

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, November 6, 2023
Subject	Redesigning Advisory Committees of Council – A Governance Framework

Recommendation

1. That the Advisory Committees of Council Governance Framework, included as Attachment-1 to report 2023-413, dated November 6, 2023, be approved.
2. That City staff, in partnership with the Guelph Lab and University of Guelph, be directed to apply the Advisory Committees of Council Governance Framework to existing Advisory Committees of Council and report back to City Council in Q4 2024.
3. That the City Clerk be directed to prepare annual information reports, beginning in 2025, detailing the status of the implementation of the Advisory Committees of Council Governance Framework, included as Attachment-1 to report number 2023-413, dated November 6, 2023.
4. That the City Clerk be directed to research random representative sampling models for appointments to Advisory Committees of Council, as described in report number 2023-413, dated November 6, 2023, and report back to City Council prior to the 2028-2031 multi-year budget.
5. That the budget implications associated with the Advisory Committees of Council Governance Framework, included as Attachment-1 to report number 2023-413, dated November 6, 2023, be referred to future multi-year budgets.
6. That Advisory Committee of Council member recruitments and appointments be paused until Q4 2024, excluding recruitments required to ensure quorum can be maintained.

Executive Summary

Purpose of Report

To provide City Council with the results of phase one of the Advisory Committees of Council (ACOC) Governance review and seek City Council’s approval of the Advisory Committees of Council Governance Framework included as Attachment-1.

Key Findings

In January 2023, the City Clerk’s Office, in partnership with the [Guelph Lab](#) hosted by the University of Guelph, began conducting a review of the existing approach and experiences with ACOC’s to better understand their form and function and to

create a tool to guide the development of future ACOCs and the evaluation of current ACOCs. The project is to be completed in two phases. Phase one of the project is culminating with the presentation of the ACOC Governance Framework (the Framework), included as Attachment-1 ACOC Framework (Full Version), to City Council for approval. The Framework is attached in two different formats – a full and short version. The full version provides guidance on implementation and includes the detailed rationale for all components included in the Framework. The short version was created to provide members of the public, City Council and City staff with a quick reference summary of the Framework and is intended to be used as a tool when considering the creation of new ACOCs. There are important ideas and details in the full version that are not covered in the short version. Anyone interested in understanding the broader research and community engagement data, the rationale for individual components of the Framework, and the details associated with designing an ACOC, should review the full version. Phase two of the project will see the Framework applied to existing ACOCs. The results of phase two will be brought forward to City Council in Q4 2024.

The Framework includes two parts and reflects what was learned through research and community engagement. It contains the expertise and experience of the project team, data from interviews and surveys, and extensive feedback from two groups of residents; a working group of eight current ACOC members; and a group of three community reviewers selected randomly from a community engagement session focused on equity and inclusion. The ACOC working group met four times to discuss their experiences as ACOC members, review key themes emerging from research, contribute to the development of the Framework and review drafts of the Framework as it evolved. Included as Appendix G to Attachment-1 ACOC Framework (Full Version) is a statement from the working group outlining their support for the Framework as well as important elements they believe will lead to the success of ACOCs in Guelph.

This project represents one of the most exhaustive examples of research conducted regarding the functioning of municipal ACOCs in Ontario and the most comprehensive review of the City of Guelph's ACOCs ever completed.

Part one of the Framework provides an overview of seven key commitments that should apply to all ACOCs:

- Commitment #1 ACOCs are an important form of community engagement
- Commitment #2 ACOCs should shape the City's strategic goals
- Commitment #3 ACOCs should adopt a deliberative approach
- Commitment #4 ACOCs should contribute lived and professional expertise
- Commitment #5 ACOCs should include members with diverse identities and perspectives
- Commitment #6 There should be clear communication between ACOCs and City Council
- Commitment #7 ACOCs should be adequately resourced

Strategic Plan Alignment

The Framework aligns with the City's strategic priority of working together for our future by improving how the City communicates with residents and delivers

services. In addition, ACOCs can contribute directly to the success of several other priorities outlined in the Strategic Plan based on their mandates.

Financial Implications

The approval of the Framework has no direct budget implications. The speed at which the Framework is implemented, however, will be based on the resources allocated to it as part of the 2024-2027 multi-year budget process as well as future multi-year budget processes. Additionally, the resources allocated to the implementation of the Framework will have a direct impact on phase two (a review of existing ACOCs) because the number of ACOCs the City can support is directly connected to the resourcing allocated to them.

The 2024-2027 multi-year budget will include one full time Board and Committee Coordinator in 2025 (\$111,000 annually) to support the implementation of the Framework as well as \$50,000 annually to support the training and reimbursement of ACOC members. This funding is sufficient to support the initial implementation of the Framework if the number of ACOCs is reduced to comply with the Framework's resourcing requirements. Additional funding in future multi-year budgets will be needed to bring the whole Framework to fruition.

Report

Background

The City of Guelph maintains 15 active ACOCs, each of which differ significantly in terms of their structure, scope, and membership. Despite seeing ACOCs as a forum for the community to engage in local policymaking, and providing a venue for interaction between residents, councillors and municipal staff, there is little research in the sector that has explored how ACOCs function.

The Framework fills this gap and will be used to guide the City's future decisions about ACOCs. It establishes guidelines which cover the creation, design, operation and evaluation of ACOCs. The Framework draws on extensive primary and secondary research and community engagement. It is organized into two parts, each focused on a distinct dimension of establishing, designing and evaluating ACOCs. The Framework was developed collaboratively with a working group of eight current ACOC members who volunteered to participate in four half-day and full day meetings spanning several months. The working group's ideas and feedback were carefully considered and are included throughout the Framework. Appendix G to Attachment-1 ACOC Framework (Full Version) is a statement provided by the working group describing their support for the Framework as well as important elements they believe will lead to the success of ACOCs in Guelph.

Attachment-1 ACOC Framework (Full Version) includes the full ACOC Framework and a detailed report outlining the research and engagement conducted for this project as well as the rationale for specific Framework elements. Attachment-2 ACOC Framework (Short Version) was created to provide members of the public, City Council and staff with a summary of the Framework suitable for quick reference and use as a tool when determining the suitability of a particular ACOC. Staff and members of City Council, when considering the creation of an ACOC, should read and reference both documents.

The Framework reflects what was learned through research and community engagement, including the expertise and experience of members of the project team from the Guelph Lab and University of Guelph, feedback from two groups of residents, a working group of current ACOC members, and a group of three community reviewers randomly selected from those who attended a community engagement session focused on equity and inclusion and indicated interest in becoming community reviewers. The Framework is divided into two parts. Part one of the Framework articulates seven key commitments that should apply to all ACOCs. These commitments are also embedded in part two of the Framework, which outlines specific actions and decisions that should guide the creation and operation of ACOCs.

A Summary of Significant Framework Components

The following is a high-level summary of specific and notable components of the Framework.

Upstream Policy Making and Advice

One of the central recommendations of the Framework is to move ACOCs away from technical advice and toward higher level policy making. Within the context of the City's policy pyramid, it is recommended that the work of ACOCs (outside of those with statutory requirements to the contrary) exists at the top of the pyramid near masterplans and the strategic plan. This keeps the work of ACOCs distinct from the operational work being conducted by staff.

Upstreaming ACOCs will strengthen the relationship between staff and ACOC members, providing ACOCs with the space and time they need to participate in legitimate problem identification and policy making functions. To enable ACOCs to move upstream and tackle more strategic issues, it is advised that strategic level staff (typically managers and general managers) act as staff liaisons and begin working more closely with ACOCs.

Reporting Relationship with City Council and City Staff

The proposed Framework generally restates and clarifies the current reporting relationship between City Council and ACOCs. In some cases, the Framework points to the need for new practices and procedures while in others, it calls for more careful adherence to existing policies. ACOC members must know how and when their advice has been received by City Council. At the same time, City Council must clearly understand what ACOCs think about the issues and decisions they are providing advice on.

The Framework clarifies that City staff have a responsibility to bring forward to City Council, clearly and without filtering, all advice provided by ACOCs on topics requiring City Council decisions or reporting. It further clarifies that ACOC members have a right to know and understand how and when their advice is provided to City Council and how they can continue to participate if desired (delegations, correspondence, etc.).

Evaluation and Self-Assessment

The Framework includes an evaluation and assessment mechanism, something currently missing from Guelph's ACOC governance policies.

The evaluation process takes place over a four-year cycle straddling two City Council terms, following the below steps:

1. The first step, prior to an election, is for ACOC members and City staff to complete a self-assessment regarding the ACOCs performance against the terms of reference. A report summarizing the activities and contributions of the ACOC during the term of Council will be prepared alongside the completion of the self-assessment.
2. The self-assessment and summary of activities are then provided to the new ACOC members and staff following the election and used as one input into a mandatory terms of reference review.
3. The results of that terms of reference review, including staff recommendations, ACOC resolutions, the results of the self-assessment and a summary of activities will be submitted to City Council for review or approval as required (in practice these assessments and reviews from ACOCs would be bundled into a single staff report going to City Council once per term covering all ACOCs).

The evaluation and assessment ensure that ACOC members, City Council and staff are required to review and confirm existing ACOCs and their terms of reference every four years.

Diversity, Recruitment Methods, and Representative Random Sampling

Through research and community engagement, comparator review and an environmental scan conducted as part of this project, it is clear that the City is already doing what other leaders in the sector are to increase diversity on ACOCs. This includes increased advertising, working with groups who represent equity-deserving communities, and preferential appointments. These tactics, however, do not frequently lead to levels of diversity that meet or exceed community-based targets. Though existing efforts should continue, as they are increasing diversity, exceeding our targets will require new methods.

Increasing diversity hinges on attracting a diverse candidate pool. Existing recruitment methods struggle to reach traditionally disenfranchised or marginalized communities and those who are not already engaged with City Hall. To solve this problem, the Framework recommends using a combination of open and targeted recruitments (the current practice) as well as representative random sampling.

The following is an example of how representative random sampling could function in Guelph in relation to ACOCs. More time, however, is needed to fully research and implement this portion of the Framework.

- A specific number of residents (likely in the thousands or tens of thousands) would receive mailouts from the City inviting them to join a pool which will be used for ACOC appointments as well as other engagement opportunities.
- Interested residents who received mailouts would complete an online survey/application answering demographic, geographic and resume-style questions.

- Future appointments could then be made from that pool of candidates based on the demographic and skill-based data provided by residents.

Representative random sampling models have been used effectively at various levels of government in Canada and are often credited with attracting and reaching a more diverse group of residents than traditional methods. It can also be an effective way to reach residents who have not engaged with government before. Representative random sampling is the best-known approach for achieving descriptive representation and has the added benefit of generating a larger number of applicants simply because the act of sending mailouts generates interest and curiosity.

As representative random sampling models have not yet been used by Ontario municipalities for on-going recruitments, more research is needed to determine feasibility and implementation costs. To allow for this additional research to take place, staff are recommending to City Council that representative random sampling be studied with the results of that research, including costs, coming back to City Council in advance of the 2028-2031 multi-year budget.

Resourcing

ACOCs are a long-standing and important part of the City's community engagement program. Ensuring appropriate resourcing is available to support ACOCs is critical to ensuring their long-term success and their ability to fulfill their mandates and align with their terms of reference. Under-resourced ACOCs are unlikely to be successful in delivering their mandates and can inadvertently lead to disengagement amongst members, frustration amongst staff and a feeling of disempowerment for the community.

Resourcing requirements are included in the Framework to ensure that the City Clerk's Office and departmental staff can support all ACOCs adequately – building a foundation for their future success. For this reason, phase two of the project will review existing ACOCs against the Framework based on available existing resources and any new resources allocated through the 2024-2027 multi-year budget. Additional details regarding resourcing and budget implications are included at the end of this report.

Implementation of the Framework and Next Steps

The project team will begin applying the Framework to existing ACOCs in 2024, as phase two of the project, following City Council approval of the Framework. This process will include input from all ACOC members and departmental staff overseeing ACOCs. The Framework will be applied to existing ACOCs as if they were brand new. Each ACOC will need to meet the requirements of the Framework or be amended to meet the requirements of the Framework, for staff to recommend that it continue. ACOCs that align with the Framework or can be amended to align with the Framework, will have updated terms of reference presented to City Council for approval. ACOCs that do not align with the Framework and cannot be amended to align, will be recommended for dissolution. As part of this review, some ACOCs could also be merged or have their mandates expanded or reduced.

Financial Implications

The resources allocated to the implementation of the Framework will guide the speed of its implementation. Resources to begin implementing the Framework will

be included in the 2024-2027 multi-year budget, with City Council able to increase or slow down implementation by adding or removing funding. Additionally, some specific components of the Framework, including representative random sampling, will be included in the 2028-2031 multi-year budget prior to implementation.

The resources needed to implement the Framework cannot be immediately quantified because they fluctuate significantly based on the number of ACOCs the City establishes and the work these ACOCs are tasked with through their terms of reference. With one Board and Committee Coordinator, the current level of staffing dedicated to ACOCs in the City Clerk's Office, it is not possible to meet the requirements of the Framework for even statutory ACOCs. With an additional Board and Committee Coordinator, support for statutory ACOCs as well as a small number of discretionary ACOCs would be possible.

The 2024-2027 multi-year budget will include one full time Board and Committee Coordinator in 2025 (\$111,000 annually) to support the implementation of the Framework as well as \$50,000 annually to support the training and reimbursement of ACOC members. This funding is sufficient to support the initial implementation of the Framework if the number of ACOCs is reduced to comply with the Framework's resourcing requirements. Additional funding in future multi-year budgets will be needed to bring the remaining elements of the Framework, such as representative random sampling, to fruition.

If, as part of phase two of this project, City Council wishes to maintain the current number of ACOCs, the Framework would require three additional Board and Committee Coordinators. This is not an approach that City staff are recommending in the current fiscal environment.

If additional resources are not allocated as part of the 2024-2027 multi-year budget, then the City Clerk's Office can only support existing statutory ACOCs and many elements of the Framework will remain unimplemented until additional resources are available. All other ACOCs would either need to be dissolved (to comply with the resourcing requirements of the Framework) or allowed to continue as is – with resourcing strained and existing problems likely becoming worse. Leaving ACOCs in place without the appropriate resourcing creates risk for the City because ACOCs are legislatively considered to be local boards and are required to meet the same accountability and transparency requirements as City Council. Without appropriate resourcing the likelihood of legislative noncompliance is increased. This is not an approach that City staff recommend.

Consultations

The following is an overview of the research and community engagement conducted for this project to date:

Online Survey of ACOC Members:

50 surveys completed (all 104 current ACOC members were invited to respond)

Interviews with City staff and City Council:

- 20 City staff
- Eight members of City Council
- Five staff from other municipalities who support ACOCs in their own municipalities

- Seven current ACOC members (ACOC members who completed a survey were also invited to an interview)

Working Group:

Eight current ACOC members from seven different ACOCs who completed a survey and indicated an interest in participating further in the project; four meetings consisting of learning sessions, discussions about challenges and opportunities, developing recommendations and endorsing the framework.

Resident Dinner:

32 residents (plus eight children) participated; dinner was hosted in collaboration with the City's Community Engagement team.

Community Reviewers:

Three residents who attended a resident dinner were invited to review the Framework and provide feedback; two review sessions were held.

Resident Sessions:

Past ACOC members and a list of Guelph residents who are interested in municipal governance were invited to attend resident sessions; six past ACOC members and residents attended the resident sessions; two residents provided their feedback through email.

Comparator Scan:

Verified information from Guelph's comparators (ten of whom provided information) shows the average number of ACOCs per municipality is nine (including statutory ACOCs).

Attachments

Attachment-1 ACOC Framework (Full Version)

Attachment-2 ACOC Framework (Short Version)

Attachment-3 ACOC Framework Presentation

Departmental Approval

Dylan McMahon, Manager, Legislative Services/Deputy City Clerk

Report Author

Elizabeth Barber, Board and Committee Coordinator

This report was approved by:

Stephen O'Brien
General Manager, City Clerk's Office, City Clerk
Corporate Services
519-822-1260 extension 5644
stephen.obrien@guelph.ca

This report was recommended by:

Trevor Lee
Deputy Chief Administrative Officer
Corporate Services
519-822-1260 extension 2281
trevor.lee@guelph.ca