#### WORK OF A POLITICAL OR PERSONAL NATURE

Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters and websites linked through the City's website) for any election campaign or campaign-related activities. No member shall undertake campaign-related activities in any City facility for the purpose of seeking the support of City employees working in that facility. No member shall use the services of persons for his or her election campaign

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purposes during the working hours for which those persons receive compensation from the City.

No member shall use City facilities, services or property for his or her personal or business use. No member shall use the services of persons for his or her personal or personal business use during the working hours for which those persons receive compensation from the City.

CONDUCT  
RESPECTING  
CURRENT AND  
PROSPECTIVE  
EMPLOYMENT

No member shall allow the prospect of her / her future employment by a person or entity to detrimentally affect the performance of his / her duties to the City.

BUSINESS  
RELATIONS

No member shall act as a paid agent before Council, its committees, or an agency, board or commission of the City except in compliance with the terms of the *Municipal Conflict of Interest Act*. A member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

INFLUENCE ON  
STAFF

Only Council as a whole has the authority to approve budget, policy, committee processes and other such matters. Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the City.

Council directs the business of the City and passes by-laws, or resolutions as appropriate, for decisions adopted by Council. Council has delegated responsibility to the Chief Administrative Officer (CAO) for the administration of the affairs of the City in accordance with decisions adopted by Council. This means that under the direction of the CAO staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy. Accordingly, staff establish the appropriate administrative policies, systems, structures and internal controls to implement the

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goals and objectives of Council, and manage implementation within the resources at their disposal. The Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. No member shall compel any staff member to engage in activities that are contrary to the directions of Council or the policies of the municipality.

No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity.

IMPROPER USE OF  
INFLUENCE

No member of Council shall use the influence of his or her office for any purpose other than for the exercise of her or his official duties. Examples of prohibited conduct are the use of one's status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence within Council in return for present actions or inaction.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE March 8, 2010

**SUBJECT Complaints Process under Council's Code of Conduct**  
REPORT NUMBER

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## **RECOMMENDATION**

**THAT** the process for complaints under the Council Code of Conduct, attached hereto as Schedule "A", be approved.

## **BACKGROUND**

On September 22, 2008, City Council adopted a Code of Conduct for Council and certain local boards. At that time, Council directed staff to develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

## **REPORT**

Staff researched a number of codes of conduct for various public sector entities. The attached process has been developed using this research. Provisions of the process include:

- How to file a complaint
- Confidentiality provisions
- Intake procedures
- Investigation procedures
- Reporting of results
- Actions by Council
- Protection from retaliation
- Complaints in election years
- Limitation period

## **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

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**FINANCIAL IMPLICATIONS**

No funds have been budgeted for costs associated with the investigation of a complaint in 2010. Investigations will be reviewed on a case by case basis to determine if financial resources will be required.

**DEPARTMENTAL CONSULTATION**

n/a

**COMMUNICATIONS**

n/a

**ATTACHMENTS**

n/a

“original signed by Lois Giles”

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**Recommended By:**

Lois A. Giles  
Director of Information Services/Clerk.  
519-822-1260 x 2232  
lois.giles@guelph.ca

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## **PROCESS FOR COMPLAINTS UNDER COUNCIL'S CODE OF CONDUCT**

### **Application**

1. This process applies to members of Guelph City Council.

### **Associated Processes**

1. Separate complaint processes will be developed for the following local boards:
  - a. Downtown Board of Management
  - b. Board of Trustees of the Elliott
  - c. Guelph General Hospital Commission
  - d. Guelph Non-Profit Housing Corporation
  - e. Committee of Adjustment
  - f. Guelph Museums Board of Management
  - g. Property Standards/Fence Viewers Committee

### **Making a Complaint**

1. All complaints of contraventions of the Code of Conduct shall be made in writing on the attached form.
2. All complaints must be signed by the complainant.
3. All written complaints must clearly state:
  - a. the member of council to whom the complaint relates;
  - b. the nature of the alleged contravention;
  - c. the specific provision(s) of the Code of Conduct allegedly contravened;
  - d. names of any witnesses to the alleged contravention; and
  - e. written material in support of the alleged contravention.
4. All written complaints shall be submitted to the Director of Information Services/Clerk ("the Director") in a sealed envelope marked "personal and confidential".

### **Confidentiality**

1. In order to ensure that the individual to whom the complaint relates is treated fairly and also that the privacy of the complainant is protected, all complaints shall be treated as confidential to the extent allowed by law.
2. All records of investigations shall be kept confidential and access limited to those in the organization with a need to know for the purposes of conducting a full investigation.

### **Intake Procedures**

1. Upon receipt of a complaint involving a ward councillor, the Director shall immediately advise the Mayor and Chief Administrative Officer ("CAO").
2. Upon receipt of a complaint involving the Mayor, the Director shall immediately advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor.
3. In the event that the complainant is the CAO, the Director shall make arrangements for the investigation to be conducted by another person, and all subsequent references in this process to the CAO shall apply to the person selected by the Director, with the necessary modifications to wording as required.
4. Upon receipt of a complaint, the CAO shall first determine if there is an existing procedure to deal with a complaint, the CAO shall refer the complainant to the appropriate person or agency to follow that process. This would include such matters as:
  - a. the grievance provisions of a collective agreement;

- 
- b. the complaint provisions under the Ontario Human Rights Code;
  - c. a complaint of alleged criminal activity;
  - d. procedures in the Municipal Act, the Municipal Conflict of Interest Act or the Municipal Elections Act;
  - e. the complaint provisions of the Workplace Violence Prevention Policy; or
  - f. the complaint provisions of the Harrassment and Discrimination Policy.

Where it has been determined that a complaint should be dealt with under one of the above processes, it will no longer be considered or dealt with under the Code of Conduct, and the time limits within the above processes will apply accordingly.

5. The CAO shall provide a summary of the nature of the complaint to the Council member who is alleged to have contravened the Code of Conduct, along with a request to provide a written response to the complainant.

### **Investigations**

The CAO shall take all steps necessary to promptly investigate the complaint, including consultation with other City staff, and may retain independent professional services if required.

1. The CAO shall make every effort to complete an investigation within 30 days.
2. If the CAO requires more than 30 days to complete an investigation, the following shall be notified accordingly:
  - a. The complainant;
  - b. the individual to whom the complaint relates; and
  - c. the Mayor in the case of a complaint concerning a ward councillor; or the three longest serving members of Council in the case of a complaint concerning the mayor.
3. A complaint involving an alleged contravention that has already been thoroughly investigated will not be re-investigated unless new evidence is presented.

### **Reporting the Results of an Investigation**

1. Where the results of an investigation fail to find that a contravention of the Code of Conduct has occurred, the CAO shall notify the following accordingly:
  - a. The complainant;
  - b. the individual to whom the complaint relates; and
  - c. the Council.
2. Where the results of an investigation indicate that a contravention of the Code of Conduct has occurred, the CAO shall report such information to Council at a special Council meeting called pursuant to the Procedural By-law. The special meeting shall be closed to the public pursuant to S.239 of the Municipal Act, however the report of the CAO on the investigation of the complaint shall be a public document.
3. The member to whom the complaint relates shall be given an opportunity to address Council and respond to the complaint.
4. The member shall be permitted to introduce information not already in evidence including witnesses to support his or her position, and shall have the option of attending with legal counsel.

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### **Actions by Council**

1. If the results of the investigation indicate that a breach may have occurred, but Council is unable to reach a final conclusion, Council may pass a resolution requesting a Judge of the Ontario Superior Court of Justice to conduct an investigation of the member's conduct under Section 274(1) of the Municipal Act.
2. If the Council concludes that a contravention of the Code of Conduct has occurred, the Council shall rise and report in a meeting open to the public that such a determination has been made.
3. The Council may at that time take one of the following actions:
  - a. issue a motion of reprimand;
  - b. request the member involved to return any gift or benefit received in contravention of the Code of Conduct;
  - c. request the member involved to repay the value of the benefit;
  - d. remove the member from committee appointments;
  - e. request an apology;
  - f. withhold confidential materials/matters for a period of time; or
  - g. impose such other penalties as may be provided for in law.
5. All reports to Council by the CAO on the investigation of complaints are public documents.

### **Protection from Retaliation**

Any employee who files a complaint of a contravention of the Code of Conduct will not be subjected to any form of penalty or reprisal provided the complaint is made:

- in good faith; and
- in the reasonable belief of the complainant that a contravention of the Code of Conduct has occurred.

### **Limitation Period**

The CAO shall not proceed with an inquiry in regard to a complaint more than 60 days after the date when the event or series of events which are the subject matter of the complaint were discovered by the complainant. An event, or series of events, is discovered on the earlier of the date upon which the complainant first knew,

- that the event(s) had occurred and by whom,
- that the event(s) may have constituted a contravention of
- the Code of Conduct.

The onus of proof as to the date of discovery lies with the complainant.

Where the CAO does decide not to proceed with an investigation of a complaint received more than 60 days after the date when the event(s) occurred, the CAO shall prepare and file a report setting out that decision. Where it has been determined that a complaint is to be dealt with under another established process, it will no longer be considered or dealt with under the Code of Conduct, and the 60 day time limit under the Code of Conduct will not apply.

### **Complaints in Municipal Election Years**

Despite any other provision of this process, any complaint received by the Director 90 days prior to the date of a regular election pursuant to the *Municipal Elections Act*, 1996, S.O. 1996, shall not be referred to the CAO for investigation until after the election has taken place.

The 90 days referred to above, will not be included for the purposes of calculating the 60 day limitation period.



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Complaint Under The  
Council Code of Conduct

<b>Name:</b>	<b>Address:</b>
<b>Telephone:</b> Home: Business:	<b>Date:</b>

<b>Name(s) of member(s) of Council you are complaining about:</b>	
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Description of Complaint

Include as much information about the complaint as possible. This includes:

- the nature of the alleged contravention;
- the specific provision(s) of the Code of Conduct allegedly contravened;
- names of any witnesses to the alleged contravention; and
- written material in support of the alleged contravention.

You may attach additional sheets if necessary.




**The Corporation of the City of Guelph  
Governance Committee  
Monday March 8, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday March 8, 2010 in the Council Committee Meeting Room (Room 112) at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Piper and Wettstein

Absent: Councillors Beard

Also Present: Councillor Hofland

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on February 8, 2010 be amended to reflect Councillor Burcher not in attendance and Councillors Bell and Farrelly as being present;

AND THAT the minutes of the Governance Committee meeting held on February 8, 2010 be confirmed as amended and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.9 2010 Council Strategic Plan Work Plan – Revised
- GOV-2010 A.10 Governance Committee Quarterly Report: January – March 2010 Revised
- GOV-2010 A.11 Discretionary Position of Integrity Commissioner
- GOV-2010 A.12 Complaints Process Under Council's Code of Conduct

**2010 Council Strategic Plan Work Plan Revised**

Ms. B. Boisvert

2. Moved by Councillor Piper  
Seconded by Councillor Findlay  
THAT the revised 2010 Council Strategic Plan Work Plan be received for review and consideration.

Carried

**Governance Committee Quarterly Report: January – March 2010 Revised**

Mayor Farbridge

3. Moved by Councillor Wettstein  
Seconded by Councillor Piper  
THAT the Governance Committee revised Quarterly Report: January – March 2010, dated March 8, 2010 be received for information.

Carried

**Discretionary Position of Integrity Commissioner  
Complaints Process Under Council’s Code of Conduct**

REPORT

4. Moved by Councillor Findlay  
Seconded by Councillor Piper  
THAT the report of the Director of Information Services/Clerk concerning the discretionary position of Integrity Commissioner under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the appointment of an Integrity Commissioner be deferred for consideration during the 2011 budget process;

AND THAT the process for complaints under the Council Code of Conduct, attached hereto as Schedule “A”, be approved.

Carried

The meeting adjourned at 3:30 p.m.

.....  
Chairperson

**PROCESS FOR COMPLAINTS  
UNDER COUNCIL’S CODE OF CONDUCT**

<p><b>Application</b></p> <ol style="list-style-type: none"> <li>1. This process applies to members of Guelph City Council.</li> </ol>
<p><b>Associated Processes</b></p> <ol style="list-style-type: none"> <li>1. Separate complaint processes will be developed for the following local boards:             <ol style="list-style-type: none"> <li>a. Downtown Board of Management</li> <li>b. Board of Trustees of the Elliott</li> <li>c. Guelph General Hospital Commission</li> <li>d. Guelph Non-Profit Housing Corporation</li> <li>e. Committee of Adjustment</li> <li>f. Guelph Museums Board of Management</li> <li>g. Property Standards/Fence Viewers Committee</li> </ol> </li> </ol>
<p><b>Making a Complaint</b></p> <ol style="list-style-type: none"> <li>1. All complaints of contraventions of the Code of Conduct shall be made in writing on the attached form.</li> <li>2. All complaints must be signed by the complainant.</li> <li>3. All written complaints must clearly state:             <ol style="list-style-type: none"> <li>a. the member of council to whom the complaint relates;</li> <li>b. the nature of the alleged contravention;</li> <li>c. the specific provision(s) of the Code of Conduct allegedly contravened;</li> <li>d. names of any witnesses to the alleged contravention; and</li> <li>e. written material in support of the alleged contravention.</li> </ol> </li> <li>4. All written complaints shall be submitted to the Director of Information Services/Clerk (“the Director”) in a sealed envelope marked “personal and confidential”.</li> </ol>
<p><b>Confidentiality</b></p> <ol style="list-style-type: none"> <li>1. In order to ensure that the individual to whom the complaint relates is treated fairly and also that the privacy of the complainant is protected, all complaints shall be treated as confidential to the extent allowed by law.</li> <li>2. All records of investigations shall be kept confidential and access limited to those in the organization with a need to know for the purposes of conducting a full investigation.</li> </ol>
<p><b>Intake Procedures</b></p> <ol style="list-style-type: none"> <li>1. Upon receipt of a complaint involving a ward councillor, the Director shall immediately advise the Mayor and Chief Administrative Officer (“CAO”).</li> <li>2. Upon receipt of a complaint involving the Mayor, the Director shall immediately advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor.</li> <li>3. In the event that the complainant is the CAO, the Director shall make arrangements for the investigation to be conducted by another person, and all subsequent references in this process to the CAO shall apply to the person selected by the Director, with the necessary modifications to wording as required.</li> <li>4. Upon receipt of a complaint, the CAO shall first determine if there is an existing procedure to deal with a complaint, the CAO shall refer the complainant to the appropriate person or agency to follow that process. This would include such matters as:             <ol style="list-style-type: none"> <li>a. the grievance provisions of a collective agreement;</li> </ol> </li> </ol>

- b. the complaint provisions under the Ontario Human Rights Code;
- c. a complaint of alleged criminal activity;
- d. procedures in the Municipal Act, the Municipal Conflict of Interest Act or the Municipal Elections Act;
- e. the complaint provisions of the Workplace Violence Prevention Policy; or
- f. the complaint provisions of the Harrassment and Discrimination Policy.

Where it has been determined that a complaint should be dealt with under one of the above processes, it will no longer be considered or dealt with under the Code of Conduct, and the time limits within the above processes will apply accordingly.

5. The CAO shall provide a summary of the nature of the complaint to the Council member who is alleged to have contravened the Code of Conduct, along with a request to provide a written response to the complainant.

### **Investigations**

The CAO shall take all steps necessary to promptly investigate the complaint, including consultation with other City staff, and may retain independent professional services if required.

1. The CAO shall make every effort to complete an investigation within 30 days.
2. If the CAO requires more than 30 days to complete an investigation, the following shall be notified accordingly:
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3. A complaint involving an alleged contravention that has already been thoroughly investigated will not be re-investigated unless new evidence is presented.

### **Reporting the Results of an Investigation**

1. Where the results of an investigation fail to find that a contravention of the Code of Conduct has occurred, the CAO shall notify the following accordingly:
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# COMMITTEE AGENDA



TO **Governance Committee**

DATE April 12, 2010

LOCATION Committee Meeting Room (Room 112)

TIME 3 p.m.

## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – March 8, 2010

## PRESENTATIONS (Items with no accompanying report)

a)

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-13 Council Strategic Plan Priorities Report – Q1, 2010			
GOV-14 Municipal Election Compliance Audit Committee			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

## ITEMS EXTRACTED FROM CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

## OTHER BUSINESS

## NEXT MEETING – May 10, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday March 8, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday March 8, 2010 in the Council Committee Meeting Room (Room 112) at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Piper and Wettstein

Absent: Councillors Beard

Also Present: Councillor Hofland

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on February 8, 2010 be amended to reflect Councillor Burcher not in attendance and Councillors Bell and Farrelly as being present;

AND THAT the minutes of the Governance Committee meeting held on February 8, 2010 be confirmed as amended and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.9 2010 Council Strategic Plan Work Plan – Revised
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- GOV-2010 A.12 Complaints Process Under Council's Code of Conduct

**2010 Council Strategic Plan Work Plan Revised**

Ms. B. Boisvert

2. Moved by Councillor Piper  
Seconded by Councillor Findlay  
THAT the revised 2010 Council Strategic Plan Work Plan be received for review and consideration.

Carried

**Governance Committee Quarterly Report: January – March 2010 Revised**

Mayor Farbridge

3. Moved by Councillor Wettstein  
Seconded by Councillor Piper  
THAT the Governance Committee revised Quarterly Report: January – March 2010, dated March 8, 2010 be received for information.

Carried

**Discretionary Position of Integrity Commissioner  
Complaints Process Under Council’s Code of Conduct**

REPORT

4. Moved by Councillor Findlay  
Seconded by Councillor Piper  
THAT the report of the Director of Information Services/Clerk concerning the discretionary position of Integrity Commissioner under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the appointment of an Integrity Commissioner be deferred for consideration during the 2011 budget process;

AND THAT the process for complaints under the Council Code of Conduct, attached hereto as Schedule “A”, be approved.

Carried

The meeting adjourned at 3:30 p.m.

.....  
Chairperson

**PROCESS FOR COMPLAINTS  
UNDER COUNCIL'S CODE OF CONDUCT**

<p><b>Application</b></p> <ol style="list-style-type: none"> <li>1. This process applies to members of Guelph City Council.</li> </ol>
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The 90 days referred to above, will not be included for the purposes of calculating the 60 day limitation period.







**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**April 12, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
GOV-2010 A.13) <b>COUNCIL STRATEGIC PLAN PRIORITIES REPORT – Q1, 2010</b>  THAT the 2010 first quarter report on Council's 2007 Strategic Priorities be received for information by the Governance Committee.	Receive
GOV-2010 A.14) <b>MUNICIPAL ELECTION COMPLIANCE AUDIT COMMITTEE</b>  THAT the Municipal Election Compliance Audit Committee Mandate and Charter, as set out in Appendix 'A' to Report Number, dated April 12, 2010, be approved and adopted;  AND THAT the City Clerk be directed to commence the recruitment process for appointees to a Municipal Election Compliance Audit Committee as required under the <i>Municipal Elections Act, 1996</i> .	Approve
<b>B Items for Direction of Committee</b>	

attach.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE April 12, 2010

**SUBJECT Council Strategic Plan Priorities Report – Q1, 2010**

REPORT NUMBER

## RECOMMENDATION

THAT the 2010 first quarter report on Council’s 2007 Strategic Priorities be received for information by the Governance Committee.

## BACKGROUND

At a meeting of the Governance Committee held July 22, 2009 the following motion was approved:

“THAT staff be directed to investigate, implement and evaluate new options for quarterly reporting of performance and results linked to Council’s community-driven Strategic Plan.”

To that end, staff have developed a new interactive timeline reporting tool accessible to the public through [guelph.ca](http://guelph.ca). The tool is populated with quarterly performance information on Council’s priority initiatives that were identified in 2007. This report constitutes the data that will be provided to stakeholders through the new communications device for the first quarter of 2010.

## REPORT

The following table provides progress and next step information on 2007 Council identified priority initiatives for the January to March 2010 timeframe.

<b>Initiative</b>	<b>Progress Achieved and Next Steps</b>
Community Energy Plan (CEP)	<ul style="list-style-type: none"><li>-Integration of the CEP into the Official Plan and related activities will continue throughout Q2.</li><li>-Active advocacy to provincial energy policy-makers and regulators via QUEST (Quality Urban Energy Systems of Tomorrow) took place and will continue into Q2.</li><li>-Ongoing development of operational strategies with Guelph Hydro Inc. continue to take place in the context of the new Shareholder Agreement.</li><li>-Plans for the inaugural meeting of the Mayor’s Task Force on Community Energy occurred. A Q2 date is confirmed.</li><li>-Ongoing support and facilitation of large scale projects under the CEP in cooperation with GHI will continue – specifically</li></ul>

	related to project and economic development activities related to the solar photovoltaic industry.
Organic Waste Processing Facility	-A draft of the Certificate of Approval is expected from the Ministry of the Environment by the end of Q2 2010. -The old facility demolition and site remediation work has been completed as scheduled.
Downtown Secondary Plan	-Stakeholder workshops and a public open house for the Downtown Secondary Plan were held during February/March 2010. Input gathered will inform implementation strategies being developed for early 2010. -A final plan will come forward to Council July 2010.
Guelph Innovation District	-The consulting team of Hicking, Arthurs, Low and Urban Strategies finalized their report regarding the Guelph Agri-Innovation Cluster which outlines opportunities for the Guelph Innovation District. Discussion on next steps will continue with community and provincial partners. - A Council Workshop was held to update members on the Secondary Plan work, and discuss a draft vision, planning principles and potential implementation roles for the City. Detailed information is available on <a href="http://guelph.ca/innovationdistrict">guelph.ca/innovationdistrict</a>
Downtown Investment Action Plan	-Renovation of the former City Hall for use as a Municipal Court house continued to progress. -Guelph Remastered – a construction mitigation communication program was successfully launched and presented to Council. -Council approved undertaking preliminary steps for the Guelph Central Library project: Program and Function Plan.
Strategic Urban Forest Management Plan	-A report was provided to Council outlining the critical path for adoption of the Tree By-law. Final adoption is anticipated in July 2010. A critical path for development of the Strategic Urban Forest Management Plan was also included. Presentation of the plan to Council is expected in Q1, 2011. The report is available on <a href="http://Guelph.ca">Guelph.ca</a> . Staff continue to implement operational/maintenance recommendations as internal resources permit.
City/County Service Agreements	-The City continues to gather information relating to the various services provided by the County as the Consolidated Municipal Services Manager.
Alternative Development Standards	-Work continued on this initiative. It is being coordinated with the citywide Storm water Management Master Plan study. Completion is expected by 2011.
Eastview Landfill Community Park	-A License agreement between the City and Pollination Guelph has been signed by both parties (fully executed). A draft Risk Assessment Report of the site has been submitted for review by City staff. This report needs to be supported prior to the use of the site for the Pollinator Demonstration Garden. A revised tender is being prepared for basic servicing and grading work on the Park Site.
Hanlon Creek Business Park	-Staff continued work with the Ministry of Natural Resources to develop and implement a monitoring program to assess the

	<p>potential of Jefferson Salamander species and possible resulting mitigation requirements to the current approved subdivision plans and design. This work is scheduled to be completed by June 2010.</p> <p>- Staff continue to work towards the servicing and land title registration of Phase 1a throughout 2010. This Phase has been deemed as outside potential salamander habitat areas by the Ministry of Natural Resources.</p>
Imico	<p>-Environmental investigations and remedial cost estimates were completed.</p> <p>-A Risk Assessment will be undertaken starting in 2011, subject to the availability of funding.</p>
Zoning By-law	<p>-Amendments to the zoning by-law to reflect the CEP and conform with the Official Plan will be initiated following approval of the Official Plan update.</p>
Prosperity 2020 (City Marketing and Promotion Programs)	<p>-Prosperity 2020, a new economic development strategy for the City of Guelph has been drafted and is to be presented to Council by the end of April 2010.</p>
Parks, Recreation and Culture Master Plan	<p>-An interdepartmental staff team continue to review recommendations. A phased response to the Master Plan is anticipated later in 2010.</p> <p>- A Work Plan for the South End Community Centre was approved by Council - Phase One: Preliminary Partnership Assessment and Development Options was initiated.</p>
Corporate Governance Framework/ Manual	<p>- A list of requirements and duties related to the statutory position of Municipal Clerk was completed and approved by Council for inclusion in the Governance manual.</p> <p>- All the Standing Committee Mandates and Charters were completed and will also be incorporated into the manual.</p>
Corporate Service Review	<p>-A first year review of the Community responder program was provided to Council with compelling results that exceeded expectations in terms of costs, response times and customer satisfaction. Staff will continue to monitor the effectiveness of the program and plan to implement further improvements.</p> <p>-An update on internal audit activities was provided to Council with information on the current audit projects, work descriptions, status and timelines. Going forward, this reporting will occur on a regular basis.</p>
Official Plan Update	<p>-Work continued to ensure that adoption of the Official Plan Amendment update is on target for Q2 2010. An update on next steps and timelines was provided to Council. Finalization is expected June 21, 2010.</p>
South End Emergency Service Station	<p>-Progress continued on the South End Emergency Service Station according to timelines and budget.</p> <p>-Staff attended a community neighbourhood meeting to discuss the new building and related resources that would be available.</p>

Civic Square Construction	-Construction of the Square continued to be coordinated with adjacent road reconstruction, transportation and capital projects. Development is on track for the 2010 construction season.
Special Events Framework	-An interdepartmental team of staff continued work on a draft framework for community consultation. Completion is anticipated in early 2010.
Corporate Social Responsibility Framework	-A second Sustainability Forum was held on January 6 <sup>th</sup> . Over 100 participants were in attendance. -The Sustainable Guelph group of volunteers who have provided strategic leadership for both forums will now oversee implementation of a Trillium grant funded plan focused on furthering sustainability initiatives within the city.
Guelph Trails Master Plan	- The Construction Tender for the Trans Canada Trail section from Speedvale Avenue to Eramosa Road is closing on April 14, 2010. Construction is tentatively set to commence in the middle of May, 2010
Transit System Growth Strategy	-Work continued on the Transit Growth Strategy including the development of recommendations which will be presented to Council for approval.
Water Supply Master Plan	-Efforts continued on initiatives linked to the Water Supply Master Plan. -A Water Conservation and Efficiency Program Update report was provided to Council with information on current initiatives, 2010 programming activities and program progress updates for 2009. -A report detailing the winners of the 2009 Water Conservation and Efficiency Awards was also provided to Council for review. Annual awards are provided in three separate categories – residential, business and community education.
Wilson Street Parking Garage	-This project is prepared for a design/build RFP. Fiscal constraints have delayed any further City-only progress beyond the current 5 yr capital window.

### **CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

The Senior Management Team has reviewed this report.

### **COMMUNICATIONS**

This information is posted regularly on [guelph.ca](http://guelph.ca) and in the city news pages.

### **ATTACHMENTS**

n/a

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original signed by Brenda Boisvert

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**Prepared By:**

Brenda Boisvert BA, MPA

Manager, Strategic Planning and  
Corporate Initiatives

original signed by Margaret Neubauer

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**Recommended By:**

Margaret Neubauer, Director of  
Finance and Assistant CAO

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE April 12, 2010

**SUBJECT Municipal Election Compliance Audit Committee**  
REPORT NUMBER

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## RECOMMENDATION

THAT the Municipal Election Compliance Audit Committee Mandate and Charter, as set out in Appendix 'A' to Report Number, dated April 12, 2010, be approved and adopted; and

THAT the City Clerk be directed to commence the recruitment process for appointees to a Municipal Election Compliance Audit Committee as required under the *Municipal Elections Act, 1996*.

## BACKGROUND

The *Municipal Elections Act, 1996 (MEA)* provides that an elector who is entitled to vote in an election and who believes on reasonable grounds that a candidate has contravened a provision of the *MEA* relating to election campaign finances may apply for a Municipal Election compliance audit of the candidate's election campaign finances.

Prior to 2009, municipal councils had the option of appointing a compliance audit committee to deal with applications for compliance audits. If a council did not appoint a compliance audit committee, the responsibility of dealing with such applications remained with the council. The *MEA* was amended in 2009 to make the appointment of a compliance audit committee mandatory for all municipalities.

## REPORT

The purpose of a compliance audit committee is to review and determine if a request for a compliance audit should be granted. The decision of the committee as to whether or not a request for an audit is to be granted, can be appealed to the Ontario Court of Justice.

If a committee decides to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. The



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auditor will determine whether a candidate has complied with the provisions of the *MEA* relating to election campaign finances and is required to prepare a report outlining any apparent contravention by the candidate.

The committee is to consider the report within 30 days after receiving it and may,

- (a) if the report concludes that the candidate appears to have contravened a provision of the *MEA* relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention;
- (b) if the report concludes that the candidate does not appear to have contravened a provision of the *MEA* relating to election campaign finances, make a finding as to whether there were reasonable grounds for the application.

A maximum of 7 members is permitted under the *MEA*. Staff are recommending that a municipal Compliance audit committee be formed, that consists of 3 members and that the following persons not be not eligible to serve on the committee:

- (a) employees or officers of the City or any of its local boards;
- (b) members of the City Council or any of the City's local boards;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who have a personal or professional relationship with any persons who are mayoral or councillor candidates in the municipal election.

The Committee's term will be concurrent with the term of the 2010-14 Council.

The *Municipal Conflict of Interest Act* would apply to members of the Municipal Election Compliance Audit Committee.

### **CORPORATE STRATEGIC PLAN**

This report supports strategic objective 5.3: Open accountable and transparent conduct of Municipal business.

### **FINANCIAL IMPLICATIONS**

Advertising costs will be incurred to solicit applications for appointment to a Municipal Election Compliance Audit Committee.

All costs relating to the committee's operations and activities will be the responsibility of the City.

The City is also required to pay any auditor's costs where the committee has approved an application for audit. Committee operating costs will be addressed during the 2011 Operating Budget review.

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**DEPARTMENTAL CONSULTATION**

Legal Services

**COMMUNICATIONS**

Not Applicable

**ATTACHMENTS**

Appendix 'A': Municipal Election Compliance Audit Committee Terms of Reference

Appendix 'B': *Municipal Elections Act, 1996*, sections 81 and 81.1

original signed by Tina Agnello

original signed by Lois Giles

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**Prepared By:**

Tina Agnello  
Deputy Clerk  
519 8222-1260 X 2811  
Tina.agnello@guelph.ca

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**Recommended By:**

Lois Giles  
Director of Information Services  
/City Clerk  
519 8222-1260 X 2322  
Lois.giles@guelph.ca

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## Appendix 'A'

### Committee Mandate and Charter

Municipal Election Compliance Audit Committee

#### A. Mandate for the Municipal Election Compliance Audit Committee

##### 1. Mandate

*The Committee's mandate defines its core areas of management and responsibility.*

This committee is mandated through provincial legislation: Section 81.1 of the *Municipal Elections Act, 1996 (MEA)*.

The mandate of the Municipal Election Compliance Audit Committee is to hear and determine all applications filed in accordance with section 81 of the *MEA* in accordance with the procedures established by the municipal clerk under the provisions of the *MEA*. Any application which does not meet the legislative deadline for submission will not be presented to the committee for review.

An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of the *MEA* relating to election campaign finances may apply for a Municipal Election Compliance audit of the candidate's election campaign finances.

The committee is required by legislation to consider any applications for a compliance audit of the election campaign finances of any candidate who ran for the office of head of council or councillor in the City of Guelph municipal election, if the application was received in accordance with legislative requirements.

##### 2. Composition of the Committee

I. The committee is comprised of three citizen appointees.

The committee shall be established before October 1 of an election year. The term of appointment is from December 1, of a regular election year to November 30, of the next regular election year.

The committee shall not include,

- (a) employees or officers of the City or any of its local boards;
- (b) members of City council or any of the City's local boards;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who have a personal or professional relationship with any persons who are candidates in the election for which the committee is established.

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II. The Chair is elected by the Committee at its first meeting.

III. The purpose of a compliance audit committee is to review and determine if a request for a compliance audit should be granted. The decision of the committee as to whether or not a request for an audit is to be granted, can be appealed to the Ontario Court of Justice.

If a committee decides to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. The auditor will determine whether a candidate has complied with the provisions of the *MEA* relating to election campaign finances and is required to prepare a report outlining any apparent contravention by the candidate.

Support staff will include a Council/Committee coordinator, the Returning Officer for the election or his/her designate(s) and Legal Services staff.

## **B. Committee Charter**

The committee's Charter outlines how the committee will satisfy the requirements set forth by Council in its Mandate. This Charter comprises:

- Operating principles
- Responsibilities and duties
- Operating procedures

### **1. Operating Principles**

All committee work will be carried out in accordance with provisions of Section 81.1 of the *MEA* and any other governing legislation and policies, and the Committee shall fulfill its responsibilities within the context of the following principles:

#### i. Committee Values

The Council Code of Conduct, transparency and accountability guide committee efforts and promote interaction with the highest ethical standards and professionalism while ensuring that the best interests of the community are met. The Council endorsed corporate values of wellness, integrity and excellence will also be observed.

#### ii. Communications

The committee Chair will act as the primary spokesperson for any inquiries.

#### iii. Meeting Agenda

The committee meeting Agenda shall be drafted by the committee coordinator as required to consider any applications for audit that have been filed in accordance with the legislation.

#### iv. Notice of Meetings

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Public notice of all committee meetings will be provided on the City's electronic general calendar at least 72 hours prior to a meeting; by posting a notice in City Hall at least 72 hours prior to the meeting; and by publication in a local newspaper at least 72 hours prior to the meeting.

It is recognized that, consistent with Section 239 of the *Municipal Act, 2001* some agenda items may require a meeting to be closed to the public. The holding of any closed meetings and the general nature of the matter to be considered will be made public to ensure full transparency.

v. Committee Expectations and Information Needs

Meeting minutes will be recorded and distributed to committee members with each meeting agenda. All decisions that lead to the formulation of recommendations will take place at the committee meetings only and not through electronic or other outside exchanges.

All pertinent information will be shared with all committee members in advance of meetings. This can include but not be limited to meeting minutes, and any supplemental information.

vi. Reporting

The committee's decision is final unless appealed to the Ontario Court of Justice.

## **2. Responsibilities and Duties**

To deal with applications from the regular election and any by-elections during the term of the municipal council pursuant to the responsibilities as set forth in the *ME as follows*:

- 1) Decide, within 30 days of receipt of such application, whether the application should be granted or rejected.
- 2) Where an application is granted, appoint an auditor licensed under the *Public Accounting Act, 2004* or a prescribed person to conduct a compliance audit of the candidate's election campaign finances.
- 3) Consider the report of the auditor within 30 days after receipt and may,
  - a) if the report concludes that the candidate appears to have contravened a provision of the *MEA* relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention;
  - b) if the report concludes that the candidate does not appear to have contravened a provision of the *MEA* relating to election campaign finances, make a finding as to whether there were reasonable grounds for the application.

## **3. Operating Procedures**

- i. The committee will meet as needed with meetings to be scheduled when a Municipal Election Compliance audit application is received.

- 
- ii. A quorum shall be a majority of the whole committee (2).
  - iii. Meeting minutes will be provided to each member of the committee as part of the agenda for meetings.
  - iv. The meetings shall be conducted according to the *Statutory Powers Procedure Act*.
  - v. The Chair shall vote on every motion.

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## Appendix 'B'

### ***Municipal Elections Act, 1996***

#### **Section 81**

##### Compliance audit

##### Application

- (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances.

##### Requirements

- (2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office; and it shall be in writing and shall set out the reasons for the elector's belief.

##### Deadline

- (3) The application must be made within 90 days after the latest of,
  - (a) the filing date under section 78,
  - (b) the candidate's supplementary filing date, if any, under section 78;
  - (c) the filing date for the final financial statement under section 79.1; or
  - (d) the date on which the candidate's extension, if any, under subsection 80 (4) expires.

##### Application to be forwarded to committee

- (4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee established under section 81.1 and provide a copy of the application to the council or local board.

##### Decision

- (5) Within 30 days after receiving the application, the committee shall consider the application and decide whether it should be granted or rejected.

##### Appeal

- (6) The decision of the committee may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the committee could have made.

##### Appointment of auditor

- (7) If the committee decides under subsection (5) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances.
- (8) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (7).

##### Duty of auditor

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- (9) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate.

#### Who receives report

- (10) The auditor shall submit the report to,
- (a) the candidate;
  - (b) the council or local board, as the case may be;
  - (c) the clerk with whom the candidate filed his or her nomination;
  - (d) the secretary of the local board, if applicable; and
  - (e) the applicant.

#### Report to be forwarded to committee

- (11) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee.

#### Powers of auditor

- (12) For the purpose of the audit, the auditor,
- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
  - (b) has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to the audit as if it were an inquiry under that Act.

#### Costs

- (13) The municipality or local board shall pay the auditor's costs of performing the audit.

#### Power of committee

- (14) The committee shall consider the report within 30 days after receiving it and may,
- (a) if the report concludes that the candidate appears to have contravened a provision of this Act relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention;
  - (b) if the report concludes that the candidate does not appear to have contravened a provision of this Act relating to election campaign finances, make a finding as to whether there were reasonable grounds for the application.

#### Recovery of costs

- (15) If the report indicates that there was no apparent contravention and the committee finds that there were no reasonable grounds for the application, the council or local board is entitled to recover the auditor's costs from the applicant.

#### Immunity



- 
- (16) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (7) for any act done in good faith in the execution or intended execution of the audit for any alleged neglect or default in its execution in good faith.

Saving provision

- (17) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances.

**Section 81.1**

Compliance audit committee

- (1) A council or local board shall, before October 1 of an election year, establish a committee for the purposes of section 81.

Composition

- (2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,
- (a) employees or officers of the municipality or local board;
  - (b) members of the council or local board; or
  - (c) any persons who are candidates in the election for which the committee is established.

Term of office

- (3) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed.

Role of clerk or secretary

- (4) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions.

Costs

- (5) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities.

**The Corporation of the City of Guelph  
Governance Committee  
Monday April 12, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday April 12, 2010 in the Council Committee Meeting Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay and Wettstein

Absent: Councillor Piper

Also Present: Councillors Bell, Farrelly and Hofland

Staff Present: Ms. T. Agnello, Deputy Clerk; Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Wettstein  
Seconded by Councillor Findlay

THAT the minutes of the Governance Committee meeting held on March 8, 2010 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.13 Council Strategic Plan Priorities Report – Q1, 2010
- GOV-2010 A.14 Municipal Election Compliance Audit Committee

**Council Strategic Plan Priorities Report – Q1, 2010**

2. Moved by Councillor Findlay  
Seconded by Councillor Beard

Ms. B. Boisvert

THAT the 2010 first quarter report on Council's 2007 Strategic Priorities be received for information by the Governance Committee.

Carried

**Municipal Election Compliance Audit Committee**

REPORT

3. Moved by Councillor Findlay  
Seconded by Councillor Wettstein

THAT the Municipal Election Compliance Audit Committee Mandate and Charter, as set out in Appendix 'A' to Report Number, dated April 12, 2010, be approved and adopted;

AND THAT the City Clerk be directed to commence the recruitment process for appointees to a Municipal Election Compliance Audit Committee as required under the *Municipal Elections Act, 1996*

The meeting adjourned at 3:20 p.m.

.....  
Chairperson

# COMMITTEE AGENDA



TO **Governance Committee**

DATE May 10, 2010

LOCATION Committee Meeting Room (Room 112)

TIME 3 p.m.

## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – April 12, 2010

## PRESENTATIONS (Items with no accompanying report)

- a) Tara Sprigg, Manager of Corporate Communications with respect to an update on the Corporate Communications Plan.

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-15 Council Remuneration 2011 - 2014		Janet Roy on behalf of the Council Remuneration Advisory Committee	√
GOV-16 Review of Mandates of Advisory Committees			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

## ITEMS EXTRACTED FROM CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

## OTHER BUSINESS

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**NEXT MEETING** – June 14, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday April 12, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday April 12, 2010 in the Council Committee Meeting Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay and Wettstein

Absent: Councillor Piper

Also Present: Councillors Bell, Farrelly and Hofland

Staff Present: Ms. T. Agnello, Deputy Clerk; Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Wettstein  
Seconded by Councillor Findlay

THAT the minutes of the Governance Committee meeting held on March 8, 2010 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.13 Council Strategic Plan Priorities Report – Q1, 2010
- GOV-2010 A.14 Municipal Election Compliance Audit Committee

**Council Strategic Plan Priorities Report – Q1, 2010**

2. Moved by Councillor Findlay  
Seconded by Councillor Beard

Ms. B. Boisvert

THAT the 2010 first quarter report on Council's 2007 Strategic Priorities be received for information by the Governance Committee.

Carried

**Municipal Election Compliance Audit Committee**

REPORT

3. Moved by Councillor Findlay  
Seconded by Councillor Wettstein

THAT the Municipal Election Compliance Audit Committee Mandate and Charter, as set out in Appendix 'A' to Report Number, dated April 12, 2010, be approved and adopted;

AND THAT the City Clerk be directed to commence the recruitment process for appointees to a Municipal Election Compliance Audit Committee as required under the *Municipal Elections Act, 1996*

The meeting adjourned at 3:20 p.m.

.....  
Chairperson

**An update:**

**Corporate Communications  
Plan development process**



## **Our starting point**

### What the research told us

- Develop a more effective method of facilitating issues resolution
- Enhance internal communication
- Improve the communications capacity of the whole organization
- Balance use of traditional and electronic communication tools

# **Corporate Communications Plan**

## **Areas of focus**

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1. Strengthen our relationships
2. Enhance internal communications
3. Identify and respond to trends and issues more effectively
4. Enhance public engagement and dialogue

## **Guiding principles**

1. Provide information that is timely, accurate, clear, accessible and responsive
2. Consider the range of communication tools at our disposal and use those most appropriate...
3. Work collaboratively across the organization to ensure information is thorough, factual and timely
4. Respect the access to info and privacy rights of citizens & employees
5. Support dialogue to inform public policy
6. Strive to achieve a culture of two-way communication and “communications excellence” practices

## **A common foundation**

### Public relations defined

*Public relations is the strategic management of relationships between an organization and its diverse publics, through the use of communication, to achieve mutual understanding, realize organizational goals, and serve the public interest.*

## **Communications Excellence**

Findings show three categories of key characteristics:

- Knowledge base of the communications department
- Shared expectations about communication with leadership
- Organizational culture

## **Two-way communication**

Two-way communication models bring organizations and stakeholders closer together by allowing them to negotiate with one another to reach mutually beneficial outcomes.

## **Next steps**

With the working group / SMT:

- Complete development of Plan goals, objectives, strategies and tactics
- Develop implementation plan
- Corporate roll-out

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**May 10, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee’s consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p>GOV-2010 A.15) <b>COUNCIL REMUNERATION 2011 – 2014</b></p> <p>THAT Council approve the Guiding Principles for Council Remuneration as outlined in Appendix A;</p> <p>AND THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);</p> <p>AND THAT Council approve the 60<sup>th</sup> percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;</p> <p>AND THAT the salary for the <u>position</u> of Mayor for the Council term commencing 2011 be set at \$88,983.86;</p> <p>AND THAT the salary for the <u>position</u> of City Councillor for the Council term commencing 2011 be set at \$29,706.39;</p> <p>AND THAT no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension;</p> <p>AND THAT the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City’s management staff.);</p> <p>AND THAT the current policy of conducting a formal market review for Council every four years during the last year of the Council’s term of</p>	<p>Approve</p>



office be maintained.

GOV-2010 A.16) **REVIEW OF MANDATES OF ADVISORY  
COMMITTEES**

Approve

THAT the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

**B Items for Direction of Committee**

attach.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Human Resources  
DATE **May 10, 2010**

**SUBJECT Council Remuneration 2011 - 2014**  
REPORT NUMBER HR-10-03

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## RECOMMENDATION

THAT Council approve the Guiding Principles for Council Remuneration as outlined in Appendix A;

That Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

That Council approve the 60<sup>th</sup> percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

That the salary for the position of Mayor for the Council term commencing 2011 be set at \$88,983.86.

That the salary for the position of City Councillor for the Council term commencing 2011 be set at \$29,706.39.

That no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension.

That the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.).

That the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained.

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## **BACKGROUND**

In October 2009, Council approved the establishment of a Citizen Review Committee to review and make recommendations to Council respecting Council remuneration for the 2011 – 2014 council terms.

Recruitment for five citizen volunteers was conducted in November/December 2009 to review the matter of compensation as it relates to public office, reflect on fiscal and corporate objectives as outlined in the Compensation report for non-union staff, consider compensation adjustments supported by market data and comparable municipalities in terms of scope, size and nature of elected officials' work, review compensation data and proposals prepared by City staff, and oversee preparation and presentation of a final report and recommendations to Council for its approval.

In considering the citizen applicants, knowledge of Human Resource Management, specifically compensation and pay policies, and an understanding of the role of elected officials were considered an asset.

The following citizens were selected to participate on the Citizen Committee following the recruitment in November/December 2009:

Ms. Janet Roy, President, Premium HR Solutions  
Ms. Moragh Lippert, Branch Manager, Meridian Credit Union  
Mr. Lloyd Longfield, President/CAO, Guelph Chamber of Commerce  
Mr. George Arndt, President, ESP Employee Solutions  
Ms. Mireille Valliere, HR Advisor, Labour Relations/WSIB, Bell Technical Solutions Inc.

The Terms of Reference for the Citizen Committee are outlined in Appendix B.

The Director, Human Resources and Manager, Compensation, Benefits/Payroll provided staff support to the Citizen Committee, which met from the period February – April 2010.

Meetings focused on the establishment of Guiding Principles for Council Remuneration, the selection of an appropriate comparator group of municipalities based on established criteria to compare compensation practices, the establishment of an appropriate competitive position (i.e. the percentile where to situate City of Guelph Council remuneration relative to the other municipalities within the comparator group), a review of total compensation (i.e. salary and benefits, annual compensation adjustments where applicable), a review of the recommended salaries against the Guiding Principles, and development of the recommendations above.

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## REPORT

In total, the Citizen Committee for Council Remuneration met five times to deliberate the issue of compensation for the Mayor and Members of Council.

Following a review of the Terms of Reference for the Committee, members spent time in each meeting reviewing background information gathered to support their work.

This information included: previous Council approved documents related to Council remuneration, information concerning the roles/responsibilities of municipal councils, the Mayor and Members of Council, survey information estimating time commitments for the Mayor and Members of Council and compensation survey data from multiple Ontario municipalities related to salary, benefits and other perquisites. Cities from other regions of Canada were also reviewed for best practices and review processes relating to establishing elected official's remuneration.

Reviewing the matter of compensation as it related to public office in a manner that reflects the duties, responsibilities, skill, effort, authority and decision-making requirements placed on the Mayor and Members of Council, required a set of Guiding Principles to provide direction and an ability to anchor recommendations made with respect to what appropriate compensation levels should be.

The recommended set of Guiding Principles are outlined in Appendix A. They base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles in order to attract citizens of the highest quality to public service.

Fairness, reasonableness, and fiscal responsibility are characteristics of the Guiding Principles that recognize the complexity and importance of issues dealt with by City Council and recognize that elected officials' work is demanding and requires significant time commitment.

### Comparator Group

In order to determine an appropriate compensation for the Mayor and Members of Council, a set of criteria was required to determine what other municipalities to compare to.

The Terms of Reference for the Citizen Review Committee detail as one of its functions was to "enable compensation adjustments (that) are supported by market data and comparable municipalities in terms of scope, size and nature of work."

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To that end, the following criteria were developed by the Committee to guide decision making related to the selection of appropriate comparator municipalities.

1. Operating Budget
2. Size of Council
3. Ratio of voters to each Member of Council
4. Population
5. Scope of services (Tier of Municipality)
6. Average family income in the municipality.

Applying these criteria within Ontario, the following municipalities were selected as appropriate comparators for the purposes of establishing compensation for elected officials:

1. City of Barrie
2. City of Brantford
3. City of Chatham-Kent
4. City of Kingston
5. City of Kitchener
6. City of Sudbury
7. Town of Oakville
8. City of Waterloo
9. Region of Waterloo

(N.B. The above municipalities are within the current Council approved Municipal Comparator Group)

### Competitive Position

In keeping with the Guiding Principles for Council Remuneration, the Citizen Review Committee recommended that the 60<sup>th</sup> percentile appropriately demonstrates the value of the position of Mayor and City Councillor, and demonstrates fair compensation that is aligned with the performance expectations of these senior roles within the City.

Setting the competitive position at the 60<sup>th</sup> percentile achieves the following:

1. Financial responsibility: this level represents middle ground between the 50<sup>th</sup> and the 75<sup>th</sup> percentiles from other municipalities; Council remuneration does not migrate to the top of the comparator group, yet is not at the bottom and therefore mitigates the risk of systemically lagging behind;
2. Fairness and reasonableness to attract a diverse and representative pool of candidates for elected office;
3. Reflect appropriate compensation for the Mayor and Members of Council in view of the responsibilities, time commitment and accountability associated with these roles;
4. Aligns compensation practices for other positions within the City.

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## Salary

Analysis was conducted using the above list of comparator municipalities to determine what the salary level should be for the position of Mayor and City Councillor.

The current salaries for the Mayor and City Councillor for 2010 respectively are:

Mayor: \$78,372.73 (full time)                      City Councillor: \$28,796.85 (part time)

Within the comparator group of municipalities, the current Mayor's salary is at the 38<sup>th</sup> percentile, while the City Councillor salary is at the 58% percentile.

Based on the 60<sup>th</sup> percentile of the above comparator group of municipalities, the recommended salaries for the positions of Mayor and City Councillor are:

Mayor: \$88,983.86 (full time)                      City Councillor: \$29,706.39 (part time)

Analysis conducted of the comparator group indicated that no additional compensation is provided for items such as chairing committees, or representing the City on an agency, board or commission.

The Citizen Review Committee was keenly aware that recommending this increase in view of the current economic recession may be viewed as problematic.

Recognizing this, the Committee wished to make an important distinction. That is, the salary recommendation above is for the position of Mayor and City Councillor. In other words, the recommendation to Council is to set only the salary for the position at the above levels.

The implementation of the recommended salary as it affects incumbents in the positions is where Council can choose to adopt one of three alternatives:

- 1) Implementation of the compensation adjustments effective January 1, 2011.
- 2) Implementation of the compensation adjustments in equal installments during the Council term 2011-1014 so that the Mayor and Councillor compensation will achieve the 60<sup>th</sup> percentile by the end of the next council term.
- 3) Implementation of the compensation adjustments subject to economic recovery of the City's revenue of 4 million dollars.

If Council chooses alternative one, commencing with the new term of Council, the salaries for Mayor and City Councillor would be adjusted as above.

However, in light of the current economic recession, Council may choose to defer the adjustments as per alternative 2) or 3). Both of these alternatives incorporate

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the commitment to adjust the salaries to the 60<sup>th</sup> percentile of the comparator group, but on a timeline that is either phased in or to occur subject to certain criteria.

Alternative 2) would see equal adjustments phased in over each year of the next Council term, ending in the Mayor and City Councillor positions achieving the 60<sup>th</sup> percentile of the comparator group.

Alternative 3) would see the salaries for the Mayor and City Councillor positions adjusted at such time as recovery to the City's revenues would occur. Council will recall that the 2010 budget projected a revenue shortfall of approximately 8 million dollars. Current economic indicators suggest that there are preliminary signs of economic recovery locally, provincially and nationally, yet it is premature to suggest that these recent trends are an indicator of longer term recovery.

The Citizen Review Committee felt there needed to be some concrete milestone indicators in place should Council wish to defer the salary adjustments subject to some indicators of recovery. The Committee felt that an example of a milestone trigger would be a 50% recovery of the revenue shortfall projected for 2010 (i.e. 4 million dollars).

This alternative would only see the Mayor and City Councillor salaries adjusted at such time as there has been the above described recovery to city revenues, the timing of which is not predictable, but is tied to the economic performance of the City to some measurable extent.

### Benefits

Following an analysis of the benefits provided to the Mayor and Members of Council in each of the comparator municipalities when compared to those provided in the City of Guelph, no change is recommended at this time.

In each case, the benefits provided to the Mayor and Members of Council in the comparator group mirror or are the same as those provided to the City of Guelph Mayor and Members of Council.

Benefits reviewed (that are provided unless indicated otherwise) specifically were:

- Group Life Insurance
- Dependant Life Insurance
- Accidental Death and Dismemberment
- Extended Health Benefits
- Dental Benefits
- OMERS (not provided)
- Leased Vehicles (not provided)
- Monthly Car Allowance (not provided)
- Mileage Reimbursement
- Lodging (reasonable and customary)
- Meal per Diem

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## **ALTERNATIVES**

Council could not approve the above recommendations with respect to the salary levels for the positions of Mayor and City Councillor. This is not recommended as the Mayor and City Councillor compensation would not adhere to the Guiding Principles developed by the Citizen Review Committee. Deferring increases will only make the gap worse in future terms of Council, making it harder to meet the terms of the guiding principles.

Council could recommend an alternative not described above regarding the implementation of the proposed salary adjustments for the Mayor and City Councillor.

## **CORPORATE STRATEGIC PLAN**

The recommendation in consistence with the Corporate Strategic Plan, specifically:

Goal 5:                    *"A community focused, responsive and accountable government"*

Objective 5.6:         *"Organization excellence in planning, management, human resources and people practices; recognized as a top employer in the community."*

## **FINANCIAL IMPLICATIONS**

The total cost of compensation adjustments recommended in this report is: \$21,525.61.

For the Mayor's position, the total compensation adjustment is \$10,611.13.  
For the City Councillor position, the total compensation adjustment is \$10,914.48 for the 12 Councillor positions.

Should Council adopt alternative 2) described above, the annual adjustments for the Mayor and City Councillor positions would be \$5,381.40.

## **DEPARTMENTAL CONSULTATION**

N/A

## **COMMUNICATIONS**

N/A

## **ATTACHMENTS**

**Appendix A**

**Appendix B**



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“original signed by Lynne MacIntyre”

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**Prepared By:**

Lynne MacIntyre  
Manager of Compensation, Benefits & HRIS  
905-837-5601 ext. 2256  
[lynne.macintyre@guelph.ca](mailto:lynne.macintyre@guelph.ca)

“original signed by Mark Amorosi”

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**Prepared By:**

Mark Amorosi  
Director of Human Resources  
905-837-5601 ext. 2281  
[mark.amorosi@guelph.ca](mailto:mark.amorosi@guelph.ca)

Recommended By: Council Remuneration Citizen Committee

“original signed by Janet Roy”

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Ms. Janet Roy

“original signed by Moragh Lippert”

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Ms. Moragh Lippert

“original signed by Mireille Valliere”

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Ms. Mireille Valliere

“original signed by Lloyd Longfield”

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Mr. Lloyd Longfield

“original signed by George Arndt”

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Mr. George Arndt

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## **Appendix A**

### **Guiding Principles for City of Guelph Council Remuneration**

The philosophy is to base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles and responsibilities.

To achieve the above, a Compensation plan reflects one that:

- Is fair and reasonable and will attract a diverse and representative pool of candidates from Guelph residents wishing to seek election to Council but also be seen as fair by taxpayers;
- Recognizes that the work of the mayor and council is demanding and important and as such they should be appropriately compensated;
- Recognizes the complexity, responsibilities, time commitments and accountabilities associated with the role of Mayor and Council;
- Is aligned to the 60<sup>th</sup> percentile (similar to the City's non-union employees) of the comparator group and is appropriate for the average full-time earnings within the community;
- Applies an appropriate ratio between the role of a part-time councilor and that of a full-time mayor;
- Must demonstrate fiscal responsibility and align to the Strategic Plan for the City of Guelph.

**CITY OF GUELPH**  
**REVIEW OF COUNCILLOR'S REMUNERATION**

**TERMS OF REFERENCE**

**PURPOSE:**

To appoint a Citizen's Committee to review and establish Elected Officials remuneration.

**ACCOUNTABILITIES**

Supported by staff from Human Resources, the Committee will provide recommendations on base compensation for Elected Officials.

In developing its recommendations, the Committee will recognize that benefits currently provided to Elected Officials constitute an integral part of the overall compensation package.

**FUNCTIONS:**

- Reflect on fiscal and corporate objectives as outlined in the Compensation report for non-union staff.
- Review the matter of compensation as it relates to public office.
- Enable compensation adjustments that are supported by market data and comparable municipalities in terms of scope, size and nature of work.
- Review data and proposals submitted by staff from Human Resources
- Oversee preparation and presentation of a final report and recommendations to Council for its approval

**MEMBERSHIP**

The Committee will consist of 5 members selected from the community, based on expressions of interest solicited by placing an advertisement in Guelph's local newspaper. The Chair of the Committee will be chose by the members at its first meeting.

Members of the Committee will undertake to attend each meeting as required and the Committee will remain in force until Council approves recommendations in these matters, or such time as the Committee is formally disbanded.

In the event a member is unable or unwilling to continue to serve, a replacement will be appointed by the City Clerk from the expressions of interest previously received. The members of the Committee, including the Chair, shall serve in a volunteer capacity only with no remuneration other than for reasonable expenses incurred by attending meetings.

**TIMEFRAME:**

The Committee will be established by November 30<sup>th</sup>, 2009 and will attempt to make its recommendations in respect of compensation for elected officials by February 22, 2010.

# COMMITTEE REPORT



**TO** **Governance Committee**

**SERVICE AREA** Information Services  
**DATE** May 10, 2010

**SUBJECT** **Review of Mandates of Advisory Committees**  
**REPORT NUMBER**

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## **RECOMMENDATION**

**THAT** the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

## **BACKGROUND**

Advisory committees are established at Council's discretion and provide a means of regular, on-going community input with respect to particular issues and policies. Advisory committees usually report to a specific Standing Committee and have a relationship with a specific City Department. Some advisory committees have an on-going function, while others are created to deal with a specific issue and are established for a limited period of time. Committees can be tremendous assets if they are carefully mandated with specific goals aligned with important and current priorities, and have regular assessment of effectiveness to validate whether they should continue to operate. It was noted during the governance review in 2008, that the volume of advisory committees has increased the meeting workload for all involved.

During its governance review in 2008, Council recognized that the function of all advisory committees should be reviewed to ensure that no overlap or duplication of function exists. As a result, Council directed that the mandates and terms of advisory committees be reviewed prior to the end of each term of Council.

## **REPORT**

Staff are suggesting that the following criteria be used in the review of the mandates of our advisory committees to determine if:

- the existence of the advisory committee is mandated by legislation?
- the advisory committee's mandate is still achievable or has been achieved?
- the advisory committee's mandate is aligned with the Strategic Plan and Council's priorities?
- the focus or context of the advisory committee has shifted from its original mandate?

- 
- there is another advisory committee in existence that could deal with this mandate?
  - the mandate or work of the committee is sufficient public interest and community support?
  - the advisory committee has made measurable progress towards achieving its mandate?
  - the advisory committee is holding regular meetings?
  - the advisory committee is serving its function well, coming up with real solutions and providing informed recommendations to Council?
  - the advisory committee is conducting its business in accordance with the principles of openness, accountability and transparency?

Once the advisory committees have been evaluated against the above criteria, staff will report back to the Governance Committee with the results. This would allow Council to make any changes prior to the commencement of the next term and the major appointment process that occurs at that time.

### **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

n/a

### **COMMUNICATIONS**

If adopted, staff will consult with the various advisory committees and staff liaisons to conduct the review.

### **ATTACHMENTS**

n/a

“original signed by Lois Giles”

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### **Recommended By:**

Lois A. Giles  
Director of Information Services/Clerk.  
(519)822-1260 x 2232  
lois.giles@guelph.ca

## GUELPH CITY CITIZEN ADVISORY COMMITTEES

<b>Name of Committee</b>	<b>Mandatory/ Discretionary</b>	<b>Reporting Relationship</b>	<b>Departmental Affiliation</b>	<b>Duration</b>
Accessibility Advisory Committee	Mandatory	FACS	Corporate Svcs.	On-Going
Council Remuneration Committee	Discretionary	GOV	Human Resources	Limited & Task Specific
Downtown Coordinating Committee	Discretionary	CDES	Economic Dev't.	On-Going
Environmental Advisory Committee	Discretionary	CDES	CDDS	On-Going
Economic Development Advisory Committee	Discretionary	CDES	Economic Dev't.	On-Going
Guelph Cycling Transportation Advisory Committee	Discretionary	CDES	CDDS	On-Going
Guelph Sports Hall of Fame Board of Directors	Discretionary	ECO	Community Svcs.	On-Going
Guelph Twinning Committee	Discretionary	CDES	Economic Dev't.	On-Going
Heritage Guelph	Discretionary	CDES	CDDS	On-Going
Locomotive 6167 Advisory Committee	Discretionary	ECO	Operations	On-Going
Mayor's Task Force on Community Energy	Discretionary	CDES	Environmental Svcs.	Limited & Task Specific
Municipal Property & Building Naming Committee	Discretionary	CDES	CDDS	Limited & Task Specific
Physician Recruitment	Discretionary	CDES	Economic Dev't.	Limited & Task

and Retention Committee				Specific
Recreation & Parks Master Plan/South End Comm. Centre Advisory Committee	Discretionary	ECO	Community Svcs.	Limited & Task Specific
River Systems Advisory Committee	Discretionary	CDES	CDDS	Limited & Task Specific
Transit Ad-Hoc Committee	Discretionary	ECO	Community Svcs.	On-Going
Transit Growth Strategy Advisory Committee	Discretionary	ECO	CDDS	Limited & Task Specific
Water Conservation & Efficiency Strategy Update Public Advisory Committee	Discretionary	CDES	Environmental Svcs.	On-Going
Well Interference Committee	Discretionary	CDES	Environmental Svcs.	Limited & Task Specific

**The Corporation of the City of Guelph  
Governance Committee  
Monday May 10, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday May 10, 2010 in the Council Committee Meeting Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay, Piper and Wettstein

Also Present: Councillor Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on April 12, 2010 be confirmed as recorded and without being read.

Carried

**Update on the Corporate Communications Plan**

Tara Sprigg, Manager of Corporate Communications was present and provided an update on the Corporate Communications Plan development process. She reviewed the City's starting point and the research results. She outlined the areas of focus and the guiding principles.

**Council Remuneration 2011 – 2014**

The Director of Human Resources introduced Janet Roy, a member of the Citizen's Review Committee for Council Remuneration who will present their findings.

Janet Roy on behalf of the Citizen's Review Committee for Council Remuneration introduced the members of the Committee. She outlined the committee's methodology and the compensation philosophy and guiding principles used to determine the recommended Council remuneration. She also outlined the criteria used to establish the comparator group. She presented the recommendation of the committee.

Lloyd Longfield a member of the Citizen's Review Committee for Council Remuneration provided information on the committee's



consideration of compensation received by members of Council for sitting on other boards, committees or commissions.

REPORT

2. Moved by Councillor Piper

Seconded by Councillor Wettstein

THAT Council approve the Guiding Principles for Council Remuneration as outlined in Appendix A;

AND THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

AND THAT Council approve the 60<sup>th</sup> percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

AND THAT the salary for the position of Mayor for the Council term commencing 2011 be set at \$88,983.86;

AND THAT the salary for the position of City Councillor for the Council term commencing 2011 be set at \$29,706.39;

AND THAT no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension;

AND THAT the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.);

AND THAT the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained.

Carried

REPORT

3. Moved by Councillor Findlay

Seconded by Councillor Wettstein

THAT the implementation of the recommended salaries for the Mayor and Councillors be effective January 1, 2011.

Carried

REPORT

4. Moved by Councillor Piper

Seconded by Councillor Beard

THAT the members of the Citizen's Review Committee for Council Remuneration be thanked for their time and work on the committee.

Carried

May 10, 2010

**Governance Committee**

Page No. 3

**Review of Mandates of Advisory Committees**

REPORT

5. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

Carried

The meeting adjourned at 4:15 p.m.

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Chairperson

# COMMITTEE AGENDA



TO **Governance Committee**

DATE June 14, 2010

LOCATION Committee Meeting Room (Room 112)

TIME 3 p.m.

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## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – May 10, 2010

## PRESENTATIONS (Items with no accompanying report)

a)

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-17 Governance Committee Quarterly Report: April – June 2010			
GOV-18 Council Strategic Plan Priorities Report – Q2, 2010			
GOV-19 Corporate Performance Reporting Practices			
GOV-20 City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy			

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Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework			
GOV-21 2010 Council Orientation and Professional Development			
GOV-22 Delegation of Authority			
GOV-23 Municipal Act Provisions Relating to Restricted Actions by Council in an Election Year			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

**ITEMS EXTRACTED FROM CONSENT AGENDA**

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

**OTHER BUSINESS**

**NEXT MEETING – July 12, 2010**

**The Corporation of the City of Guelph  
Governance Committee  
Monday May 10, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday May 10, 2010 in the Council Committee Meeting Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay, Piper and Wettstein

Also Present: Councillor Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on April 12, 2010 be confirmed as recorded and without being read.

Carried

**Update on the Corporate Communications Plan**

Tara Sprigg, Manager of Corporate Communications was present and provided an update on the Corporate Communications Plan development process. She reviewed the City's starting point and the research results. She outlined the areas of focus and the guiding principles.

**Council Remuneration 2011 – 2014**

The Director of Human Resources introduced Janet Roy, a member of the Citizen's Review Committee for Council Remuneration who will present their findings.

Janet Roy on behalf of the Citizen's Review Committee for Council Remuneration introduced the members of the Committee. She outlined the committee's methodology and the compensation philosophy and guiding principles used to determine the recommended Council remuneration. She also outlined the criteria used to establish the comparator group. She presented the recommendation of the committee.

Lloyd Longfield a member of the Citizen's Review Committee for Council Remuneration provided information on the committee's

consideration of compensation received by members of Council for sitting on other boards, committees or commissions.

REPORT

2. Moved by Councillor Piper

Seconded by Councillor Wettstein

THAT Council approve the Guiding Principles for Council Remuneration as outlined in Appendix A;

AND THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

AND THAT Council approve the 60<sup>th</sup> percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

AND THAT the salary for the position of Mayor for the Council term commencing 2011 be set at \$88,983.86;

AND THAT the salary for the position of City Councillor for the Council term commencing 2011 be set at \$29,706.39;

AND THAT no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension;

AND THAT the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.);

AND THAT the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained.

Carried

REPORT

3. Moved by Councillor Findlay

Seconded by Councillor Wettstein

THAT the implementation of the recommended salaries for the Mayor and Councillors be effective January 1, 2011.

Carried

REPORT

4. Moved by Councillor Piper

Seconded by Councillor Beard

THAT the members of the Citizen's Review Committee for Council Remuneration be thanked for their time and work on the committee.

Carried

May 10, 2010

**Governance Committee**

Page No. 3

**Review of Mandates of Advisory Committees**

REPORT

5. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

Carried

The meeting adjourned at 4:15 p.m.

.....

Chairperson

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**June 14, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee’s consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p>GOV-17) <b>GOVERNANCE COMMITTEE QUARTERLY REPORT: APRIL –JUNE 2010</b></p> <p>THAT the Governance Committee Quarterly Report: April – June 2010, be received for information.</p>	Receive
<p>GOV-18) <b>COUNCIL STRATEGIC PLAN PRIORITIES REPORT – Q2, 2010</b></p> <p>THAT the 2010 second quarter report on Council’s 2007 Strategic Priorities be received for information.</p>	Receive
<p>GOV-19) <b>CORPORATE PERFORMANCE REPORTING PRACTICES</b></p> <p>THAT the progress report on Corporate Performance Reporting practices be received;</p> <p>AND THAT staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders.</p>	Approve
<p>GOV-20) <b>CITY OF GUELPH HOLDING COMPANY DESIGN; MEMORANDUM OF INTENTIONS (MOI) FOR IMPLEMENTATION OF COMMUNITY ENERGY PLAN (CEP) PROJECTS; AND GUELPH HYDRO INC. (GHI) LEASING FRAMEWORK</b></p>	Approve



THAT Council approve the proposed design of a Holding Company for current and future owned assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study;

AND THAT Council direct staff to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

AND THAT Council approve the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI);

AND THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI;

AND THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

GOV-21)      **2010 COUNCIL ORIENTATION AND PROFESSIONAL DEVELOPMENT**

Approve

THAT the proposed 2010 Council Orientation and Professional Development plan be approved.

GOV-22)      **DELEGATION OF AUTHORITY**

Approve

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedules "N" and "O" attached to the report of the Director of Information Services/Clerk, dated June 14, 2010.

GOV-23)      **MUNICIPAL ACT PROVISIONS RELATING TO RESTRICTED ACTIONS BY COUNCIL IN AN ELECTION YEAR**

Receive

THAT the report of the Director of Information Services/Clerk with respect to the restricted actions by council in an election year, be received.

**B      Items for Direction of Committee**  
attach.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE June 14, 2010

**SUBJECT Governance Committee Quarterly Report: April-June 2010**

REPORT NUMBER

---

## **RECOMMENDATION**

This report represents the Governance Committee's second quarterly report for 2010.

## **REPORT**

### **Effective Corporate Governance**

- Council and SMT training session report completed
- Meeting held to discuss shared communication and learning opportunities for 2010 with boards (Guelph Police Service and Guelph Public Library)
- Corporate Performance Reporting Practices Report completed
- Holding Company Design Report completed
- Corporate Communications Plan Development Process update received

### **Accountability and Transparency**

- Municipal Election Compliance Audit Committee Mandate and Charter completed
- Criteria approved for review of the Mandates of Advisory Committees

### **Strategic Planning**

- 2010 Q1 report on Council Strategic Priorities approved
- 2010 Q2 report on Council Strategic Priorities completed

### **Council Compensation**

- Guiding principles for Council remuneration 2011- 2014 approved

### **Committee Performance Reporting**

- Second quarter Committee report for 2010 completed and submitted to Council for review

## **CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

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**FINANCIAL IMPLICATIONS**

n/a

**DEPARTMENTAL CONSULTATION**

The Senior Management Team has reviewed this report.

**COMMUNICATIONS**

n/a

**ATTACHMENTS**

n/a



Recommended By:

Karen Farbridge,

Governance Committee Chair

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE June 14, 2010

**SUBJECT Council Strategic Plan Priorities Report – Q2, 2010**  
REPORT NUMBER

## RECOMMENDATION

THAT the 2010 second quarter report on Council’s 2007 Strategic Priorities be received for information by the Governance Committee.

## BACKGROUND

At a meeting of the Governance Committee held July 22, 2009 the following motion was approved:

“THAT staff be directed to investigate, implement and evaluate new options for quarterly reporting of performance and results linked to Council’s community-driven Strategic Plan.”

To that end, staff have developed a new interactive timeline reporting tool accessible to the public through [guelph.ca](http://guelph.ca). The tool is populated with quarterly performance information on Council’s priority initiatives that were identified in 2007. This report constitutes the data that will be provided to stakeholders through the new communications device for the second quarter of 2010.

## REPORT

The following table provides progress and next step information on 2007 Council identified priority initiatives for the April to June 2010 timeframe.

Priority	Progress Achieved and Next Steps
Community Energy Plan (CEP) <i>-includes Waste Heat at Ecotricity; Carbon Footprint issues</i>	-Draft policies related to the CEP have been integrated into the Draft Official Plan update released on April 19, 2010. On May 20, 2010 Council deferred consideration of adoption of the majority of the Official Plan to early 2011 in order to provide the public more time to comment on the policies. -Active advocacy to provincial energy policy-makers and regulators via QUEST (Quality Urban Energy Systems of Tomorrow) continued. -Ongoing development of operational strategies with Guelph Hydro Inc. continued to take place in the context of the Shareholder Agreement.

	<p>-The inaugural meeting of the Mayor's Task Force on Community Energy took place.</p> <p>-Ongoing support and facilitation of large scale projects under the CEP in cooperation with GHI continued – specifically related to project and economic development activities related to the solar photovoltaic industry.</p> <p>-A draft MOU between the City and Guelph Hydro related to implementation of the CEP projects was developed for Council consideration.</p>
Organic Waste Processing Facility	<p>-Council approved recommended terms and conditions for a proposed agreement with the Regional Municipality of Waterloo to process organic material at Guelph's new organic waste processing facility. This will result in a guaranteed annual net revenue of approximately \$660,000 per year for the life of the agreement (10 years initially).</p> <p>- Council is to consider a recommendation to convert the collection of organic waste to a cart-based system at their May meeting. Staff to report on preferred waste collection system for all 3 streams in June.</p>
Downtown Secondary Plan	<p>-Work on the Downtown Secondary Plan continued. Additional public workshops are to be undertaken during June 2010. A draft 'directions' paper is to be released in July. The draft secondary plan is to be brought forward in late fall 2010 and recommended for Council adoption in early 2011.</p>
Guelph Innovation District	<p>Staff have met with representatives of the Province to:</p> <ul style="list-style-type: none"> <li>-finalize a Memorandum of Understanding between the Province and City, which will serve to guide planning, development and marketing activities; and</li> <li>-initiate discussions with respect to the establishment of a Development Corporation which will serve to implement the York District Secondary Plan.</li> </ul> <p>-the Guelph Innovation District Secondary Plan is under preparation, with draft development scenarios scheduled for release to the public in late 2010.</p>
<p>Downtown Investment Action Plan</p> <p><i>-includes Downtown Economic Initiatives (Wilson Street Parking Garage); Redevelopment pilot projects; Downtown CIP; Downtown Investment Incentive Program; Downtown Secondary Plan; Marketing and Promotion Programs/Prosperity 2020; New Main Library; Municipal Court House; Norfolk Street Upgrades; Wyndham Street South</i></p>	<p>Municipal Court House: renovation of the former City Hall for use as the Provincial Offences Court house has continued to progress.</p> <p>-Guelph Remastered: this construction mitigation communication program continued as planned. Nearly 3,000 people have consulted the website since inception.</p> <p>- The Downtown Community Improvement Plan (CIP) initiated in 2008 was approved by Council on April 6, 2010. The Downtown CIP contains two programs aimed at enhancing the downtown as a focal point for public and private investment, namely a Façade Improvement Grant program and a Feasibility study.</p> <p>Baker Street Initiative:</p> <p>-Progress continued on the process of purchasing the identified Wyndham Street properties to secure the full site area. Two of</p>

<i>Upgrades</i>	<p>the four properties have been purchased.</p> <ul style="list-style-type: none"> <li>-As a further step in positioning the Central Library to become project ready a Request for Proposals for a Program and Functional Plan, will be issued in the summer.</li> <li>-The working assumption for the project is that it will require partnerships with stakeholders, the private sector and other levels of government to be achieved.</li> </ul>
<p>Strategic Urban Forest Management Plan</p> <p><i>-includes establishing City-wide greenways</i></p>	<ul style="list-style-type: none"> <li>-A critical path for development of the Strategic Urban Forest Management Plan has been developed. Consultants have been retained and finalization is scheduled for summer 2011.</li> <li>-Staff continued to implement operational/ maintenance recommendations as internal resources permit.</li> <li>-A report was approved by Council outlining the critical path for adoption of the Tree By-law. Final adoption is anticipated in July 2010.</li> </ul>
City/County Service Agreements	-The City continues to gather information relating to the various services provided by the County as the Consolidated Municipal Services Manager.
Alternative Development Standards	-Work continued on this initiative. It is being coordinated with the citywide Storm Water Management Master Plan study. Completion is expected by 2011.
<p>Eastview Landfill Community Park</p> <p><i>-includes Pollinator City Parks</i></p>	-A revised tender has been prepared for basic servicing and grading work on the Park Site. This tender will close on May 25th, 2010. The risk assessment has been completed and staff are discussing the implementation of the recommendations.
Hanlon Creek Business Park	<ul style="list-style-type: none"> <li>-Staff continued to work towards the registration of Phase 1a at land titles.</li> <li>- Staff continued to work with the Ministry of Natural Resources to implement the 2010 Salamander Monitoring Program. Results of the recently completed salamander monitoring program find no evidence of Jefferson Salamander presence within the Hanlon Creek Business Park (HCBP) lands.</li> <li>- Submissions were received on the Tender for the Downey Road works, which includes the extension of water and sanitary mains, limited road construction as well as the construction of storm water management facilities were received. The awarding of the contract was anticipated for May 2010.</li> </ul>
Imico	<ul style="list-style-type: none"> <li>-Environmental investigations and remedial cost estimates were completed.</li> <li>-A Risk Assessment will be undertaken starting in 2011, subject to the availability of funding.</li> </ul>
Zoning By-law	-Amendments to the zoning by-law to reflect the CEP and conform with the Official Plan will be initiated following approval of the Official Plan update.
Prosperity 2020 (City Marketing and Promotion)	-Prosperity 2020, a new economic development strategy for the City of Guelph was approved by Council in April. Next steps, including the development of related actions in conjunction with

Programs) <i>-linked to Downtown Investment Action Plan</i>	stakeholders will follow. - General Manager positions for Community Energy and Downtown Renewal, reporting to the CAO, were created in May 2010 as an early outcome of the report.
Parks, Recreation and Culture Master Plan <i>- includes South End Community Centre; Community Art Centre</i>	-An interdepartmental staff team continued to review recommendations. A phased response to the Master Plan is anticipated later in 2010. -A work plan for the South End Community Centre - Phase One: Preliminary Partnership Assessment and Development Options will be completed for the fall of 2010 with discussion beginning in the final quarter of the year.
Corporate Governance Framework/ Manual	-A list of requirements and duties related to the statutory position of Municipal Clerk was incorporated into the Governance manual; Standing Committee Mandates and Charters were also included.
Corporate Service Review	-Council approved a Building Services Operational Review conducted by BMA Management Consulting Inc. on April 19, 2010. Going forward, an implementation strategy will be prepared with action timelines and budget implications.
Official Plan Update	-The Draft Official Plan Update was released April 19, 2010 following a full series of background studies and public engagement. Public Open Houses and stakeholder meetings were conducted during the month of April. The Statutory Public meeting before Council was held on May 20, 2010, at which time Council resolved to proceed with consideration of adoption of the Natural Heritage components of the Official Plan in July 2010. Council deferred consideration of the remainder of the Official Plan to Q1 of 2011.
South End Emergency Service Station	-Progress continued on the South End Emergency Service Station according to timelines and budget. A late September completed date is anticipated.
Civic Square Construction	-Construction of the Square continued to be coordinated with adjacent road reconstruction, transportation and capital projects. Development is on track for the 2010 construction season.
Special Events Framework	-An interdepartmental team of staff has completed a draft framework, as well as the application process and materials. Community consultation is slated for June with a report to Council in the summer.
Corporate Social Responsibility Framework	-The Sustainable Guelph group of volunteers met to clarify their role, objectives and membership. Meetings will take place on a quarterly basis going forward.
Guelph Trails Master Plan	- The Tender of the Trans Canada Trail section from Speedvale Avenue to Eramosa Road has been awarded. Construction is to commence the middle of June, 2010 with a tentative completion date of September 24 <sup>th</sup> .
Guelph Transit System Growth	-The Technical Advisory Committee is completing its review of the final document. Recommendations will be presented to

<b>Strategy &amp; Plan and Mobility Service Review</b>	Council in July and August, 2010 for consideration.
<b>Water Supply Master Plan</b> <i>-includes investigate and Confirm Treatment at Sacco, Smallfield and Clythe Wells and Scout Camp Class EA</i>	<ul style="list-style-type: none"> <li>-Efforts continued on initiatives linked to the Water Supply Master Plan.</li> <li>-Construction started on Arkell Wells 14 and 15, Request for Proposals solicited for implementation of Adaptive Management Plan, decision pending.</li> <li>-Investigations of treatment options for the Smallfield and Sacco wells placed on hold pending actions from the MOE regarding remediation of contamination on adjacent properties.</li> <li>-Treatment study for Clythe well completed, review of options pending.</li> <li>-Southwest Quadrant Class EA progressing with scheduled completion in late 2010.</li> <li>-March 2010 - Water Conservation and Efficiency Program Update report to Council with comprehensive information on all 2010 initiatives plus program achievements for 2009.</li> <li>- March/April 2010 – Launched: Home Humidifier Rebate Program, Floor Drain Retrofit Rebate Program, Rainwater Harvesting System Rebate Program.</li> <li>- May 2010 – Complete: Phase 1 of Leak Detection Pilot Program. Phase 2 to initiate in Q3 in 4 separate areas of the City.</li> <li>- July 2010 – Completion: Water Conservation Public Educational Strategy.</li> <li>- July 2010 – Initiation of water efficiency audits of City Sports Field Irrigation Systems and Transit Bus Wash Water Reuse System.</li> <li>- Q3 2010 – Initiation of water efficiency upgrades at Vic Road Recreation and West End Recreation Centres.</li> <li>- To date, the program has saved 584,000,000 litres per year of water supply and wastewater treatment capacity.</li> </ul>
<b>Wilson Street Parking Garage</b> <i>-linked to the Downtown Investment Action Plan</i>	-This project is prepared for a design/build RFP. Fiscal constraints have delayed any further City-only progress beyond the current 5 yr capital window.

A significant amount of progress has been achieved to date with respect to implementation of the strategic plan goals and objectives. Completed Council priority projects over the Q4 2006 – Q1 2010 timeframe include: 20 minute transit service, Solid Waste Management Master Plan, People Practices Strategy (implementation ongoing); review of the Farmers Market; install of bicycle racks on conventional buses; debt issue (annual process); Development Charges update (under appeal to the OMB); Local Growth Management Plan update and expansion of the Municipal Register of Cultural Heritage Properties (Phase 2 and 3 ongoing).



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## **CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

The Senior Management Team has reviewed this report.

## **COMMUNICATIONS**

This information is posted regularly on [guelph.ca](http://guelph.ca) and in the city news pages.

## **ATTACHMENTS**

n/a

“original by Brenda Boisvert”

“original signed by Hans Loewig”

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### **Prepared By:**

Brenda Boisvert BA, MPA  
Manager, Strategic Planning and  
Corporate Initiatives

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### **Recommended By:**

Hans Loewig, CAO

# COMMITTEE REPORT



**TO** **Governance Committee**

**SERVICE AREA** Corporate Administration  
**DATE** June 14, 2010

**SUBJECT** **Corporate Performance Reporting Practices**  
**REPORT NUMBER**

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## **RECOMMENDATION**

That the Committee receive the following progress report on Corporate Performance Reporting practices; and

That staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders.

## **BACKGROUND**

In the public, private and not for profit sectors, the quality and scope of available organizational information is a critical determinant of how well companies are managed, whether executive boards can exercise effective governance and if levels of public trust and confidence are increasing or decreasing.

This fact, in addition to the current environment of fiscal uncertainty, strongly highlights the need for staff to continue to understand, monitor, manage and explain emerging risks and opportunities as the corporation progresses into the future. An increasing number of divisions and departments are reporting performance data and related information on a regular basis. The data often moves beyond the traditional financial reporting and provides an increasingly comprehensive view to enable more strategic decision making.

## **REPORT**

The 2010 Governance Committee Work Plan includes the requirement for an annual review of corporate performance reporting practices to ensure progress on this important management and governance matter. The following list continues to grow and includes performance reports completed and/or approved over the 2009/2010 timeframe:

- ✓ Information Services Annual Report
- ✓ Building Services Annual Report
- ✓ Human Resources Annual Report
- ✓ Making a Difference Annual Report

- 
- ✓ Annual Auditors Report
  - ✓ Litigation Status Report
  - ✓ Energy Conservation Report
  - ✓ Parklands & Greenways Performance Review
  - ✓ Quarterly County POA reports: 1) status of POA construction including quarterly invoices; and 2) statistical and revenue tracking updates
  - ✓ Year End Variance Report
  - ✓ Regular Operating Variance Report
  - ✓ Regular Capital Variance Report
  - ✓ Quarterly Council Priorities Report
  - ✓ Annual Investment Report
  - ✓ Debt and Reserve Continuity Schedules
  - ✓ Budget Documents: Year End Financial Statement, Budget Transmittals, Municipal Performance Measures Program (MPMP) and Financial Information Return (FIR)
  - ✓ City of Guelph Wastewater Services 2009 Annual Report
  - ✓ Guelph Waterworks Division 2009 Annual and Summary Report
  - ✓ Annual Report – Solid Waste Transfer Station, and Wet-Dry Recycling Centre
  - ✓ Annual Report for the Closed Eastview Road Landfill Site

## **Benefits**

Overall, improvements to corporate performance reporting practices result in greater accountability as well as:

- **Strengthened Management** – greater scope and reliability of available information enables the creation of effective strategies that are well aligned with resources and take into account cross-organizational impacts, interdependencies and associated risks;
- **Effective Governance** – streamlined, reliable and current performance information supports the oversight role required of Council;
- **Stakeholder Engagement** – residents and stakeholders can continue to receive an increasingly clear and coherent picture of the operations of the corporation as a whole that goes above and beyond simply financial or compliance related material;
- **Employer of Choice Recognition** – clear and informative data can aid in the attraction of employees in a time when competition for talent continues to increase; and
- **Community Collaboration** – more regular and transparent information can help to build strong business and community relationships as well as facilitate the resolution of business issues that require joint action.

As staff move forward, efforts will continue to increase the amount and quality of performance data to enable improved organizational effectiveness as well as a consistent and well aligned understanding of the direction of the organization.

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## **CORPORATE STRATEGIC PLAN**

This report relates to Strategic Objective 5.6 – [o]rganizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

The Senior Management Team was consulted on the development of this report.

## **COMMUNICATIONS**

n/a

## **ATTACHMENTS**

n/a

“original signed by Brenda Boisvert”

“original signed by Hans Loewig”

---

### **Prepared By:**

Brenda Boisvert  
Manager, Strategic Planning and  
Corporate Initiatives

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### **Recommended By:**

Hans Loewig, CAO

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE

**SUBJECT** **City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework.**

REPORT NUMBER

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## RECOMMENDATION

THAT Council approve the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study;

THAT Council direct staff to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

THAT Council approve the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI);

THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI.

THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

## BACKGROUND

On November 24, 2008, Council directed the following:

"THAT a steering committee representing the Mayor and four members of City Council (as shareholder) and the Guelph Hydro Inc. Board be established to explore the future direction and opportunities of the Guelph Hydro business enterprise."

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“THAT Councillors Bell, Findlay, Salisbury and Mayor Farbridge be appointed to the steering committee to explore the future direction and opportunities of the Guelph Hydro business enterprise.”

To that end, a Guelph Hydro Steering Committee was struck and in February of 2009 and Council approved its Mandate and Charter detailing core responsibilities and duties. As part of the Committee work, GHI members of the committee considered staff recommended modifications to the current asset management approach and related changes to the existing GHI Shareholder Declaration. Proposed benefits included streamlined shareholder approvals, improved asset management, strengthened strategy alignment and more regular communications.

On October 26, 2009, the model framework agreed upon by the Committee members along with the revised GHI Shareholder Agreement was presented to Council. At that time, and with respect to the legislatively required Business Case Study and MOU with GHI, Council directed staff as follows:

“THAT Council approve the development of a business case study to support the formation of a Holding Company for current and future owned city assets and that staff proceed with identified next steps as prescribed under the Municipal Act;

AND THAT Council direct the establishment of an MOU within the current term of Council with GHI to articulate their role in the implementation of the Community Energy Initiative.

Since that time, the Business Case Study has been completed and the public consultation component was initiated. As well, the MOI was completed for Council review and approval.

## **REPORT**

### **I. Holdco Business Case Study**

#### **Business Case Study**

The required business case study details the objectives, mandate, guiding principles, proposed structure, reporting and financial considerations for approval by Council. The new model is a strategic approach designed to achieve higher levels of excellence in asset management practices. It will primarily work towards improved communication and information flow between the shareholder and operating companies, capitalize on potential synergies and help to maximize value provided to the community. The full study is attached as Appendix A.

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## **Public Consultation**

The Study was made available for public comments during the months of May and June. An on-survey was prepared, a three hour information session took place and opportunities for commenting directly to Council were communicated. Local media provided valued assistance in helping to ensure greater awareness. A report detailing feedback received is attached as Appendix B.

## **Next Steps**

Should Council approve the proposed Holding Company design, staff will initiate work on an implementation plan that includes the identification and confirmation of related resource requirements. In addition, the following would take place:

- Completion of an asset transfer policy;
- Presentation of the implementation plan to Council for approval; and
- Submission of articles of incorporation with the Province.

## **II. Memorandum of Intentions (MOI) for the Community Energy Initiative (CEI)**

The October 26, 2009 Council direction refers to the establishment of a Memorandum of Understanding (MOU). The attached document in Appendix C is labeled a Memorandum of Intentions (MOI) at the preference of the GHI Board to reflect the action-based orientation of the document.

The Community Energy Plan (CEP) broadly refers to the planning period from 2007 to 2009. The implementation phase of the CEP is well underway. The MOI attached to this report represents the intentions of an organizational relationship with GHI that is largely focused on implementation activities that fall under the umbrella of the Community Energy Initiative (CEI).

The MOI attached in Appendix C sets out clearly defined roles for both the City and GHI with respect to implementation of projects related to the CEI. It designates GHI as the main developers of projects related to the CEI and calls for cooperative decision making between the City and GHI that furthers both community and utility objectives.

GHI has a rigorous procurement process, with Board oversight, which will be adhered to for all CEI-related projects.

The MOI is not a legal contract. It sets out a proposed remedy for disputes and calls for a review of the content within one year of Council approval.

## **III. GHI Leasing Framework**

GHI has been an integral part of the development of the CEP from the very beginning and continues to be a critical ally as the City moves to implementation through the Community Energy Initiative.

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GHI has aligned their strategic business planning, as approved by their Board of Directors, to support the objectives of the Community Energy Plan by being strategic partners in developing projects under the Community Energy Initiative (CEI).

On the basis that:

1. The City is the sole shareholder in Guelph Hydro Inc. and that all potential profits stay within the group of operating companies under Holdco.
2. GHI has developed technical expertise and has established relevant cooperative relationships with the City, and City property, in the development of energy generation projects at the existing methane capture and electrical generation facility (Ecotricity) at the former Eastview Road Landfill site and the proposed Anaerobic Digester Generation Plant located on city-owned land next to Cargill Meat Solutions' Guelph plant.

It is expected that the recommended Lease Framework will be modeled after the Ecotricity LEASE and GAS UTILIZATION AGREEMENT of September 15, 2004. The Agreement spells out the terms and conditions that "benefit the residents of the City of Guelph and to promote the generation of "green energy".

The Lease Agreement will be developed in consultation with CAO's Office, the Director of Finance and the City Solicitor.

### **CORPORATE STRATEGIC PLAN**

The development of a holding company addresses the Strategic Plan objective 5.6 focused on organization excellence in planning and management.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

This report was reviewed by the Senior Management Team.

### **COMMUNICATIONS**

n/a

### **ATTACHMENTS**

Appendix A – Guelph Municipal Holding Company – Business Case Study Phase 1: Structure and Design

Appendix B – Holdco Business Case – Public Consultation Questions and Responses

Appendix C – Memorandum of Intentions between the City and Guelph Hydro Inc.



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“original signed by Brenda Boisvert”

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**Prepared By:**

Brenda Boisvert,

Manager, Strategic Planning and  
Corporate Initiatives

“original signed by Rob Kerr”

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**Prepared By:**

Rob Kerr, General Manager, CEP  
Projects

“original signed by Hans Loewig”

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**Recommended By:**

Hans Loewig, CAO

# **GUELPH MUNICIPAL HOLDING COMPANY**

## **BUSINESS CASE STUDY**

### **PHASE 1: STRUCTURE AND DESIGN**

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## **INTRODUCTION**

Effective corporate governance is essential to the success of all organizations, regardless of whether they exist in the public, private or not-for-profit sectors. Strong governance practices can generate several benefits including revenue maximization through strategic resource deployment, risk minimization from more integrated planning, communications enhancements, increased market responsiveness and higher levels of trust and confidence for all stakeholders including residents and employees.

In an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets and further contribute to community well being, the City of Guelph is proposing the creation of a new municipal service corporation — Holdco. Development of such an entity is permitted under the 2001 Municipal Act Legislation (O.R. 599/06) which gives local governments the powers to establish a range of corporations.

It is proposed that the new holding company, structured under the Ontario Business Corporations Act (OBCA), will share core operating principles with its subsidiary companies including collaboration, transparency, efficiency and effectiveness. Leadership, open communications and accountability are foundational values upon which the operating principles are based. Consistent with the experiences and best practices of other Ontario municipalities, the new company will be governed by a board of directors including the Mayor, acting as chair, three City Councillors, the Board Chairs from subsidiary companies and one independent community member. All directors will be appointed and approved by City Council. The Chief Executive Officer (CEO) of the holding company will be the Chief Administrative Officer (CAO) of the City of Guelph with the City Solicitor acting as General Counsel and Secretary and the City Treasurer acting as the Treasurer of Holdco.

The holding company model is a strategic approach designed to achieve higher levels of excellence in asset management practices. It will primarily work towards improved communication and information flow between the shareholder and the operating companies, capitalize on potential synergies, and help to maximize value provided to the community.

### **Background**

In February 2009, Guelph City Council approved a mandate and charter for the Guelph Hydro Steering Committee detailing its responsibilities and duties which included the determination of an appropriate structure between the City, as sole shareholder, and its operating companies. It was anticipated that the appropriate model would continue driving the City towards higher levels of excellence in asset management and service quality.

The Committee agreed that the creation of a holding company, as recommended by staff, would be of significant benefit to all parties moving forward and examined the proposal and shareholder agreement implications thoroughly. In addition, related legislation was also reviewed including the *Ontario Business Corporations Act* and the *Municipal Act, 2001* (Sec. 203 O.R. 599/06) which includes a new regulation and related rules enabling municipalities to establish corporations. Holdco will comply with this and applicable laws,

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regulations and performance standards passed or imposed by law or regulation by the Province of Ontario.

## **Purpose**

This document has been developed to provide additional and comprehensive information on the proposed new governance model. Specifically this document:

- a) sets out the objectives of the a new municipal holding company, its mandate, guiding principles, governance options, structure, relationship to the City, reporting activities and financial considerations; and
- b) constitutes the provincially required business case for the proposed municipal holding company.

The holding company model represents a vital step forward in meeting the strategic objectives of the City's Strategic Plan, and long term sustainability and economic prosperity goals.

## **OBJECTIVES**

The City of Guelph recognizes that it is prudent to investigate alternate governance models for the management of current and future City-owned assets to ensure the greatest value to the City as the primary shareholder. A number of benefits can be realized from more strategic management and co-ordination through the following objectives:

- a) Holdco, reporting to the Shareholder, will work to build value for the community through synergistic collaboration that strengthens the individual and collective position of City-owned assets and investments.
- b) Operating in a business environment, Holdco will play an integral role in achieving enhanced operational excellence through a continuum of improved communications between the operating companies and the Shareholder.
- c) By capitalizing on synergies and unlocking greater potential, Holdco, through its management and oversight role, will help to ensure the continued generation of reliable returns and benefits from its assets.

## **MANDATE**

Holdco will strive to achieve the stated objectives. Specifically:

- a) Holdco will work with operating companies, investors and private partners as appropriate to maximize the value of current and future City-owned assets for the benefit of the community as a whole.

- 
- b) In its oversight role, Holdco will act as a catalyst for operational excellence.
  - c) Holdco will regularly and as required, advise, inform and make recommendations to the City as Shareholder on matters and opportunities pertaining to the operating companies reporting to Holdco.

## GUIDING PRINCIPLES

The Directors and Officers of all OBCA corporations have a duty to act honestly, in good faith and in the best interests of the corporation. Holdco will be wholly owned by the City and will be subject to established objectives aligned with the City's interests. The following principles will govern the operations, services and activities of Holdco in that context:

- a) **Collaboration** – Holdco Directors will work to foster and reinforce a collaborative relationship and shared values among all parties and recognize that the interface between the worlds governed by the *Municipal Act* (public sector) and the OBCA (private sector) requires mutual respect, understanding, flexibility and regular communication between Holdco and its subsidiaries concerning business activities.
- b) **Transparency** – The holding company board of directors will adhere to clearly articulated reporting and approval requirements as detailed in the Council approved shareholder agreements to ensure transparency and accountability.
- c) **Independent and skills-based boards** – The boards of the subsidiary companies reporting to the holding company will be recognized and regarded as independent and skills-based. They will be responsible for ensuring effective management of their own interests and contributing to the efficacy of the operations as well as other subsidiary companies by sharing experiences and best practices.
- d) **Integration and co-ordination** – The unique overlapping community interests and professional capabilities of the “family of companies”—including the City—are important components of an integrated and co-ordinated approach to excellence in asset management.
- e) **Comprehensive measurement of returns** – Shareholder return and benefits will be measured by several metrics including but not limited to dividends to ensure a broader understanding of operational success. In general, a long term, strategic view will be applied to the measure of shareholder return.

The guiding principles flow from the foundational values of leadership, accountability, sustainability and regular, open communication.

### Confidentiality

Except as required by applicable law or any government authority and except for the annual report to City Council, the City will treat as confidential each Holdco business plan and all other information provided to it in confidence, subject to the Ontario Business

Corporations Act, the *Municipal Act* and applicable laws. Information that is in the custody or under the control of the City or Holdco is subject to the access provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

## ALTERNATIVES

In exploring the concept of improved governance alternatives for current City-owned assets, a number of both form and function options were considered by staff as detailed in the table below. The options included developing a corporate governance division, continuing with established practices, selling of the assets, and creating an independent development corporation, consistent with the provisions of the *Municipal Act* (O.R. 500/06).

Identified Options	
1.	<b>Corporate governance division within the City</b> – A new division with a specific mandate and staff expertise could be established. This would result in a more centralized authority but would also require additional resources for staffing and operational functions.
2.	<b>Status quo</b> – Continuing with current operations presents a risk in terms of a missed opportunity for strengthening the City’s corporate governance practices, collaboration and strategic asset management.
3.	<b>Sale/Merger of corporation assets</b> – Annual revenues generated from operations of Guelph Hydro represent a reliable source of regular dividends that can be leveraged against the annual tax levy.
4.	<b>Independent development corporations</b> – The holding company model allows for the development of skills-based boards for the regular management of individual interests, yet brings all parties together to capitalize on potential synergies. Without this unifying entity, the benefits of collaboration are lost. The holding company model allows for additional corporations to be included over time, creating potential opportunities for increased revenue streams.

Overall assessment against evaluation criteria (including public accountability, transparency, flexibility of structure, funding constraints and requirements, financing opportunities, statutory requirements, potential conflicts of interest, risk and liability) led to the following conclusions:

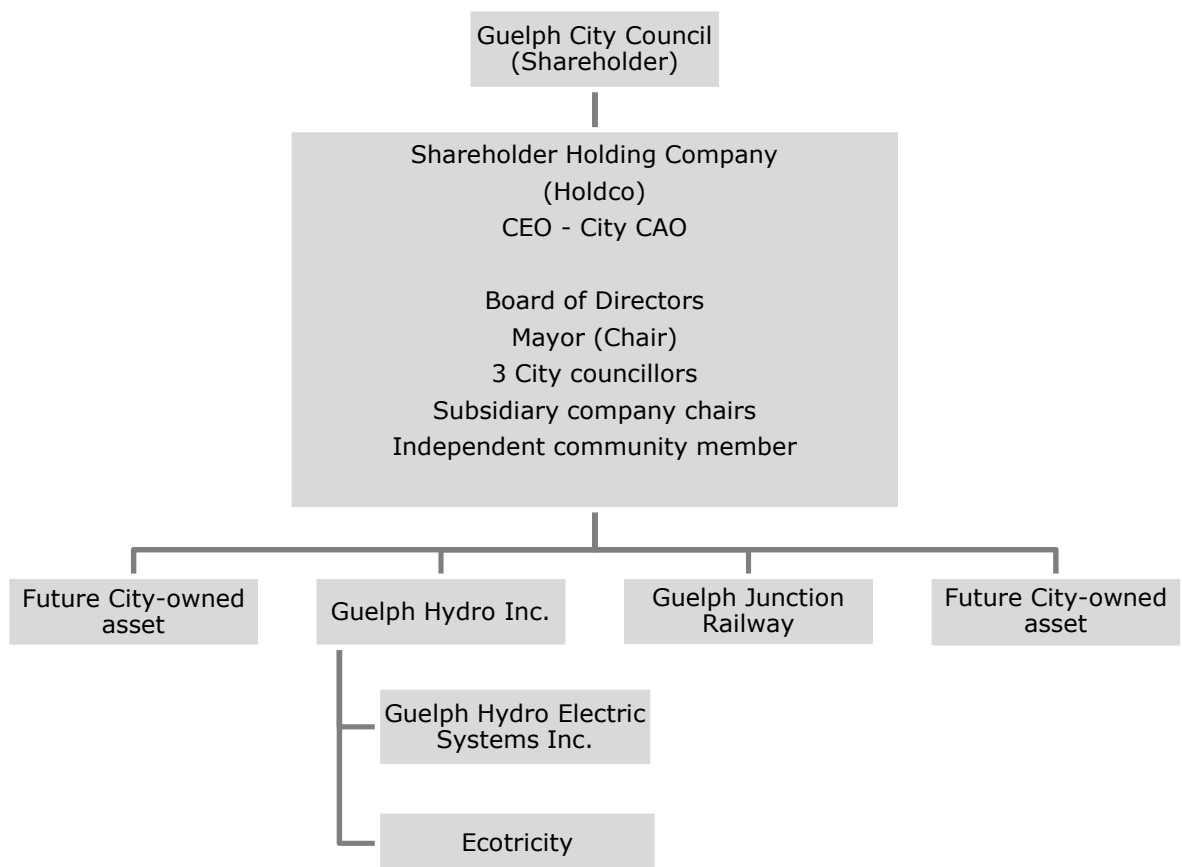
- 1) That the benefits associated with a holding company model are significant and that this direction represents a necessary step in advancing prosperity and management excellence goals that will benefit the city as a whole.

- 2) That the current approach is not serving the current and future needs of existing subsidiaries or the residents of Guelph to the level that is possible.
- 3) That to achieve greater success going forward and realize the full potential of City-owned assets, the City believes that a new structure is required. Leadership, partnership and collaboration are the keys to success that will help continue to produce better and more reliable results.

## PROPOSED STRUCTURE

The following diagram depicts the recommended structure of the holding company. It is anticipated that the centralized structure will allow for strengthened co-ordination of issues management, well informed decision making and the realization of common goals consistent with the mandate and objectives for Holdco.

Figure 1: Proposed holding company structure





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## GOVERNANCE

### Applicable legislation

The holding company will be governed in compliance with the following legislation, rules and regulations:

**Director duties** – As required by the *Ontario Business Corporations Act* (OBCA), the holding company board will supervise the management of the business and affairs of Holdco, and, in so doing, will act honestly and in good faith with a view to the best interests of the holding company and its subsidiaries and will exercise the same degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

**Standards of governance** – In addition, the City expects the boards of Guelph Junction Railway (GJR), Guelph Hydro Inc. (GHI) and any GHI subsidiary to observe substantially the same standards of corporate governance as may be established by the Canadian Securities Administrators or any other applicable regulatory or government authority in Canada for publicly traded corporations with such modifications as may be necessary to reflect the fact that GJR, GHI and any GHI subsidiary are not publicly traded corporations.

### Board of Directors and Officers

**Qualifications** – In addition to sound judgment and personal integrity, the qualifications of candidates for the board of the holding company may include:

- awareness of public policy issues related to the holding company;
- relevant business expertise and industry knowledge;
- experience on boards of significant commercial corporations;
- financial, legal, accounting and/or marketing experience; and
- knowledge and experience with risk management strategy.

**Residency** – Preference may be given to qualified board candidates who are residents of Guelph, however candidates that are not residents of Guelph will not be excluded from serving as board members.

**Number of directors** – The board of the holding company will consist of a minimum of seven (7) directors to be appointed by and approved by City Council.

**Composition of the board** – Unless otherwise determined by the Shareholder in its discretion, the holding company board will consist of the mayor, three municipal members (City councillors), the Chair of the Board of GHI, the Chair(s) of the Board of any other direct subsidiary of Holdco, and an independent member who will not be a municipal member. The chief executive officer, president or general manager, as the case may be,

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of a subsidiary or of Holdco will not be eligible to serve as a Director on, nor Chair of, the Holdco Board nor Chair of the Board of its subsidiary companies.

**Chair of the Board** – The Chair of the Holding Company Board shall be the Mayor.

**Officers** – The CEO of the Holding Company shall be the Chief Administrative Officer of the City or such other person as the City may determine from time to time. The Treasurer of Holdco will be the Treasurer of the City or such other person as the City may determine from time to time. The general counsel and Secretary of Holdco will be the Solicitor of the City or such other person as the City may determine from time to time.

**Term of municipal members** – The term for each municipal member of the Holdco Board shall be concurrent with the municipal term of each council, and each municipal member of the holding company board shall be appointed for such term, provided that:

- following the expiry of such term of council, each director will continue to serve on the board until replaced by the City at the effective date of the appointment of a replacement director;
- the City may, in its discretion, terminate the term of a member of the Holdco Board prior to the end of the municipal term of council and appoint a replacement director; and
- where a Director of the holding company board resigns or his or her term is terminated for any reason prior to the end of the municipal term of council then in effect, the term of the replacement director will be concurrent with the balance of the municipal term of council then in effect.

**Successive terms** – Any member of the holding company board may serve for successive terms as determined by the City in its discretion.

**Holdco board committees** – The holding company board may establish committees of the board in the holding company board's discretion. These committees may include but not limited to the following:

- Audit and finance committee to review financial results; and
- Governance committee to address governance matters.

## **Compensation**

- **Directors** – No member of the holding company board will receive any remuneration or other compensation of any kind, other than as expressly approved by the Shareholder, for serving as a director on the holding company board or on any committee thereof, or carrying out any activities or providing services in relation thereto. Each member of the holding company board will be entitled to incur reasonable expenses for travel and/or training in respect of the director's role

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on the holding company board, in accordance with policies established by the holding company board and approved by the Shareholder.

- **Officers** – Any officer of the holding company who is also a municipal member or an employee of, or consultant to, the City or any agency, board, commission or corporation of the City, will not receive any compensation for serving in such capacity in addition to such officer's compensation, if any, as an employee of or consultant to the City.
- **Annual resolutions** – The Shareholder will, at an in-camera meeting of City Council (as Shareholder), consider candidates for the Holdco board as proposed by the Holdco nominating committee and the appointment of the auditors of Holdco and receive the audited financial statements of Holdco for the last completed financial year;
- The Shareholder, by resolution in writing, will appoint the necessary members of the holding company board and appoint the auditors for the holding company and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA; and
- Holdco, by resolution in writing, will appoint the necessary members of the board and appoint the auditors for GHI and its subsidiaries and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA, subject to approval of Council.

**Responsibilities** – The Holdco board will establish policies addressing the following matters:

- **Dividends** – To ensure the payment of an annual dividend from Holdco consistent with the dividend policy included in the approved shareholder declarations.
- **Risk management** – To ensure that each subsidiary has adopted appropriate risk management strategies and internal controls consistent with industry norms in order to manage all risks related to the businesses conducted by Holdco subsidiaries.

**Additional responsibilities include:**

- **Strategic objectives** – To provide input to subsidiaries as to the City's long term strategic objectives which are consistent with the maintenance of a viable, competitive business and preservation of the value of the businesses of its subsidiaries.
- **Corporate governance committee** – Establish a corporate governance committee of the board and such other committees as the board determines are appropriate, and delegate to the committees such authority as the board determines is appropriate, provided that the delegation of authority is permitted under the OBCA.

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- **Annual approval and insurance coverage** – Approve the business plan for Holdco and the annual budget to ensure that Holdco acts in accordance with these plans; maintain adequate insurance coverage and other requirements to ensure Risk Management.
  - **Conflict of interest** – Each Director and Officer of Holdco will inform the board immediately when he or she has an interest in a matter to be considered by the board or a committee of the board and take appropriate action in accordance with the provisions of the *Municipal Conflict of Interest Act*, and any other applicable laws or City or board policies.

## **RELATIONSHIP TO THE CITY**

As the sole shareholder, the City of Guelph expects that Holdco will take responsibility for oversight of both Guelph Hydro and Guelph Junction Railway in addition to any additional subsidiary companies that may be added from time to time, subject to the specific terms and conditions as laid out in the shareholder agreements. The holding company does not have the capacity to act as an agent of the City unless the City gives express written authorization to the holding company to do so. The holding company will not conduct itself so as to create or purport to create an agency relationship with the City except in accordance with such written authorization.

**Shareholder authority** – Similar to other municipalities that have restructured governance of their utility and/or other functions such as transit or economic development, the City of Guelph CAO will act as the CEO of the Holding Company and be directly responsible, along with board members, to the City as primary Shareholder.

**Shareholder approval** – Approvals or decisions of the City required pursuant to the shareholder declarations or the OBCA will require a resolution or by-law of Council passed at a meeting of Council and shall be communicated in writing to the Holdco Board and signed by the shareholder representative and/or the Mayor.

**Holdco approvals** – Approvals or decisions of Holdco required pursuant to the shareholder declarations will require a resolution of the Holdco Board and, where expressly required pursuant to the shareholder declarations, the approval of the City and communicated in writing to the boards of Guelph Hydro and Guelph Junction Railway as well as any other subsidiaries.

**Matters requiring shareholder approval under the OBCA** – Without approval of its shareholder, the City, the holding company itself will not take any of the following actions:

- a) amend or repeal its articles of incorporation;
- b) amalgamate with another corporation, apply to continue as a body corporate under the laws of another jurisdiction, merge, consolidate or reorganize, or approve or effect any plan of arrangement, in each case whether statutory or otherwise;

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- c) take or institute proceedings for any winding up, arrangement, reorganization or dissolution;
  - d) create new classes of shares or reorganize, consolidate, subdivide or otherwise change its outstanding securities;
  - e) sell or otherwise dispose of, by conveyance, transfer, lease, sale and leaseback, or other transaction, all or substantially all of its assets or undertaking;
  - f) change the treasurer's role as auditor;
  - g) make any changes to the number of directors comprising the board; or
  - h) enter into any other transaction or take any other action that requires shareholder approval pursuant to the OBCA.

The board may make, amend, or repeal any of its by-laws and the changes take effect at such time as the board approves. Such changes will be submitted to the City as Shareholder, immediately upon approval by the board for Council approval. If Council makes any amendments, the amendments will take effect when approved by Council and are not retroactive.

### **Other matters requiring Shareholder approval**

Without the prior written approval of the City, Holdco will not:

- a) seek financial support without approval or any changes to legislation or regulation from any governmental authority other than the City;
- b) make representations or promises of any financial incentives or similar inducements that are binding on the City;
- c) issue publicly traded debt, or any debt instruments with real or implied recourse to, or guarantees from the City or any borrowing that in the opinion of the City Treasurer have a negative impact on the City's credit rating; or
- d) make or hold investments outside of Canada.

## **PUBLIC ACCOUNTABILITY AND REPORTING**

**Regular reporting** – Holdco will, from time to time, but at least annually, report to City Council on major business developments or materially significant results in respect of Holdco or any subsidiary. Chairs of subsidiaries will attend such meetings of Council where reports are made in respect of any subsidiaries, and such reports may be received and

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considered by the City at an in-camera meeting of Council subject to the requirements of the *Municipal Act* and other applicable laws.

**Business plan** – Holdco will provide the City with the business plan for Holdco and its subsidiaries on an annual basis prior to the end of each financial year. The Holdco business plan will include all of the following:

- the strategic objectives, priorities and business objectives that Holdco and its subsidiaries will undertake;
- the metrics for monitoring accomplishments;
- an operating budget for Holdco for the next financial year and an operating and capital expenditure budget on a consolidated basis for the subsidiaries next financial year and an operating and capital expenditure projection on a consolidated basis for the subsidiaries for each of the two subsequent financial years, including the resources necessary to implement the Holdco business plan;
- the projected annual revenues and net income for Holdco and its subsidiaries for the following financial year; and
- any material variances from the Holdco business plan then in effect.

**Annual report to Council** – Within six months after the end of each financial year of the holding company, Holdco will report to a public meeting of City Council and the chair will attend such meeting and provide the following information with respect to Holdco and its subsidiaries:

- financial statements for subsidiaries respecting privacy provisions under the OBCA Act; and
- such additional information as the City may specify from time to time including accomplishments during the fiscal year along with explanations, notes and information as required to explain and account for any variances.

Chairs of the subsidiary companies will also be present at such public meeting.

**Audit and evaluation report** – The City Treasurer is the auditor of the holding company and an annual report will be submitted at the end of the fiscal year (March 31).

**Confirmation of compliance** – The Holdco board will, in a confidential report to Council, annually confirm by the end of each financial year that it has complied with the requirements of the shareholder declaration, that it is in compliance with applicable laws and that it has received a similar confirmation of compliance from the board of subsidiaries.

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## **FINANCIAL CONSIDERATIONS**

The development of a holding company to help achieve excellence in asset management works towards City goals related to long term financial sustainability and economic prosperity. Not only is the model one that will strengthen governance but also the collective effectiveness and potential of all subsidiaries, thereby creating long term economic benefits for Guelph residents.

Holdco will be self-financing with operating costs coming from the regular dividend payment stream of subsidiary companies.

Although various City staff will provide significant resources to Holdco, it is expected that specific external expertise may be required on occasion to assist with special projects. These additional resources could be cost-shared, if necessary, between Holdco and the City with approval of Council.

### **Winding up provisions of the corporation**

Upon liquidation, winding-up or dissolution of the proposed holding company, whether voluntary or involuntary, the property of Holdco will revert back to the City as primary shareholder.

### **Operating budget**

The creation and management of a five year operating budget will be the responsibility of the new board of directors. It is anticipated that labour and program expenditures will be minimal given the use of existing staff as officers of the company. Any expenditures related to the new structure will flow through dividend payments derived from the subsidiary companies.

## **CONCLUSION**

A new governance model for the management of current and future City-owned assets is recommended to realize the full potential of City assets and long term economic benefits for the city. The new model represents a more strategic approach to asset management and would be self financing from regular dividend payments.

The proposed model addresses the need for increased accountability, responsiveness, greater strategic alignment and improved communications. While keeping subsidiaries directly linked through shared policy and strategic direction, the model still embraces the concept of skills-based boards and allows for the right degree of independence so that operating companies continue to be flexible and self-reliant.

Consistent with other municipalities, specific requirements for key competencies among the holding company directors will ensure a variety of perspectives and skill sets to guide

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decision making and provide sound leadership. The new governance structure will enable the fulfilment of stated objectives and the achievement of outcomes focused on the long term economic prosperity of the community.



## Appendix B: Holdco Business Case – Public Consultation Questions and Responses

#	Question	Response
1	Is Holdco a public or a private entity?	Holdco will be a private sector entity structured under the Ontario Business Corporations Act (OBCA) as permitted under the 2001 Municipal Act Legislation (O.R 599/06).
2	How are Shareholder benefits currently measured, or are they?	The measurement of benefits has often largely been focused on short term dividends. Under the Holdco model, Shareholder return and benefits will be measured by several metrics such as governance and risk management practices, return on capital, growth etc. to ensure a broad understanding of operational success.
3	Are the business plans of Guelph Hydro and Guelph Junction Railway currently matters of public record? Are they Council approved? Will they be Council approved under the new model?	Currently the business plans for Guelph Hydro (GHI) and Guelph Junction Railway (GJR) are Shareholder approved documents with Council receipt of the documents taking place in closed public meetings consistent with the legislative acts governing these organizations. Under the Holdco model, this process will not change.
4	The businesses are currently viewed as civic services, the model seems to be changing them (i.e. Shareholder benefits, dividends) to for profit entities, is this the case?	Both GHI and GJR are currently private sector models and the Holdco concept will not change their current status.
5	Page 12 of the Business Case outlines Matters requiring Shareholder Approval under the OBCA. Item e) states that Holdco will not "...sell or otherwise dispose of, by conveyance, transfer, lease, sale and leaseback, or other transaction, all or	This language is not intended to bypass approval rights of the Shareholder. The Shareholder Agreement for GHI sets out specific provisions requiring regular reporting that will ensure Shareholder awareness and approval of any such matters. Efforts will be made to include similar provisions in the GJR Shareholder Agreement which is still currently under review.

	<p>substantially all of its assets or undertaking...”. What constitutes <i>substantially all</i>? This implies that Holdco could sell a large portion of Guelph Hydro.</p>	
6	<p>Why do changes that Holdco makes take effect immediately rather than after Council approval?</p>	<p>The Business Case states that any changes made by the Holdco board <i>to amend or repeal any of its by-laws</i> will be submitted to the City as Shareholder <u>immediately</u> upon approval by the board for Council approval. Any Council amendments will take effect when approved by Council and are not retroactive. The immediate notification to Mayor and Council enables the Shareholder to act quickly if so desired, consistent with rules and regulations governing meeting protocols, should the majority of Council members have any concerns with a Holdco board approved change to any of its by-laws.</p> <p>It is important to note that role of Holdco is to act in the best interests of the Shareholder and the immediate notification in addition to greater Council involvement at the board level and more regular reporting is designed specifically to ensure continued Shareholder involvement.</p>
7	<p>Page 12 of the Holdco Business Case relating to ‘Other Matters requiring Shareholder Approval’ – item c) states that Holdco will not “...issue publicly traded debt, or any debt instruments with real or implied recourse to, or guarantees from the City or any borrowing that in the opinion of the City Treasurer have a negative impact on the City’s credit rating...”. Does this mean that Holdco can borrow without Council</p>	<p>Holdco is proposed to primarily function as an oversight board to strengthen the governance of corporate assets. In the unlikely event that the borrowing of funds would occur, it would be based on a business case provided to the Shareholder for approval, leverage GHI and GJR assets and not impact the tax levy.</p>

	approval?	
8	Why not simply institute another Committee of Council to deal with corporate asset management matters?	Public Committee meetings would not provide the private forum required for the discussion of competitive information declared confidential under the Ontario Business Corporations Act.
9	This seems like “just another layer of government that can hide from the public radar”.	Closed meetings are provided for under the Ontario Business Corporations Act so that proprietary and competitive information can be discussed openly and freely. Both GHI and GJR currently operate in the private sector and full public disclosure of all business related discussions would present a significant risk to the corporation as a whole.
10	Synergies are referred to several times yet no synergies are identified. What are the expected synergies? What are the contemplated future city-owned assets? How do Guelph Hydro Inc and Guelph Junction Railway currently fail to maximize value? Will adding a layer of bureaucracy tend to separate the City from its oversight responsibility for these assets? [I am] concerned that the holding company will not be transparent to the scrutiny of tax payers, especially for salary amounts and expense claims. I always had the feeling that holding companies are created to hide things from the public eye.	<p>Anticipated synergies could include, for example, the sharing of best practice management approaches, the optimization of capital expenditures, the potential realignment of free cash flow, and an enhanced position to access the capital market should the need or interest in borrowing arise.</p> <p>No future assets are being contemplated at this time.</p> <p>GHI and GJR do maximize their value individually but working more closely together, will enhance the total accumulated value that can be realized.</p> <p>Regular reporting requirements will ensure that the Shareholder, and by extension the public, is always well informed. More direct Council involvement and more joint, well informed discussions will strengthen the corporation’s oversight and governance role.</p> <p>The holding company is designed to always act in the best interest of the Shareholder.</p>

## Appendix C: Memorandum of Intentions between the City and Guelph Hydro Inc.

**Memorandum of Intentions (“MOI”)**  
between  
**The Corporation of the City of Guelph (the “City”) and**  
**Guelph Hydro Inc. (“GHI”)**

GHI as a wholly owned entity of the City, shares the goals of the City’s Council approved Community Energy Plan (“CEP”) and supports the economic development objectives in the environmental technology sector of Prosperity 2020.

The City and GHI. agree that GHI can contribute to these shared goals by:

1. Acting as the primary developer and having overall responsibility for the development and implementation of energy related projects in the City with respect of City initiatives and consistent with the Shareholder Agreement:
  - a) marketing opportunities to partners as appropriate;
  - b) identifying and taking the lead in developing energy-related opportunities within city-owned assets;
  - c) undertaking the procurement process of products and services consistent with acceptable standards and practices and the approved procedures of GHI;
  - d) conferring and providing regular updates to the designated City representative(s) on matters relating to the development of initiatives in which GHI is involved relative to the CEP or Prosperity 2020;
  - e) assessing, evaluating and reporting to Council on the success of energy projects undertaken;
  - f) sharing non-commercially sensitive data and information with the City for the purposes of the CEP; and
  - g) serving as a foundation member of the Mayor’s Task Force on Community Energy and provide resources for its operation as appropriate at its cost.

Both GHI and the City will:

2. Assign staff resources to the administration of the cooperative efforts required for implementation of the CEP
3. Share information that may impact the goals of the CEP with each other and Council as the Shareholder, consistent with the requirements and expectations set out in the Shareholder Agreement and customary commercial practices.
4. Review the Terms of the MOI on no less than an annual basis should modifications be required as all parts of this document are open to modification and negotiation.
5. Settle any disputes through an independent agreed upon third party with costs being shared equally by both partners.
6. Under terms and conditions acceptable to the City and GHI acting reasonably, provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of a energy efficiency and renewable energy generation programs in the City of Guelph.
7. While this MOI expresses the intentions and goals of the City and GHI with respect to the CEP, is not considered a legally binding contract and shall be replaced over time with specific legally binding agreements that give effect to the Parties intentions

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Hans Loewig, CAO, City of Guelph  
Date:

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Barry Chuddy, CEO Guelph Hydro  
Date:

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services

DATE June 14, 2010

**SUBJECT 2010 Council Orientation and Professional Development**

REPORT NUMBER

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## RECOMMENDATION

**THAT** the proposed 2010 Council Orientation and Professional Development plan be approved.

## BACKGROUND

In previous terms of Council, the focus of orientation was more on the administrative structure of the City, roles of departments, services, etc. In 2005, City Council requested that future Council orientation also include provisions for a number of activities, including:

- Governance responsibilities of Council;
- Ethics review;
- Update on key City projects and issues; and
- Strategic planning.

Since that time, new legislation has also been enacted in Ontario relative to accountability and transparency that set the stage for how municipal councils conduct their business. Keeping the above in mind, staff have sourced a number of options that cover the above items and will be helpful to Council.

## REPORT

The proposed orientation and professional development plan will consist of several modules:

1. Overview of the Governance Role
  - The Decision Making Process
  - Roles, Responsibilities, Accountabilities
  - Legal World of Councillors
  - Strategic Planning
  - Measurement, Accountability and Reporting
  - Maximizing the Effectiveness of Meetings
  - Creative Problem Solving
2. Overview of Ethics in Local Government
  - Accountability & Transparency Legislation
  - Municipal Conflict of Interest
  - Council Code of Conduct
  - Closed Meetings

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3. Overview of the Strategic Plan, Priority Projects, Current Issues and City Services
    - Strategic Plan
    - Priority Projects
    - Meeting Procedures
    - Current Issues
    - Service Delivery
    - Facility Tours if Desired
  4. Overview of Municipal Finances
    - Operating and Capital Budgets
    - Reserves
    - Audit Function
  5. Overview of Organizational Culture
    - City of Guelph Values
    - Occupational Health & Safety Basics
    - AODA Customer Service
    - People Practices Strategy

Module 1 has been outsourced, and tentative arrangements are being made for this module to be delivered by Dr. Chris Bart of McMaster University's DeGroot School of Business. Dr. Bart is of the faculty of the Municipal Councillors College which offers a dynamic, cross-disciplinary, research-based executive program focusing on the role of Councillors in driving and sustaining the success of their municipalities. This will be a day-long session. Dr. Bart has also expressed an interest in continuing work with our Council in 2011.

Module 2 has also been outsourced, and tentative arrangements are being made for this module to be delivered by Mr. Rick O'Connor. Mr. O'Connor is both the City Clerk and City Solicitor for the City of Ottawa, and has been a very popular presenter at conferences and seminars sponsored by the Association of Municipal Managers, Clerks & Treasurers of Ontario with respect to ethics in local government. This will be a half-day session.

Modules 3, 4 and 5 will be developed and presented by various City departments. These sessions could range from half to full days, depending on the level of detail required, as determined by the numbers of returning members and newly elected members who will form the 2010-14 Council.

With the exception of the municipal finance module, we are targeting these sessions to take place during the month of November. Feedback from the Committee would be appreciated as to timing of these sessions, and any additional topics that would be of interest.

### **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

### **FINANCIAL IMPLICATIONS**

Funds were provided in the 2010 Operating Budget.

### **DEPARTMENTAL CONSULTATION**

Human Resources, Finance

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## **COMMUNICATIONS**

n/a

“original signed by Lois Giles”

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Recommended By:

Lois A. Giles

Director of Information Services/Clerk

(519) 822-1260 x 2232

[lois.giles@guelph.ca](mailto:lois.giles@guelph.ca)

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services

DATE June 14, 2010

**SUBJECT** **Delegation of Authority**

REPORT NUMBER

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## RECOMMENDATION

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by-law its authority as set out in Schedules "N" and "O" attached to the report of the Director of Information Services/Clerk, dated June 14<sup>th</sup>, 2010.

## BACKGROUND

In January of this year, City Council passed a by-law to delegate authority to approve several routine administrative matters. At that time, staff had indicated that they would continue to look for opportunities for Council to delegate other minor approval making authority.

## REPORT

This report is intended to deal with the delegation of two routine administrative matters, which are of a minor nature, and which would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency.

Areas of delegation include authority to approve:

- Execution of agreements for use of training facilities by Emergency Services, including the authority to amend or terminate such agreements.
- Exemptions to the Noise Control By-law for events that have been exempted in the past, and where such events have not substantially changed since the previous exemption was granted.

These schedules have been prepared in the standard format which was developed for delegation of authority, and provides for conditions, limitations, and reporting requirements.

## CORPORATE STRATEGIC PLAN

Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.



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## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

Senior management of all departments were consulted in the development of this report.

## **COMMUNICATIONS**

n/a

## **ATTACHMENTS**

“original signed by Lois Giles”

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### **Prepared By:**

Lois A. Giles  
Director of Information Services/Clerk.  
(519) 822-1260 x 2232  
lois.giles@guelph.ca

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**SCHEDULE "N"**  
**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION**  
**OF AGREEMENTS FOR USE OF EMERGENCY SERVICES TRAINING**  
**FACILITIES**

<b>Power to be Delegated</b>	Authority to approve the execution by the Mayor and Clerk of agreements for the use of emergency services training facilities by the City. The delegation also applies equally to any amendment or termination of such agreements.
<b>Reasons in Support of Delegation</b>	<ul style="list-style-type: none"><li>○ Contributes to the efficient management of the City of Guelph.</li><li>○ Meets the need to respond to issues in a timely fashion.</li><li>○ Maintains accountability through conditions, limitations and reporting requirements.</li><li>○ Minor in nature.</li><li>○ Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.</li></ul>
<b>Delegate(s)</b>	<ul style="list-style-type: none"><li>○ Director of Emergency Services</li><li>○ A person who is appointed by the CAO or selected from time to time by the Director of Emergency Services to act in the capacity of the delegate in the delegate's absence.</li></ul>
<b>Council to Retain Power</b>	No
<b>Conditions and Limitations</b>	<ul style="list-style-type: none"><li>○ Fees for such services are approved as part of the annual operating budget by Council.</li><li>○ Form of agreement has been reviewed by Legal Services.</li></ul>
<b>Review or Appeal</b>	Not applicable.
<b>Reporting Requirements</b>	Annual information report on agreements executed during the year pursuant to this delegation of authority.

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**SCHEDULE "O"**  
**DELEGATION OF AUTHORITY TO APPROVE EXEMPTIONS TO THE**  
**NOISE CONTROL BY-LAW FOR EVENTS THAT HAVE BEEN EXEMPTED**  
**IN THE PAST**

<b>Power to be Delegated</b>	Authority to approve exemptions to the Noise Control By-law for events that have been exempted in the past. The delegation also applies equally to any minor amendment of such an exemption.
<b>Reasons in Support of Delegation</b>	<ul style="list-style-type: none"><li>○ Contributes to the efficient management of the City of Guelph.</li><li>○ Meets the need to respond to issues in a timely fashion.</li><li>○ Maintains accountability through conditions, limitations and reporting requirements.</li><li>○ Minor in nature.</li><li>○ Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.</li></ul>
<b>Delegate(s)</b>	<ul style="list-style-type: none"><li>○ Director of Operations</li><li>○ A person who is appointed by the CAO or selected from time to time by the Director of Operations to act in the capacity of the delegate in the delegate's absence.</li></ul>
<b>Council to Retain Power</b>	No
<b>Conditions and Limitations</b>	<ul style="list-style-type: none"><li>○ This delegation does not extend to an event that has changed substantially in nature since the previous exemption was granted.</li><li>○ Notice for all exemptions shall be published in a local newspaper, and on the City's web site.</li></ul>
<b>Review or Appeal</b>	<ul style="list-style-type: none"><li>○ Where the Direction has not approved a request for an exemption, the applicant may request that the decision be reviewed by Guelph City Council.</li><li>○ A person who has reason to believe that they will be negatively impacted by an approved exemption may request that the decision to approve be reviewed by Guelph City Council.</li></ul>
<b>Reporting Requirements</b>	Annual information report on exemptions granted during the year pursuant to this delegation of authority.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE June 14, 2010

**SUBJECT Municipal Act Provisions Relating to Restricted Actions  
by Council in an Election Year**

REPORT NUMBER

---

## **RECOMMENDATION**

THAT the report of the Director of Information Services/Clerk with respect to the restricted actions by council in an election year, be received.

## **BACKGROUND**

The Municipal Act contains several restrictions on the actions that a Council can take in an election year. The purpose of this report is to outline to Council the restrictions under the legislation.

## **REPORT**

The term "lame duck" is sometimes used to refer to the period of time in an election year, when the Municipal Act places certain restrictions on the actions a council can take. The earliest a council can be in this position, is Nomination Day, which is September 10, 2010. If after all nominations are filed, four or more members of the current council have not filed for re-election, the restrictions under the Municipal Act will come into effect. If at least ten members of council file nominations papers, the next earliest time the restrictions could apply would be on October 25<sup>th</sup>, 2010. If after the election at least ten members of the current council will not be returning to the next term of council, the restrictions would then apply.

The simple rule is that the restrictions will only apply as soon as it is known that four or more members of the current council will not be returning as members of the next council.

With respect to the restrictions under the "lame duck" provisions, Council can continue to exercise most of its powers, particularly in emergency situations, and can authorize expenditures as long as they were included in the most recent approved budget. The following acts are prohibited under the legislation:

- the appointment or removal from office of any officer of the municipality;
- the hiring or dismissal of any employee of the municipality;

- 
- the disposition of any real or personal property of the municipality which had a value exceeding \$50,000 when it was acquired by the municipality unless the disposition was included in the most recent budget adopted by Council before nomination day; and
  - making any expenditure or incurring any other liability which exceeds \$50,000, unless the expenditure or liability was included in the most recent budget adopted by Council before nomination day.

“original signed by Lois Giles”

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**Submitted By:**

Lois A. Giles  
Director of Information Services/Clerk.  
(519) 822-1260 x 2232  
lois.giles@guelph.ca

**The Corporation of the City of Guelph  
Governance Committee  
Monday June 14, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday June 14, 2010 in the Council Committee Room at 3:00 p.m.

Present: Councillors Findlay, Beard, Piper and Wettstein

Absent: Mayor Farbridge

Also Present: Councillor Bell

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mr. R. Kerr, General Manager, Community Energy Plan (via teleconference); Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

Councillor Findlay chaired the meeting in the absence of Mayor Farbridge.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on May 10, 2009 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.19 Corporate Performance Reporting Practices
- GOV-2010 A.20 City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework

2. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the balance of the Governance Committee June 14, 2010 Consent Agenda, as identified below be adopted:

a) **Governance Committee Quarterly Report: April – June 2010**

Mayor Farbridge

THAT the Governance Committee Quarterly Report: April – June 2010, be received for information.

**b) Council Strategic Plan Priorities Report – Q2, 2010**

Ms. B. Boisvert

THAT the 2010 second quarter report on Council's 2007 Strategic Priorities be received for information.

**c) 2010 Council Orientation and Professional Development**

REPORT

THAT the proposed 2010 Council Orientation and Professional Development plan be approved.

**d) Delegation of Authority**

REPORT

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedules "N" and "O" attached to the report of the Director of Information Services/Clerk, dated June 14<sup>th</sup>, 2010.

Carried

**Corporate Performance Reporting Practices**

REPORT

3. Moved by Councillor Wettstein  
Seconded by Councillor Beard

THAT the progress report on Corporate Performance Reporting practices, be received;

AND THAT staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders;

AND THAT staff be directed to develop a corporate wide framework for reporting.

Carried

**City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework**

REPORT

4. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study, be approved;

AND THAT staff be directed to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

AND THAT the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI) be approved;

AND THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI;

AND THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

Carried

**Municipal Act Provisions Relating to Restricted Actions by Council in an Election Year**

- 5. Moved by Councillor Piper  
Seconded by Councillor Wettstein

Ms. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to the restricted actions by council in an election year, be received.

Carried

The meeting adjourned at 3:30 p.m.

.....  
Chairperson



# COMMITTEE AGENDA



TO **Governance Committee**

DATE July 12, 2010

LOCATION Committee Room 'A'

TIME Immediately following Closed Council Meeting

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## **DISCLOSURE OF PECUNIARY INTEREST**

**CONFIRMATION OF MINUTES** – June 14, 2010

## **CLOSED MEETING**

THAT the Governance Committee now hold a meeting that is closed to the public with respect to:

1. **Citizen appointments to the Municipal Election Compliance Audit Committee**  
S. 239 (2) (b) Personal Matters About Identifiable Individuals

## **OTHER BUSINESS**

**NEXT MEETING** – August 9, 2010

**The Corporation of the City of Guelph  
Governance Committee  
Monday June 14, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday June 14, 2010 in the Council Committee Room at 3:00 p.m.

Present: Councillors Findlay, Beard, Piper and Wettstein

Absent: Mayor Farbridge

Also Present: Councillor Bell

Staff Present: Ms. B. Boisvert, Manager of Strategic Planning & Corporate Initiatives; Mr. R. Kerr, General Manager, Community Energy Plan (via teleconference); Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

Councillor Findlay chaired the meeting in the absence of Mayor Farbridge.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on May 10, 2009 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.19 Corporate Performance Reporting Practices
- GOV-2010 A.20 City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework

2. Moved by Councillor Beard  
Seconded by Councillor Piper

THAT the balance of the Governance Committee June 14, 2010 Consent Agenda, as identified below be adopted:

a) **Governance Committee Quarterly Report: April – June 2010**

Mayor Farbridge

THAT the Governance Committee Quarterly Report: April – June 2010, be received for information.

**b) Council Strategic Plan Priorities Report – Q2, 2010**

Ms. B. Boisvert

THAT the 2010 second quarter report on Council's 2007 Strategic Priorities be received for information.

**c) 2010 Council Orientation and Professional Development**

REPORT

THAT the proposed 2010 Council Orientation and Professional Development plan be approved.

**d) Delegation of Authority**

REPORT

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedules "N" and "O" attached to the report of the Director of Information Services/Clerk, dated June 14<sup>th</sup>, 2010.

Carried

**Corporate Performance Reporting Practices**

REPORT

3. Moved by Councillor Wettstein  
Seconded by Councillor Beard

THAT the progress report on Corporate Performance Reporting practices, be received;

AND THAT staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders;

AND THAT staff be directed to develop a corporate wide framework for reporting.

Carried

**City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework**

REPORT

4. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study, be approved;

AND THAT staff be directed to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

AND THAT the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI) be approved;

AND THAT the tender process as set out in the City’s Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI;

AND THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

Carried

**Municipal Act Provisions Relating to Restricted Actions by Council in an Election Year**

- 5. Moved by Councillor Piper  
Seconded by Councillor Wettstein

Ms. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to the restricted actions by council in an election year, be received.

Carried

The meeting adjourned at 3:30 p.m.

.....  
Chairperson

**The Corporation of the City of Guelph  
Governance Committee  
Monday July 12, 2010, 12:30 p.m.**

A meeting of the Governance Committee was held on Monday July 12, 2010 in Committee Room "A" at 12:30 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay, Piper and Wettstein

Also Present: Councillors Billings, Hofland, Kovach and Salisbury

Staff Present: Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Wettstein  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on June 14, 2010 be confirmed as recorded and without being read.

Carried

2. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the Governance Committee now hold a meeting that is closed to the public with respect to:

**Citizen Appointments to the Municipal Election Compliance Audit Committee**

S. 239 (2) (b) Personal Matters About Identifiable Individuals.

Carried

The meeting moved into closed session.

3. Moved by Councillor Piper  
Seconded by Councillor Findlay

THAT staff be given direction with respect to the citizen appointments to the Municipal Election Compliance Audit Committee.

Carried

The remainder of the meeting was held in public session.

REPORT

**Other Business**

REPORT

- 4. Moved by Councillor Wettstein  
Seconded by Councillor Beard

WHEREAS the Governance Committee has identified the Standing Committee process as an area where policy improvements would be helpful;

BE IT THEREFORE RESOVED THAT

- a) That Council as a whole select the Standing Committee Chairs annually at the same meeting at which Standing Committees are selected;
- b) That the Chair position be considered for rotation every two years – respecting workload balance, individual interests and Councillor development;
- c) THAT Council consider both qualifications as well as individual interests as Committee membership is developed;

AND THAT staff be directed to amend the Procedural By-law to reflect these directions of Council.

Carried

The meeting adjourned at 12:45 p.m.

.....  
Chairperson

# COMMITTEE AGENDA



TO **Governance Committee**

DATE September 13, 2010

LOCATION Committee Meeting Room (Room 112)

TIME 3 p.m.

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## DISCLOSURE OF PECUNIARY INTEREST

## CONFIRMATION OF MINUTES – July 12, 2010

## PRESENTATIONS (Items with no accompanying report)

### CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-24 Council Strategic Plan Priorities Report – Q3, 2010			
GOV-25 Awards And Achievements Report			
GOV-26 2011 Strategic Plan Process Framework			
GOV-27 Standing Committee Structure			
GOV-28 Advisory Committees Review Of Mandates			
GOV-29 Governance Committee Quarterly Report: July – September 2010			

Resolution to adopt the balance of the Governance Committee Consent Agenda.

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## **ITEMS EXTRACTED FROM CONSENT AGENDA**

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

## **OTHER BUSINESS**

## **CLOSED MEETING**

THAT the Governance Committee now hold a meeting that is closed to the public with respect to:

1. **Citizen appointments to the Municipal Election Compliance Audit Committee**
  - S. 239 (2) (b) Personal Matters About Identifiable Individuals



**The Corporation of the City of Guelph  
Governance Committee  
Monday July 12, 2010, 12:30 p.m.**

A meeting of the Governance Committee was held on Monday July 12, 2010 in Committee Room "A" at 12:30 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay, Piper and Wettstein

Also Present: Councillors Billings, Hofland, Kovach and Salisbury

Staff Present: Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Wettstein  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on June 14, 2010 be confirmed as recorded and without being read.

Carried

2. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the Governance Committee now hold a meeting that is closed to the public with respect to:

**Citizen Appointments to the Municipal Election Compliance Audit Committee**

S. 239 (2) (b) Personal Matters About Identifiable Individuals.

Carried

The meeting moved into closed session.

3. Moved by Councillor Piper  
Seconded by Councillor Findlay

THAT staff be given direction with respect to the citizen appointments to the Municipal Election Compliance Audit Committee.

Carried

The remainder of the meeting was held in public session.

REPORT

**Other Business**

REPORT

4. Moved by Councillor Wettstein  
Seconded by Councillor Beard

WHEREAS the Governance Committee has identified the Standing Committee process as an area where policy improvements would be helpful;

BE IT THEREFORE RESOVED THAT

- a) That Council as a whole select the Standing Committee Chairs annually at the same meeting at which Standing Committees are selected;
- b) That the Chair position be considered for rotation every two years – respecting workload balance, individual interests and Councillor development;
- c) THAT Council consider both qualifications as well as individual interests as Committee membership is developed;

AND THAT staff be directed to amend the Procedural By-law to reflect these directions of Council.

Carried

The meeting adjourned at 12:45 p.m.

.....  
Chairperson

**GOVERNANCE COMMITTEE  
CONSENT AGENDA**

**September 13, 2010**

Members of the Governance Committee.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate the Committee’s consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Governance Committee Consent Agenda will be approved in one resolution.

**A Reports from Administrative Staff**

<b>REPORT</b>	<b>DIRECTION</b>
<p>GOV-24) <b>COUNCIL STRATEGIC PLAN PRIORITIES REPORT – Q3, 2010</b></p> <p>THAT the 2010 third quarter report on Council’s 2007 Strategic Priorities be received for information.</p>	Receive
<p>GOV-25) <b>AWARDS AND ACHIEVEMENTS REPORT</b></p> <p>THAT the Awards and Achievements Report be received for information.</p>	Receive
<p>GOV-26) <b>2011 STRATEGIC PLAN PROCESS FRAMEWORK</b></p> <p>THAT the Governance Committee receive the proposed 2011 Strategic Plan Process Framework, which includes conducting a Citizen Survey, to assist City Council efforts in relation to Strategic Planning and budgeting for the 2011-2014 term of office.</p>	Receive
<p>GOV-27) <b>STANDING COMMITTEE STRUCTURE</b></p> <p>THAT the following standing committee structure be adopted with the commencement of the 2010-2014 term of Council:</p> <ul style="list-style-type: none"> <li>• Community &amp; Social Services Committee – 4 Councillors + Mayor</li> <li>• Corporate Administration , Finance &amp; Emergency Services Committee – 4 Councillors + Mayor</li> <li>• Planning, Engineering &amp; Environmental Services Committee – 4 Councillors + Mayor</li> </ul>	Approve

- Operations Committee – 4 Councillors + Mayor
- Audit Committee – 4 Councillors + Mayor
- Governance Committee – 4 Councillors + Mayor (Chairs of CSSC, CAFESC, PEESC, OPSC)

AND THAT in order to balance standing committee workload, each ward councillor shall serve on at least two of the standing committees.

GOV-28) **ADVISORY COMMITTEES REVIEW OF MANDATES**

Approve

THAT the Local Growth Management Strategy Advisory Committee, the Transit Growth Strategy Advisory Committee and the Twinning Committee be formally dissolved and that their members be thanked for their contribution to the City;

AND THAT staff not proceed with recruitment for the Downtown Co-ordinating Committee at this time, and that staff undertake a further review and consultation process with the Downtown stakeholders regarding the Downtown Co-ordinating Committee and report back with recommendations;

AND THAT the Guelph Museums Board of Management continue as an advisory body to be known as the Guelph Museums Advisory Committee, with the composition to consist of 8 citizen appointees and one Council appointee;

AND THAT the mandate of the Guelph Economic Development Advisory Committee be expanded to include responsibility for reviewing future twinning opportunities;

AND THAT staff continue to investigate the potential of a City Cultural Advisory Committee in 2011, and that new recruitment to the River Run Board be paused at this time, to allow for further consultation with the current Board, the community and staff;

AND THAT the Guelph Transit Ad Hoc Sub-Committee be formally dissolved, that the membership be thanked for their contributions, and that staff continue to investigate the potential of a future committee that would have a broader mandate relating to transit;

AND THAT the current membership of the Guelph Cycling Transportation Advisory Committee be maintained until completion of its mandate, and that staff report to Council in the new year with recommendations relating to a longer term mandate and composition for the committee.

GOV-29)

**GOVERNANCE COMMITTEE QUARTERLY REPORT:  
JULY-SEPTEMBER 2010**

Receive

THAT the Governance Committee receive the third quarterly Committee performance report for 2010.

**B Items for Direction of Committee**

attach.

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE September 13, 2010

**SUBJECT Council Strategic Plan Priorities Report – Q3, 2010**

REPORT NUMBER

---

## RECOMMENDATION

THAT the 2010 third quarter report on Council’s 2007 Strategic Priorities be received for information by the Governance Committee.

## SUMMARY

**Purpose** The purpose of this report is to summarize Q3 2010 progress achieved on Council’s 2007 identified Strategic Plan priorities.

**Committee Action** Receive the report.

**Next Steps** Report content will be incorporated into the interactive timeline reporting tool on [guelph.ca](http://guelph.ca). Public notice of the availability of the update information will be provided through [guelph.ca](http://guelph.ca), the city news pages, social media channels and City of Guelph eNews.

## BACKGROUND

In 2007 Council identified priority projects that would best further the Strategic Plan goals and objectives. Regular reporting on progress achieved was instituted and in 2009 Governance Committee members directed staff to “...investigate, implement and evaluate new options for quarterly reporting of performance and results linked to Council’s community-driven Strategic Plan”. Since that time, quarterly reports continue to be completed and well disseminated through various communication channels.

## REPORT

The following table provides progress and next step information on 2007 Council identified priority initiatives for the July to September 2010 timeframe.

Priority	Progress Achieved and Next Steps
<b>Community Energy Initiative</b>	<ul style="list-style-type: none"><li>- Integration of the CEI into the Official Plan and related activities continued throughout Q3.</li><li>- The Memorandum of Understanding between the City and</li></ul>

Priority	Progress Achieved and Next Steps
<b>(CEI)</b> <i>-includes Waste Heat at Ecotricity; Carbon Footprint issues</i>	<p>Guelph Hydro Inc. (GHI) was signed. This document sets out the respective roles and responsibilities of the City and GHI with respect to implementation of the CEI.</p> <ul style="list-style-type: none"> <li>- A second successful meeting of the Mayor’s Task Force on Community Energy took place.</li> <li>- Ongoing support and facilitation of large scale projects under the CEI in cooperation with GHI continued – specifically related to project and economic development activities related to the solar photovoltaic industry.</li> </ul>
<b>Organic Waste Processing Facility</b>	<ul style="list-style-type: none"> <li>- The City received its Certificate of Approvals for the Organic Waste Processing Facility. Construction is underway and the plant is scheduled to begin operating late in 2011. Once operating, the organics facility should boost Guelph’s waste diversion rate by 10%.</li> </ul>
<b>Downtown Secondary Plan</b>	<p>Secondary Plan:</p> <ul style="list-style-type: none"> <li>- Public discussions and workshops continued through Q3.</li> <li>- Special meetings on the St. Patrick’s Ward area of the plan were undertaken.</li> <li>- A Directions Document is set to be released for comment at the end of August 2010. Feedback and Open House opportunities will occur in September.</li> <li>- The Draft Secondary Plan is to be released for comment in late fall 2010. Recommendations on final plan are tentatively set for winter 2011 along with Official Plan Update process.</li> </ul>
<b>Guelph Innovation District</b>	<ul style="list-style-type: none"> <li>- In June the City of Guelph and Province signed a Memorandum of Understanding (MOU) which will serve as the basis for preparing future land use planning policies, development strategies as well as marketing initiatives.</li> <li>- Initial discussions commenced between Economic Development and Tourism Services and the Ministry of Infrastructure regarding the implementation of the MOU.</li> <li>- The City also commenced activities with Cargill Meat Solutions and the Province which may result in the expansion of Cargill’s Dunlop Drive facility.</li> </ul>
<b>Downtown Investment Action Plan</b> <i>-includes Downtown Economic Initiatives (Wilson Street Parking Garage); Redevelopment pilot projects; Downtown CIP; Downtown Investment Incentive Program; Downtown Secondary Plan; Marketing and Promotion Programs/ Prosperity 2020; New Main Library; Municipal Court House;</i>	<p>Municipal Court House:</p> <ul style="list-style-type: none"> <li>- The Court facility opened on August 3rd. Some renovations continue in restricted areas of the building. Full completion is anticipated in September.</li> </ul> <p>Downtown Façade Improvement Grants:</p> <ul style="list-style-type: none"> <li>- The first round of Downtown Façade Improvement grants was awarded for a total City commitment of \$127, 565.00 for 16 projects. Many of the projects now underway.</li> </ul> <p>Guelph Remastered:</p> <ul style="list-style-type: none"> <li>- The Communication is program well underway, renewed messaging about the next round of 2010 projects will take</li> </ul>

Priority	Progress Achieved and Next Steps
<p><i>Norfolk Street Upgrades; Wyndham Street South Upgrades</i></p>	<p>place in the fall.</p> <p>Baker Street:</p> <ul style="list-style-type: none"> <li>- Two Wyndham Street properties have been acquired. An interim project to demolish and create additional parking supply is currently in development.</li> </ul> <p>Downtown Transit Terminal:</p> <ul style="list-style-type: none"> <li>- On June 28, 2010 consultant Dave Kesler of R.J. Burnside &amp; Associates Limited provided Council with an overview of the design for the downtown Guelph Transit Terminal.</li> <li>- Council authorized staff to develop a by-law to restrict vehicular traffic and allow only buses, delivery vehicles and drop-off and pick-up taxi cabs on Carden Street, east of Wyndham Street as part of the operation of the new Transit Terminal on Carden Street. Preliminary action related to the potential acquisition of the VIA Rail Station was also approved.</li> </ul>
<p><b>Strategic Urban Forest Management Plan</b> <i>-includes establishing City-wide greenways</i></p>	<ul style="list-style-type: none"> <li>- In July, 2010, Guelph City Council approved an updated tree by-law that offers increased protection for trees on large private properties in the city.</li> <li>- The updated by-law regulates damages or destruction of trees measuring at least 10 centimeters in diameter at breast height (dbh) on lots larger than 0.2 hectares (0.5 acres).</li> <li>- Consultants have been retained and are developing the Urban Forest Management Plan. Completion is expected in the summer of 2011.</li> </ul>
<p><b>City/County Service Agreements</b></p>	<ul style="list-style-type: none"> <li>- The City continued to gather information relating to the various services provided by the County as the Consolidated Municipal Services Manager.</li> </ul>
<p><b>Alternative Development Standards</b></p>	<ul style="list-style-type: none"> <li>- Work continued on this initiative. It is being coordinated with the citywide Storm Water Management Master Plan study. Completion is expected by 2011.</li> </ul>
<p><b>Eastview Community Park</b> <i>-includes Pollinator City Parks</i></p>	<ul style="list-style-type: none"> <li>- The contract for the earthwork and rough grading to accommodate the first phase of the Eastview Community Park has been awarded to Drexler Construction Ltd and Nellis Construction Ltd. The contract work includes rough grading work for one access road, two Football fields, three Soccer Fields, one multipurpose field and parking areas. Construction commenced on July 5th, 2010 and is expected to be completed by the end of November 2010.</li> </ul>
<p><b>Hanlon Creek Business Park</b></p>	<ul style="list-style-type: none"> <li>- Construction activities commenced for Phase 1(a). This included the upgrade of existing infrastructure along Downey Road as well as the installation of new infrastructure within this phase.</li> <li>- The Environmental Implementation Report (EIR) for Phases 1 and 2 was completed and approved.</li> <li>- Tender documents have been completed for the balance of</li> </ul>



Priority	Progress Achieved and Next Steps
	<p>Phase 1.</p> <ul style="list-style-type: none"> <li>- Marketing activities for the City's Phase 1 lands commenced. Staff commenced discussions with representatives of companies which may be interested in purchasing land.</li> <li>- Work proceeded on the completion of the HCBP Phase 2 Land Exchange and Cost Sharing Agreement. It is anticipated the agreement will be ready for signing by no later than early September.</li> </ul>
<b>Imico</b>	<ul style="list-style-type: none"> <li>- A status update was received by the FACS Committee on August 9 indicating that environmental investigations and valuations have been completed. The purpose of the update was to apprise Council of the financial implications associated with the environmental condition of the property and advise regarding next steps leading to redevelopment.</li> </ul>
<b>Zoning By-law</b>	<ul style="list-style-type: none"> <li>- Following the approval of the City's Official Plan Update by the Ministry of Municipal Affairs and Housing in 2011, a review and update of Guelph's Comprehensive Zoning By-law will occur. In the meantime, an administrative housekeeping amendment to the Zoning By-law was approved by Council in August.</li> </ul>
<p><b>Prosperity 2020 (City Marketing and Promotion Programs)</b>  <i>-linked to Downtown Investment Action Plan</i></p>	<ul style="list-style-type: none"> <li>- Prosperity 2020, a new economic development strategy for the City of Guelph was approved by Council in April.</li> <li>- At Finance, Administration and Corporate Services Committee's August meeting Staff presented proposed Mission and Vision Statements as well as recommended priority Strategic Objectives and actions. This report is to be presented to Council at its August 30th meeting.</li> <li>- In anticipation of Council's approval of the proposed Strategic Objectives and Actions, staff have commenced with the planning and implementation of actions relating to community economic development governance, regional tourism, business advocacy, partnerships, marketing and communications, as well as product development.</li> </ul>
<p><b>Parks, Recreation and Culture Master Plan</b>  <i>- includes South End Community Centre; Community Art Centre</i></p>	<ul style="list-style-type: none"> <li>- An interdepartmental staff team continued to review recommendations. A phased response to the Master Plan is anticipated later in 2010.</li> <li>- Work continued on the Council approved Work Plan for the South End Community Centre - Phase One: Preliminary Partnership Assessment and Development Options.</li> </ul>
<b>Corporate Governance Framework/ Manual</b>	<ul style="list-style-type: none"> <li>- The Corporate Governance Manual was approved and can now be considered a 'living' policy document that will be updated on a regular basis as new governance related policies and procedures are adopted by Council.</li> </ul>
<b>Corporate Service</b>	<ul style="list-style-type: none"> <li>- With the assistance of BMA consulting, the Finance Department continued to undertake an operational review of</li> </ul>

Priority	Progress Achieved and Next Steps
<b>Review</b>	its services to ensure that the department continues to provide services in an efficient and effective manner and is responsive to the needs of department and elected officials. The study is expected to be completed by October 2010.
<b>Official Plan Update</b>	- On July 27, 2010, Council adopted Official Plan amendment #42 which incorporates comprehensive Natural Heritage System policies mapping and associated definitions into the City's existing Official Plan. This amendment is now with the Ministry of Municipal Affairs and Housing for approval. The balance of the Official Plan update is to be considered and adopted by Council in early 2011.
<b>South End Emergency Service Station</b>	- A fire occurred at the new facility in August 3, 2010. Timelines and schedules for completion continued to be assessed. Confirmation of next steps following the incident is anticipated in early September.
<b>Civic Square Construction</b>	- Rink Rats fundraising met their initial \$2M target July 2010. The project was tendered during July - early August, 2010. Award of project is to go to Council August 30, 2010. Construction is anticipated to be underway in early September. Construction emphasis will be on completing RinC funded elements first to meet March 31, 2011 deadlines.
<b>Special Events Framework</b>	- Community Consultation was completed. An interdepartmental team of staff is fine tuning the framework. A report to Council is expected in 2010.
<b>Corporate Social Responsibility Framework</b>	- The Sustainable Guelph group of volunteers met to finalize their vision, mission, goals and objectives. Included in the group's objectives is the implementation of sustainability frameworks in all group member organizations.
<b>Guelph Trails Master Plan</b>	- The contract for the construction of the Trans Canada Trail, from Eramosa Road to Speedvale Avenue East, has been awarded to A-1 Asphalt Maintenance Ltd. Construction commenced during the week of July 19th and is expected to continue to the end of October.
<b>Transit System Growth Strategy</b>	- On July 26 <sup>th</sup> Council approved in principle the recommendations and implementation plan contained in the Dillon Consulting Report "Guelph Transit Growth Strategy and Plan & Mobility Services Review" related to Conventional Transit and Mobility Services. Council also directed staff as follows: <ul style="list-style-type: none"> <li>- to undertake the required activities in 2010 including discussions with potential industrial partners to prepare for the implementation of the 5-Year plan for Conventional Transit and Mobility Services commencing no later than the summer of 2011;</li> <li>- to prepare a detailed plan for undertaking transit priority measures on roadways recommended in the Dillon Report</li> </ul>

Priority	Progress Achieved and Next Steps
	<p>for bus-rapid higher-order-transit service, taking into account implications for roadway geometry, functions and operations and including timing and budget requirements for Council approval prior to implementation;</p> <ul style="list-style-type: none"> <li>-to undertake discussions with municipal partners and provincial agencies to carry out a detailed assessment of the opportunities to implement interregional transit service between Guelph and Cambridge, Kitchener Waterloo in the region of Waterloo and potential for extending transit service areas in Wellington County; and</li> <li>- to undertake a detailed assessment of using the Guelph Junction Railway for providing rail-based higher-order-transit service in Guelph, taking into account implications for land use and supporting infrastructure as identified in the Dillon report.</li> </ul>
<p><b>Water Supply Master Plan</b>  <i>-includes investigate and Confirm Treatment at Sacco, Smallfield and Clythe Wells and Scout Camp Class EA</i></p>	<ul style="list-style-type: none"> <li>- Efforts continued on initiatives linked to the Water Supply Master Plan.</li> <li>- Commissioning of new Arkell wells is scheduled for Spring 2011. Currently staff are in the process of awarding the Adaptive Management Plan consulting contract.</li> <li>- Investigations of treatment options for the Smallfield and Sacco wells was placed on hold pending actions from the MOE regarding remediation of contamination on adjacent properties.</li> <li>- The Treatment study for Clythe well was completed, a review of options is pending.</li> <li>- The Southwest Quadrant Class EA is progressing. Additional modeling/field verification may be required.</li> <li>- Various new water supply investigations are ongoing, including the Southwest Quadrant and South Guelph water supply investigations and Smallfield/Sacco well remediation investigations.</li> <li>- August 2010 – participation in Royal Flush toilet rebate program has already equalled total program participation for 2009 (2512 rebates issued to date).</li> <li>- August 2010 –GEL Multi-Res Water Efficiency Retrofit Program is now completed for the 2010 Season (anticipated savings 34.8m<sup>3</sup>/day).</li> <li>- September 2010 – Phase 2 of Leak Detection Pilot Program is currently initiating with district metered areas (DMAs) being established in 4 separate areas of the City.</li> <li>- September 2010 – implementation of recommendations of Water Conservation Public Educational Communications Strategy are to be initiated.</li> <li>- August 2010 – Industrial water efficiency audits are ongoing at AOC Resins, Gay Lea Foods and Guelph General Hospital.</li> <li>- September 2010 – Water efficiency audits of City Sports Field</li> </ul>

Priority	Progress Achieved and Next Steps
	Irrigation Systems and design of Transit Bus Wash Rainwater Harvesting System are ongoing. <ul style="list-style-type: none"> <li>- October 2010 – Initiation of water efficiency upgrades are to commence at Vic Road and West End Recreation Centres.</li> <li>- Q4 2010 is the anticipated launch time period of the New Home Water Efficiency Labelling Program.</li> <li>- <i>To date, the program has saved 737,000,000 litres per year of water supply and wastewater treatment capacity.</i></li> </ul>
<b>Wilson Street Parking Garage</b> <i>-linked to the Downtown Investment Action Plan</i>	<ul style="list-style-type: none"> <li>- This project is prepared for a design/build RFP. Fiscal constraints have delayed any further City-only progress beyond the current 5 yr capital window. No change in status.</li> </ul>

Completed 2007 Council Priority Projects (Q12007 – Q3 2010): 20 Minute Transit Service, Solid Waste Management Master Plan, People Practices Strategy (implementation ongoing); Review of the Farmers Market; Bicycle Racks on Buses; Debt Issue (annual process); Development Charges Update (under appeal to the OMB); Local Growth Management Plan update and Expansion of the Municipal Register of Cultural Heritage Properties (Phase 2 and 3 ongoing); Transit System Growth Strategy Development; Official Plan Update; 2010 Zoning By-law Amendments; and the Tree By-law Update.

### **CORPORATE STRATEGIC PLAN**

This initiative relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

All service areas were consulted in the development of this report.

### **COMMUNICATIONS**

Quarterly information updates on 2007 Council priority projects are well communicated by leveraging the City’s website, local media and Web 2.0 technologies.

### **ATTACHMENTS**

n/a

original signed by Brenda Boisvert

#### **Prepared By:**

Brenda Boisvert BA, MPA  
 Manager, Strategic Planning and  
 Corporate Initiatives

original signed by Hans Loewig

#### **Recommended By:**

Hans Loewig, CAO

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE September 13, 2010

**SUBJECT Awards and Achievements Report**

REPORT NUMBER

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## RECOMMENDATION

That the Awards and Achievements Report be received for information by Governance Committee members.

## SUMMARY

**Purpose** The purpose of this report is to inform the Governance Committee of a new web page highlighting City of Guelph awards and achievements; to outline measures that will be undertaken by staff to broaden awareness and encourage ongoing submissions; and to notify Committee members that staff are currently exploring options and best practices related to annual City awards.

**Committee Action** Receive the report.

**Next Steps** Existence of the new web page and opportunity to contribute to the site will be communicated to employees through the Holler. Staff will prepare a report with recommendations related to the possibility of integrating City award presentations for Committee and Council consideration.

## BACKGROUND

The development of a status report on activities related to corporate awards and achievements is an item to be addressed on the Council approved 2010 Governance Committee work plan. This report directly responds to that entry.

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## **REPORT**

The City of Guelph is committed to excellence in the provision of services to the community. Numerous awards received exemplify how the City continues to 'Make a Difference' with efforts that are recognized locally, nationally and internationally. Recent examples include award of the E3 Fleet Silver rating for sustainable fleet management; recognition for creating career development opportunities for foreign trained professionals by the Employment Co-ordination Committee of Guelph Wellington; and achieving third place in the National Commuter Challenge this year where 5,274 kilograms of carbon emissions were prevented by participants choosing to walk, bike, carpool or use public transit to get to work during Environment Week.

### *Awards and Achievements web page*

To visibly highlight City successes, Web Services employees have created a new web page on [guelph.ca](http://guelph.ca) to showcase achievements to date for 2008, 2009 and 2010. The new site is well situated under the City Hall tab providing greater prominence and accessibility to the information.

### *Staff involvement*

All employees will be notified about the existence of the site in the September edition of the Holler staff newsletter. Individuals will be encouraged to contact their specific Communications Coordinator to find out how they can share their awards or achievements on the new web page on an ongoing basis. In addition, plans are underway for the potential development of a new Intranet banner with links to more detailed information, upcoming awards and an achievement submission form.

### *Council award presentations*

Throughout each year, the City receives and bestows several awards during Council meetings and other venues such as the Mayor's Awards, Accessibility Awards, Urban Design Awards and Water Conservation and Efficiency Awards. Research into options and best practices for integrating these presentations are underway and include the possibility of an annual Special Council meeting focused on Awards and Achievements. Following the identification and assessment of options, staff will create a report with recommendations for Committee and Council review.

## **CORPORATE STRATEGIC PLAN**

5.6 – Organizational excellence in planning, management, human resources and people practices.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

Executive Team members were consulted in the development of this report.

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## **COMMUNICATIONS**

Internal communication strategies related to this initiative are outlined in this report. The community will be notified through various communication channels including City e-News, the Mayor's blog and twitter.

## **ATTACHMENTS**

n/a

original signed by Brenda Boisvert

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### **Prepared By:**

Brenda Boisvert, Corporate Manager, Strategic Planning and Corporate Initiatives

original signed by Hans Loewig

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### **Recommended By:**

Hans Loewig, CAO

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE September 13, 2010

**SUBJECT 2011 Strategic Plan Process Framework**

REPORT NUMBER

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## RECOMMENDATION

That the Governance Committee receive the proposed 2011 Strategic Plan Process Framework, which includes conducting a Citizen Survey, to assist City Council efforts in relation to Strategic Planning and budgeting for the 2011-2014 term of office.

## SUMMARY

**Purpose** The purpose of this report is to propose a preliminary framework for 2011 Strategic Plan efforts.

**Committee Action** Receive the report.

**Next Steps** Staff will initiate the planning and development work required to conduct a formal Citizen Survey process in support of 2011 Council Strategic Planning and budgeting efforts.

## BACKGROUND

### *Community Driven Strategic Plans*

It is the prerogative of each new Council to develop or update a Strategic Plan that will guide efforts over the term of office and effectively respond to the changing needs and interests of the community. As a core management and planning tool, there are several benefits that arise from this effort. Strategic plans create a common direction and provide focus; they help to identify and formalize what needs to be accomplished; assist with resource allocation decisions and deliver a framework to which other plans and initiatives can align. Perhaps most importantly, strategic plans reflect community aspirations and clearly define what will be achieved, tracked and measured during the Council term of office.



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### *Building the Foundation*

Effective strategic plans are developed using a team approach and an emergent or 'bottom up' process that incorporates a broad range of views and opinions. In addition to a host of innovative public consultation and engagement techniques that can be enlisted to support strategic planning processes, survey data often provides a statistically reliable source of complimentary information that can be leveraged to support strategic and financial decision making.

## **REPORT**

### *2011 Strategic Plan Process Framework*

While each new Council will provide staff with agreed upon and specific directions with respect to the development and implementation process related to strategic planning, the following high level framework has been developed to suggest a timeframe and starting point.

<b>Estimated Timeframe</b>	<b>Proposed Elements</b>	<b>Suggested Accountability</b>
December 2010 – January 2011	<i>Community Check-in</i> -2010 Citizen Survey  <i>Council Check-in</i> -Previous Strategic Plan elements (vision, mission, goals and objectives) and development process including implementation, monitoring and reporting practices -Status report on 2007-2010 Council Identified Priorities and budget impact	Staff  Council with Staff support
January - February 2011	<i>Set the Course</i> -Review of Citizen survey input -Explore possible directions, options and financial considerations -Identify information gaps	Council with Staff support
March-April 2011	<i>Complete Process Requirements</i>	Staff
April – May 2011	<i>Refine and Finalize</i>	Council with Staff support

### *Citizen Survey*

A Citizen Survey is proposed to take place in the December 2010/January 2011 time period to primarily support Council strategic planning and budgeting efforts. This survey will be focused on receiving input from the community that will assist Council in developing their priorities and have linkages to the 2008 Citizen Survey to assess progress on customer service and overall service delivery performance.

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## **CORPORATE STRATEGIC PLAN**

5.6 – Organizational excellence in planning, management, human resources and people practices.

## **FINANCIAL IMPLICATIONS**

The estimated cost of a citizen survey by a professional services firm is \$25,000-\$30,000 and will be managed within the 2010 budget resources.

## **DEPARTMENTAL CONSULTATION**

Finance and Corporate Communications service areas were consulted in the development of this report as well as the Executive Team members.

## **COMMUNICATIONS**

n/a

## **ATTACHMENTS**

n/a

original signed by Brenda Boisvert

original signed by Hans Loewig

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### **Prepared By:**

Brenda Boisvert,  
Corporate Manager, Strategic Planning and  
Corporate Initiatives

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### **Recommended By:**

Hans Loewig, CAO

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Administration - Information Services  
DATE September 13, 2010

**SUBJECT Standing Committee Structure**

REPORT NUMBER

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## RECOMMENDATION

**THAT** the following standing committee structure be adopted with the commencement of the 2010-2014 term of Council:

Community & Social Services Committee  
– 4 Councillors + Mayor

Corporate Administration , Finance& Emergency Services Committee  
– 4 Councillors + Mayor

Planning, Engineering & Environmental Services Committee  
– 4 Councillors + Mayor

Operations & Transit Committee  
– 4 Councillors + Mayor

Audit Committee  
– 4 Councillors + Mayor

Governance Committee  
– 4 Councillors + Mayor (Chairs of CSSC, CAFESC, PEESC, OPSC)

AND THAT in order to balance standing committee workload, each ward councillor shall serve on at least two of the standing committees.

## BACKGROUND

One of the intended outcomes of the recent restructuring of corporate departments was to strengthen the working relationship between the City's service areas and the standing committees through which they report. To more closely align the administrative structure and the political structure, it is proposed that each of the standing committees be responsible for a portfolio consisting of all the services and functions reporting to them. The portfolio includes the City departments which deliver services and play a role in shaping future policies, strategies and by-laws, as well as contracted such as social and housing services provided by the Consolidated Municipal Service Manager (CMSM). This closer working relationship supports the City's strategic objective of being a community-focused, responsive and accountable government.

In order to implement a portfolio system of governance, it will be necessary to make some changes to the existing areas of responsibility for each of the standing committees. By using this

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new governance structure over the next term of Council, all committee members will gain a better understanding of key service areas, current issues, as well as the City's strategic plans and priorities. As a result, members of Council will be better able to make more informed policy decisions based on the most current information, and demonstrate commitment to the City's strategic objectives to the community. This is especially important, as city resources are scarcer and businesses and citizens alike are looking for informed leadership.

In order to ensure a balanced committee workload, each member of Council will serve on at least two of the standing committees. The Governance Committee will consist of the chairs of all standing committees with the exception of the chair of Audit Committee.

Community & Social Services Committee – 4 Councillors + Mayor

Corporate Administration, Finance & Emergency Services Committee - 4 Councillors + Mayor

Planning, Engineering & Environmental Services Committee - 4 Councillors + Mayor

Operations & Transit Committee - 4 Councillors + Mayor

Audit Committee - 4 Councillors + Mayor

Governance Committee - 4 Councillors + Mayor

### **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

### **ATTACHMENT:** Proposed Committee Structure

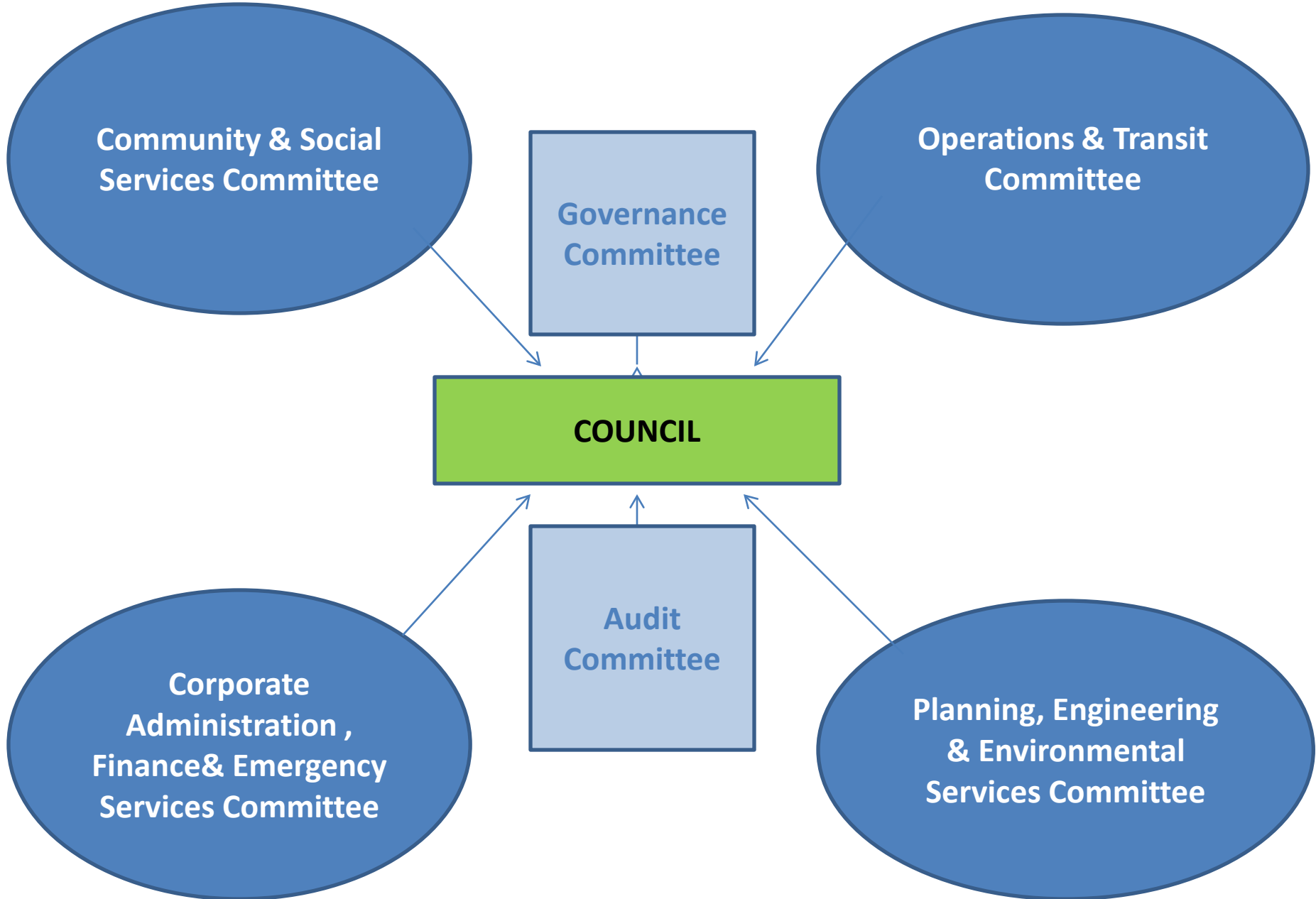
Recommended by:

original signed by Lois Giles

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# Proposed Committee Structure



# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services  
DATE September 13, 2010

**SUBJECT Advisory Committees Review of Mandates**  
REPORT NUMBER

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## RECOMMENDATION

THAT the Local Growth Management Strategy Advisory Committee, the Transit Growth Strategy Advisory Committee and the Twinning Committee be formally dissolved and that their members be thanked for their contribution to the City;

AND THAT staff not proceed with recruitment for the Downtown Co-ordinating Committee at this time, and that staff undertake a further review and consultation process with the Downtown stakeholders regarding the Downtown Co-ordinating Committee and report back with recommendations;

AND THAT the Guelph Museums Board of Management continue as an advisory body to be known as the Guelph Museums Advisory Committee, with the composition to consist of 8 citizen appointees and one Council appointee.

AND THAT the mandate of the Guelph Economic Development Advisory Committee be expanded to include responsibility for reviewing future twinning opportunities;

AND THAT staff continue to investigate the potential of a City Cultural Advisory Committee in 2011 and that new recruitment to the River Run Board be paused at this time, to allow for further consultation with the current Board, the community and staff.

AND THAT THE Guelph Transit Ad Hoc Sub-Committee be formally dissolved, that the membership be thanked for their contributions, and that staff continue to investigate the potential of a future committee that would have a broader mandate relating to transit;

AND THAT the current membership of the Guelph Cycling Transportation Advisory Committee be maintained until completion of its mandate, and that staff report to Council in the new year with recommendations relating to a longer term mandate and composition for the committee.

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## **BACKGROUND**

Advisory Committees are established at Council's discretion and provide a means of regular, on-going community input with respect to particular issues and policies. Advisory committees report to a specific Standing Committee and have a relationship with a specific City Department. Advisory Committees enlist persons with special knowledge or interest in a particular topic to give representation to such interests. Some advisory committees have an on-going function, while others are created to deal with a specific issue and are established for a limited period of time.

In November of 2008, City Council directed that the mandates and terms of all advisory committees be reviewed prior to the end of each term of Council. Subsequently, Council approved the criteria to be used in the review of the mandates of the advisory committees. This review will allow Council to make any changes prior to the recruitment process for advisory committee appointments which will take place this Fall. Each of the departments associated with an advisory committee were consulted during the review process. The criteria used in the review are shown in the attachment to this report.

## **REPORT**

<b>Committees to Continue</b>
Staff from the various departments consulted have confirmed that there is a continued need for the following advisory committees to exist, and no changes are being recommended at this time: <ul style="list-style-type: none"><li>• Accessibility Advisory Committee</li><li>• Economic Development Advisory Committee</li><li>• Environmental Advisory Committee</li><li>• Guelph Sports Hall of Fame Board of Directors</li><li>• Heritage Guelph</li><li>• Locomotive 6167 Committee</li><li>• Municipal Property &amp; Building Commemorative Naming Policy Committee</li><li>• River Systems Advisory Committee</li><li>• Water Conservation &amp; Efficiency Strategy Update Public Advisory Committee</li><li>• Well Interference Committee</li></ul>



<b>Committees to be Dissolved</b>
The Local Growth Management Strategy Advisory Committee and the Transit Growth Strategy Advisory Committee have finalized their mandates and are no longer meeting. Staff are recommending that these committees be formally dissolved and that letters of thanks be sent to their membership.

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## **Committees in Transition**

### **Downtown Co-ordinating Committee**

The Downtown Co-ordinating Committee should be the subject of further review and consultation with the stakeholders involved. There may be some overlap of the role of the Committee with the work of other groups active in the Downtown, and this should be reviewed prior to recruitment for new appointments at the beginning of the next term of Council. It is recommended that staff not proceed with recruitment for membership of the Downtown Co-ordinating Committee for the 2010-2014 term at this time, and that staff undertake a further review and consultation with Downtown stakeholders.

### **Guelph Museums Board**

The Guelph Museums highlight Guelph's rich history from pre-settlement to present day through permanent and changing exhibitions. Prior to 1983, there was a Guelph Civic Museum Board of Management and a separate Colonel John McCrae Museum Board of Management. In 1983, the two were amalgamated to form the Guelph Museums Board of Management pursuant to a provision of the Municipal Act relating to "special undertakings". Special undertakings included such things as recreational centres, stadiums, historical museums, etc. This provision allowed municipalities to create entities to act on their behalf as a board of management for the special undertaking.

This provision of the Act was repealed in 2003. Since that time, the Guelph Museums Board of Management has continued to exist but has transitioned into more of an advisory body. The museum itself operates as a City service and all staff are employees of the City of Guelph reporting through the Community and Social Services Department. Provincial grant programs require that a community museum have an established board or committee.

It is recommended that the Guelph Museums Board of Management continue as an advisory body to be known as the Guelph Museums Advisory Committee, with the composition to consist of 8 citizen appointees and one Council appointee.

### **Guelph Twinning Committee**

The Guelph Twinning Committee was originally established in 2003 to look at municipal twinning relationships with domestic and international communities. To date, the only twinning that has occurred has been with the Province of Treviso, Italy. The Committee has not actively met in well over a year, and since Treviso, no other twinning opportunities have been considered. In discussion with the General Manager of Economic Development, it has been suggested that the mandate of this committee could be added to the Guelph Economic Development Advisory Committee (GEDAC), which is still very active and meets regularly.

It is recommended that the Twinning Committee be formally dissolved and the membership thanked for their contributions, and further that the mandate of the Guelph Economic Development Advisory Committee (GEDAC) be expanded to include responsibility for reviewing future twinning opportunities.



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### **River Run Board**

In 1990, the City passed a by-law authorizing the construction of a performing arts centre pursuant to the "special undertakings" legislation of the Municipal Act. This facility was subsequently referred to as the Guelph Civic Centre, and in 1994, a management board was established with a principle purpose to maintain, operate, manage, market and promote the centre. At that time, the Board was mandated to enhance the City's quality of life by providing a home for the performing arts and a meeting place for the entire community, with objectives to:

- Promote and develop the arts through the provision of professional and quality performance space;
- Provide quality conference and meeting space and services;
- Operate in a financially responsible manner; and
- Respond to the needs of the community.
- 

As mentioned earlier in this report, this provision of the Act was repealed in 2003. Since that time, the River Run Board has continued to exist but has transitioned into an advisory body. Since the beginning, the centre has operated as a City run facility; all staff are employees of the City of Guelph; and the responsibility for its operation resides in the Community and Social Services Department. Today, thanks to the efforts of the Board, the community and the professional staff of the City, the River Run Centre is viewed as a responsible and responsive performing arts centre that has met the objectives of the original 1994 management board.

Further, the arts and cultural community of Guelph has continued to evolve, diversify and grow. In 2009, the City of Guelph completed an extensive consultation with the community as per the Recreation, Parks and Culture Master plan. Recommended new strategic objectives drive the need to muster a 'more targeted approach' to arts and cultural development including:

- Cultural investment is community investment
- The downtown as a place of community & cultural focus – vitality
- Formal recognition of arts and cultural achievements
- Marketing, promotion & publicity of cultural opportunities
- Encouraging partnership & coordination
- Planning for Arts & Cultural Space requirements
- 

In response to this Master plan, city staff have been exploring the development of a 'City Cultural Advisory Committee' whose mandate would be to galvanize community actions to address these strategic themes. It might also include issues and actions related to the River Run Centre and other culture based facilities. Certainly, further consultation with the community at large is required.

So, in light of the evolution of the River Run Centre since its origin as a 'special undertaking' to its current mature state, and in order to avoid potential duplication, it is recommended that a) staff continue to investigate the potential of a City Cultural Advisory Committee in 2011 and that b) new recruitment to the River Run Board be paused at this time, to allow for further consultation with the current Board, the community and staff.

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### **Guelph Transit Ad-Hoc Advisory Committee**

In 2007, Council established an ad hoc sub-committee to identify and make recommendations on neighbourhood and community transit issues, primarily to deal with the challenges associated with the introduction of a 40 minute service during peak travel times. The committee was to assist in resolving any outstanding service quality and customer satisfaction issues resulting from the implementation of the new transit schedule.

The original mandate of the sub-committee has been met, and it has not been active for approximately 2 years. City staff are currently reviewing the potential to form a committee with a broader mandate to review how best to seek public input into the implementation of the transit growth strategy and ultimately the on-going provision of transit service.

In light of the above, it is recommended that the Guelph Transit Ad Hoc Sub-Committee be formally dissolved, that the membership be thanked for their contributions, and that staff continue to investigate the potential of a future committee that would have a broader mandate relating to transit.

### **Guelph Cycling Transportation Advisory Committee**

The Guelph Cycling Transportation Advisory Committee was established in 2008 with a mandate of representing the interests of the community on matters pertaining to cycling safety and convenience, and to provide advice on the design, development and delivery of policies, amenities and programs that support and enhance cycling in Guelph. The Committee includes membership from the community at large, as well as environmental groups, health and education sectors. The members were originally appointed for the period of time required to complete its mandate. It is anticipated that the mandate of the Committee will be achieved in the near future, at which time staff will be reviewing changes to its role, mandate and community representation.

It is recommended that the current membership of the Committee be maintained until completion of its mandate, and that staff report to Council in the new year with recommendations relating to a longer term mandate and composition for the committee.

## **CORPORATE STRATEGIC PLAN**

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

The staff liaisons for the various Advisory Committees were consulted.

## **COMMUNICATIONS**

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A questionnaire was distributed and consultative meetings held with staff liaisons for the various Advisory Committees. Follow-up discussions were held with all departments involved with transitioning committees.

**ATTACHMENTS**

Schedule 1 – Advisory Committee Review Questions

original signed by Lois Giles

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**Recommended By:**

Lois A. Giles  
General Manager of Information  
Services/City Clerk  
519-822-1260 x 2232  
[lois.giles@guelph.ca](mailto:lois.giles@guelph.ca)

## **ADVISORY COMMITTEE REVIEW QUESTIONS**

1. Is the committee mandate still achievable or has it been achieved? If it is not achievable, please explain.
2. Is the mandate aligned with the Strategic Plan and Council's priorities? Please provide detail. (see provided Strategic Plan and Priority Policy)
3. Has the focus or context of the committee shifted from its original mandate? If so, please explain.
4. Are you aware of another advisory committee in existence that could deal with this mandate or similar mandate?
5. Does the mandate and/or work of the committee have sufficient public interest and community support?
6. Has the committee made measurable progress towards achieving its mandate? If so, how? If not, what is preventing the progress from happening?
7. How often is the committee supposed to meet? How often do you actually meet?
8. Is the advisory committee serving its function well, coming up with real solutions and providing informed recommendations or reports to Council? Please provide examples, if so. If not, why not?
9. Is the committee conducting its business in accordance with the principles of openness, accountability and transparency? Are agendas prepared in advance? Are they available to the public? Are minutes prepared and are they available to the public? Does the committee allow delegations, and how is that process handled?

# COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration  
DATE September 13, 2010

**SUBJECT Governance Committee Quarterly Report:  
July - September 2010**

REPORT NUMBER

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## **RECOMMENDATION**

That the Governance Committee receive the third quarterly Committee performance report for 2010.

## **REPORT**

### **Effective Corporate Governance**

- Citizen appointments to the Municipal Election Compliance Audit Committee
- City Awards and Achievements Report completed for Council review

### **Committee and Council Effectiveness**

- Standing Committee Structure Report completed for Council approval
- Refinements to the Standing Committee Chair selection process approved

### **Strategic Planning**

- 2010 Q3 report on Council Strategic Priorities completed for Council review
- 2011 Strategic Plan Process Framework Report completed for Council approval

### **Committee Performance Reporting**

- Third quarter Committee report for 2010 finalized for Council review

## **CORPORATE STRATEGIC PLAN**

Regular performance reporting relates to objective 5.6 – excellence in planning and management and 5.3 – open, accountable and transparent conduct of municipal business.

## **FINANCIAL IMPLICATIONS**

n/a

## **DEPARTMENTAL CONSULTATION**

n/a

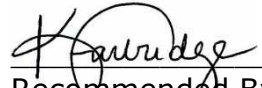
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**COMMUNICATIONS**

n/a

**ATTACHMENTS**

n/a



Recommended By:  
Karen Farbridge,  
Governance Committee Chair

**The Corporation of the City of Guelph  
Governance Committee  
Monday September 13, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday September 13, 2010 in the Council Committee Room at 3:00 p.m.

Present: Mayor Farbridge and Councillors Beard, Findlay, Piper and Wettstein

Also Present: Councillors Bell and Hofland

Staff Present: Ms. B. Boisvert, Corporate Manager of Strategic Planning; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay  
Seconded by Councillor Beard

THAT the minutes of the Governance Committee meeting held on July 12, 2010 be confirmed as recorded and without being read.

Carried

**Consent Agenda**

The following items were extracted from the Consent Agenda to be dealt with separately:

- GOV-2010 A.24 Council Strategic Plan Priorities Report – Q3, 2010
- GOV-2010 A.25 Awards and Achievements Report
- GOV-2010 A.27 Standing Committee Structure
- GOV-2010 A.28 Advisory Committees Review of Mandates

2. Moved by Councillor Piper  
Seconded by Councillor Beard

THAT the balance of the Governance Committee July 12, 2010 Consent Agenda, as identified below be adopted:

**a) 2011 Strategic Plan Process Framework**

Ms. B. Boisvert

THAT the Governance Committee receive the proposed 2011 Strategic Plan Process Framework, which includes conducting a Citizens Survey, to assist City Council efforts in relation to Strategic Planning and budgeting for the 2011-214 term of office.

**b) Governance Committee Quarterly Report: July – September 2010**

Mayor Farbridge

THAT the Governance Committee receive the third quarterly Committee performance report for 2010.

Carried

**Council Strategic Plan Priorities Report – Q3, 2010**

Ms. B. Boisvert

3. Moved by Councillor Findlay  
Seconded by Councillor Beard  
THAT the 2010 third quarter report on Council's 2007 Strategic Priorities be received for information.

Carried

**Awards and Achievement Report**

Ms. B. Boisvert

4. Moved by Councillor Piper  
Seconded by Councillor Findlay  
THAT the Awards and Achievement Report be received for information.

Carried

**Standing Committee Structure**

REPORT

5. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the following standing committee structure be adopted with the commencement of the 2010-2014 term of Council:

- Community & Social Services Committee – 4 Councillors + Mayor
- Corporate Administration , Finance & Emergency Services Committee – 4 Councillors + Mayor
- Planning, Engineering & Environmental Services Committee – 4 Councillors + Mayor
- Operations & Transit Committee – 4 Councillors + Mayor
- Audit Committee – 4 Councillors + Mayor
- Governance Committee –4 Councillors + Mayor (Chairs of CSSC, CAFESC, PEESC, OTC)



AND THAT in order to balance standing committee workload, each ward councillor shall serve on at least two of the standing committees.

Carried

**Advisory Committees Review of Mandates**

REPORT

6. Moved by Councillor Findlay  
Seconded by Councillor Piper

THAT the Local Growth Management Strategy Advisory Committee, the Transit Growth Strategy Advisory Committee and the Twinning Committee be formally dissolved and that their members be thanked for their contribution to the City;

AND THAT staff not proceed with recruitment for the Downtown Co-ordinating Committee at this time, and that staff undertake a further review and consultation process with the Downtown stakeholders regarding the Downtown Co-ordinating Committee and report back with recommendations;

AND THAT the Guelph Museums Board of Management continue as an advisory body to be known as the Guelph Museums Advisory Committee, with the composition to consist of 9 citizen appointees and no appointed member of Council;

AND THAT the mandate of the Guelph Economic Development Advisory Committee be expanded to include responsibility for reviewing future twinning opportunities;

AND THAT staff continue to investigate the potential of a City Cultural Advisory Committee in 2011, and that new recruitment to the River Run Board be paused at this time, to allow for further consultation with the current Board, the community and staff, and that in the interim, membership of the River Run Board of Directors consist of 15 citizens and no appointed member of Council;

AND THAT the Guelph Transit Ad Hoc Sub-Committee be formally dissolved, that the membership be thanked for their contributions, and that staff continue to investigate the potential of a future committee that would have a broader mandate relating to transit;

AND THAT the current membership of the Guelph Cycling Transportation Advisory Committee be maintained until completion of its mandate, and that staff report to Council in the new year with recommendations relating to a longer term mandate and composition for the committee.

Carried

- 7. Moved by Councillor Findlay  
Seconded by Councillor Piper

THAT the Governance Committee now hold a meeting that is closed to the public, with respect to:

- 1. **Citizen Appointments to the Municipal Election Compliance Audit Committee**  
S. 239 (2) (b) Personal Matters About Identifiable Individuals.

Carried

**Closed Meeting**

The remainder of the meeting was closed to the public.

- 8. Moved by Councillor Findlay  
Seconded by Councillor Piper

REPORT TO COUNCIL  
IN CLOSED SESSION

THAT staff be given direction with respect to citizen appointments to the Municipal Election Compliance Audit Committee.

Carried

The meeting adjourned at 3:20 p.m.

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Chairperson