

Governance Working Group

Report

7th Meeting of the Governance Working Group
November 6, 2023

PRESENT: Councillors S. Lewis (Chair), H. McAlister, P. Cuddy, J. Pribil, S. Trosow, C. Rahman, A. Hopkins, S. Franke, D. Ferreira, S. Hillier

ABSENT: S. Stevenson

ALSO PRESENT: S. Corman, K. Huckabone

Remote Attendance: A. Barbon, A. Bush, I. Collins, M. McErlain, J. Raycroft, M. Schulthess, E. Skalski

The meeting is called to order at 1:02 PM; it being noted that Councillors S. Hillier, C. Rahman and S. Trosow were in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent Items

None.

3. Items for Discussion

3.1 Council Policy Amendments - Council Members' Expense Account Policy

Moved by: P. Cuddy

Seconded by: H. McAlister

That, on the recommendation of the Deputy City Manager, Finance Supports, the attached by-law BE INTRODUCED at the Municipal Council meeting to be held on November 28, 2023 to amend By-law No. CPOL.-228-480, as amended, being "Council Members' Expense Account" to update various provisions of the policy.

Motion Passed

3.2 Strong Mayor Legislation

Moved by: D. Ferreira

Seconded by: S. Franke

That, on the recommendation of the City Clerk, the report dated November 6, 2023, related to Strong Mayor legislation, BE RECEIVED for information.

Motion Passed

4. Deferred Matters/Additional Business

4.1 2023 GWG Deferred List

Moved by: P. Cuddy
Seconded by: S. Franke

That the following actions be taken:

- a) the Deferred Matters List dated November 4, 2023, BE RECEIVED;
- b) the Civic Administration BE DIRECTED to bring forward the necessary revisions to Council Procedure By-law A-50 sections 9.8, 11.7, 11.10, 11.11, 15.10, 31.8, 33.5, 33.8, 33.9 and 38.9, to reflect no meeting of Council or Standing Committee shall extend beyond 6:00 PM, unless otherwise decided by a 2/3rds vote of eligible members; and
- c) the Civic Administration BE DIRECTED to schedule a time at a future meeting for general discussion regarding efficient meeting management.

Motion Passed

5. Adjournment

Moved by: D. Ferreira
Seconded by: P. Cuddy

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 2:06 PM.

Report to Governance Working Group

To: Chair and Members
Governance Working Group

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports
Michael Schulthess, City Clerk

Subject: Council Policy Amendments – Council Members’ Expense Account Policy

Date: November 6, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on November 28, 2023 to amend By-law No. CPOL.-228-480, as amended, being “Council Members’ Expense Account” to update various provisions of the policy.

Executive Summary

The purpose of this report is to increase the maximum monthly Councillor transportation allowance to \$177 effective January 1, 2024, based on a review undertaken to align with recent mileage rate increases. Further, in doing that review, another modification is being sought in recognition of billing cycles, increasing the submissions for processing from 45 (forty-five) to 60 (sixty) days to bring in line with the Travel & Expense Policy.

Analysis

1.0 Background Information

1.1 Background Reports

Item # 4.2 – Governance Working Group – July 24, 2023 – Council Members’ Expense Account Policy Update

Item # 2.1 – Corporate Services Committee – May 30, 2022 – Corporate Mileage Rate Change

Item #2 - Corporate Services Committee – October 6, 2015 - Amendment to Council Policy 28(2) Council Members’ Expense Account.

2.0 Discussion and Considerations

2.1 Update to the Transportation Allowance as Setout in the Council Members’ Expense Account Policy

On August 29th, 2023, Municipal Council resolved that an update to the transportation allowance identified in section 4.2(c)ix of the Council Members Expense Policy come forward to a future meeting of the Governance Working Group for further discussion. Section 4.2 of the Council Members Expense Policy (Policy) relates to the conditions for use of the ‘Annual Budget Allocation’ to each Council Member. Section 4.2(c)ix sets out the following:

“ix) transportation expenses for business-related travel within the City of London, to be paid by one of the following means at the discretion of individual Members of Council for the balance of 2015 (November and December), and for each entire fiscal year thereafter:

A) a monthly transportation allowance in the amount of up to \$150.00 maximum;
OR

B) a per kilometer rate, based upon submission and approval of a “Corporate Car Allowance Statement” claim form, which provides for both parking and kilometre usage;”

Given that Municipal Council approved an increase to the mileage rate (2022), an increase to the monthly maximum transportation allowance to Members of Council is warranted.

2.2 Current Transportation Allowance Amount

The current maximum monthly transportation allowance was set in October 2015, set at a monthly maximum of \$150. In accordance with Policy, the majority of Members of Council have selected this option to cover transportation expenses versus the “per kilometre rate” basis, however not all Members of Council who elect this option select the maximum amount of the transportation allowance. Based on existing elections, the average monthly transportation allowance elected amounts to \$123.08 per Councillor, noting the majority of transportation allowances elected were at the maximum amount.

2.3 Methodology to Increase Transportation Allowance

Municipal Council approved the mileage rate increase in 2022 from \$0.50 per kilometre (the rate in use since 2009) to \$0.59 per kilometre. The established rate was based on the Canada Revenue Agency’s (CRA) 2022 reasonable rate of \$0.61 per kilometre and the National Joint Council of the Public Service of Canada rate of \$0.575 per kilometre. The \$0.09 increase represented an 18% increase in the mileage rate. This increase was approximately the same percentage increase between the 2009 CRA posted reasonable per-kilometre allowance rate of \$0.52 and the 2022 CRA posted rate of \$0.61. Note the automobile allowance rate/ mileage rate is intended to provide reimbursement to an employee (or member of Council) for the use of their personal vehicle as well as wear and tear on their vehicle.

Applying the similar methodology for setting the mileage rate to the existing transportation allowance, the monthly maximum transportation allowance would increase from \$150 to \$177, representing an 18% increase. This rate increase would be within reason when compared to the increases seen in the CRA reasonable rate for the period between 2015 and 2023, where the reasonable rate increased from \$0.55 in 2015 to \$0.68 in 2023, representing a 24% increase. Further the National Joint Council of the Public Services rate had a 6% increase between 2015 and 2023 (from \$0.555 per kilometre to \$0.59 per kilometre).

By increasing the maximum monthly transportation allowance to \$177, Section 4.2(c)ix of the Council Members Expense Policy would need to be amended as follows:

“A) a monthly transportation allowance in the amount of up to \$ 177.00 ~~\$155.00~~ maximum; OR”

2.4 Increasing the time frame for submitting claims receipts

In reviewing the Council Members Expense Policy, to ensure consistency between this policy and the Travel and Expense Policy, it is being recommended to increase the submission of claims receipts for processing be increased from 45 (forty-five) days to 60 (sixty) days. This increase is based on the billing cycle observed for use of services such as the 407 Express Toll Road.

To increase this time frame to be consistent with other Council Policies, Section 4.2(h) of the Council Members Expense Policy would need to be amended as follows:

“h) all eligible claim receipts shall be submitted for processing within 60 (sixty) ~~45~~ (forty-five) days from the date the expense occurred, in order to be considered for reimbursement.”

3.0 Financial Impact

The maximum monthly transportation allowance proposed will be increased by \$27 per month, or \$324 per Member of Council annually. All other amendments to this Council Policy identified in this report are not anticipated to have a financial impact.

Conclusion

The Members of Council transportation allowance maximum was last updated in October 2015. Civic Administration has recommended to increase the maximum monthly allowance to \$177 from \$150, consistent with the recent increase in the mileage rate. The attached by-law (Appendix “A”) amends the Council Members Expense Policy accordingly.

Prepared by: Melissa McErlain, Manager, Accounting
Submitted by: Ian Collins, Director, Financial Services
Recommended by: Anna Lisa Barbon, Deputy City Manager, Finance Supports
Concurred by: Michael Schulthess, City Clerk

APPENDIX “A”

Bill No. [to be completed by Clerks]
2023

By-law No. CPOL.-[to be completed by Clerks]

A by-law to amend By-law No. CPOL.-228-480, as amended, being “Council Members’ Expense Account” to update various provisions of the policy.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-228-480, as amended, being “Council Members’ Expense Account”, to update various Policy provisions;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 4.2, is amended in subsection c) “The allocated sum may be used by Members of Council for any of the following purposes:” by replacing item ix) A) with the following new item ix) A):

“A) a monthly transportation allowance in the amount of up to \$177.00 maximum; OR”

2. Section 4.2, is further amended by replacing subsection h) with the following new subsection h):

“ h) all eligible claim receipts shall be submitted for processing within 60 (sixty) days from the date the expense occurred, in order to be considered for reimbursement”

3. This by-law shall come into force and effect on November 28, 2023.

PASSED in Open Council on [to be completed by Clerks].

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – [to be completed by Clerks]
Second Reading – [to be completed by Clerks]
Third Reading – [to be completed by Clerks]

APPENDIX “A”

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“A) a monthly transportation allowance in the amount of up to \$177.00 maximum; OR”

2. Section 4.2, is further amended by replacing subsection h) with the following new subsection h):

“ h) all eligible claim receipts shall be submitted for processing within 60 (sixty) days from the date the expense occurred, in order to be considered for reimbursement”

3. This by-law shall come into force and effect on November 28, 2023.

PASSED in Open Council on [to be completed by Clerks].

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – [to be completed by Clerks]
Second Reading – [to be completed by Clerks]
Third Reading – [to be completed by Clerks]

Report to Governance Working Group

To: Chair and Members
Governance Working Group
From: Michael Schulthess, City Clerk
Subject: Strong Mayor Legislation
Date: November 6, 2023

Recommendation

That, on the recommendation of the City Clerk, the report dated November 6, 2023, related to Strong Mayor legislation, **BE RECEIVED** for information.

Executive Summary

On June 16, 2023, the Province announced that it was extending “Strong Mayor” powers under the *Municipal Act, 2001* to an additional 26 Ontario municipalities, including London, effective July 1, 2023 [Appendix A].

At the meeting of Municipal Council dated August 29, 2023, Council passed the following motion from the 21st Report of the Strategic Priorities and Policy Committee:

“the City Clerk BE DIRECTED to bring forward a report on Strong Mayor legislation to a future meeting of Governance Working Group”

This report outlines the major changes resulting from the application of Strong Mayor legislation to the City of London.

Previous Reports Related to this Matter

- September 19, 2023 - Strategic Priorities and Policy Committee - “City Manager, Recruitment and Selection Process”

Legislation

Background Information

On June 16, 2023, the Province announced that it was extending “Strong Mayor” powers to 26 Ontario municipalities, including London, effective July 1, 2023. Following this initiative, Premier Ford announced in August 2023 that the provincial government would expand the application of these powers to another 21 municipalities [Appendix A]. Similar powers had already taken effect for Toronto and Ottawa in November 2022 with the proclamation of the Government of Ontario’s Bill 3, *Strong Mayors, Building Homes Act, 2022*.

Overview of Legislation

The Strong Mayor legislation modifies the *City of Toronto Act*, *Municipal Act*, and *Municipal Conflict of Interest Act*. The changes give the head of council (i.e., the Mayor) additional powers beyond those of other members of council. Municipalities listed in the regulation cannot opt out of the Act’s application, however, the Mayor is not compelled to use the new powers, and the regulation permits the Mayor to delegate certain powers back to the Municipal Council and/or City Manager.

The provincial government has indicated that these powers are intended to assist with Ontario’s housing shortage—a priority for both the province and municipalities in Ontario. Pursuant to O. Reg. 580/22, the current prescribed provincial priorities are to:

- 1) *Build 1.5 million new residential units by December 31, 2031; and*
- 2) *Construct and maintain infrastructure to support housing, including,*
 - a. *transit,*

- b. roads,
- c. utilities, and
- d. servicing.

The provisions in Part VI.1 of the *Municipal Act, 2001* and related regulations fall into three main categories: provincial priorities, changes to the Mayor and council's relationship with the municipal administration, and changes to the Mayor's relationship with council.

According to section 284.4(1) and O. Reg. 520/22 section 3(a), the Mayor must exercise any power or duty under Part VI.1 in writing by providing a written record to the clerk and each member of council by the next business day. According to O. Reg. 520/22, section 3(b), a written record must also be made available to the public, subject to *MFIPPA*.

Discussion and Considerations

1.0 Changes to Organizational and Appointment Authority

Section 284.6(2) gives the Mayor the power "to hire, dismiss or exercise any other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure." These abilities are limited by 284.6(3), according to which the Mayor cannot hire, dismiss, or exercise other employment powers over the following individuals:

1. The clerk or deputy clerk.
2. A treasurer or deputy treasurer.
3. An Integrity Commissioner.
4. An Ombudsman.
5. An Auditor General.
6. A registrar, as described in section 223.11.
7. A chief building official, as defined in the *Building Code Act, 1992*.
8. A chief of police, as defined in the *Police Services Act*.
9. A fire chief, as defined in the *Fire Protection and Prevention Act, 1997*.
10. A medical officer of health, as defined in the *Health Protection and Promotion Act*.

The municipality's ability to appoint a city manager under section 229 of the *Municipal Act* is now assigned to the Mayor under section 284.5.

Section 284.6(1) gives the Mayor the ability to determine the organizational structure of the municipality. The Mayor is not required to make any changes to the organization or exercise any employment-related powers. The existing organizational structure and positions will continue unchanged unless the Mayor opts to make a change (section 284.6(4)). The Mayor may decide to delegate these powers to council and/or civic administration (section 284.13).

With regards to local boards, under section 284.7 the Mayor has the ability to appoint the chairs and vice-chairs for boards prescribed by regulation. At this time, no regulations have been created.

Under section 284.8, the Mayor has the following powers with respect to committees:

284.8 Subject to the regulations, if any, the following powers of the municipality with respect to prescribed committees, or committees within a prescribed class of committees, are assigned to the head of council:

1. *The power to establish or dissolve committees.*
2. *The power to appoint chairs and vice-chairs of committees.*
3. *The power to assign functions to committees.*

Under O. Reg. 530/22 section 4, “prescribed committees” are those that consist entirely of members of council. Council retains their current powers with respect to committees that include at least one non-councillor member.

Finally, according to section 284.3, the Mayor can direct municipal employees to:

(a) undertake research and provide advice to the head of council and the municipality on policies and programs of the municipality or of the head of council as they relate to the powers and duties under this Part; and

(b) carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part. 2022, c. 18, Sched. 2, s. 1.

This power must be exercised in writing.

The Mayor has created two committees to-date: the City Manager Recruitment and Selection Committee [Appendix B: Mayoral Decision 2023-002] and the Budget Committee [Appendix C: Mayoral Decision 2023-003].

2.0 Effects on By-laws

Under section 284.10(1), the Mayor may require council to consider a matter at a meeting if the Mayor believes that the matter “could potentially advance a prescribed provincial priority” under O. Reg. 580/22 the Mayor may propose by-laws made under the *Municipal Act, 2001, Planning Act*, and s.2. of the *Development Charges Act*. Pursuant to section 284.11, if the Mayor believes that all or part of a by-law “could potentially interfere with a prescribed provincial priority, the head of council may provide written notice to the council of the intent to consider vetoing the by-law”. The priorities are described in O. Reg. 580/22. If the Mayor intends to consider vetoing a by-law, the veto must be to advance a provincial priority. This mayoral power overrides any municipal by-law passed under section 238(2) of the *Municipal Act*. However, the Mayor’s veto powers do not apply to sections 289 and 290 of the *Municipal Act* regarding the budget.

If the Mayor vetoes a by-law, the Clerk will provide a copy of the written veto to members of council by the next business day and make the document available to the public. At that point, council has 21 days to override the veto. Two-thirds of the members of council must vote in favour to override the veto, and the Mayor can vote as a member of council. If council overrides the veto, the by-law passes on the date of the overriding vote. Mayor Morgan has issued two Mayoral Decisions related to by-law vetoes. The first Decision indicated he would not veto any by-law passed in accordance with s.39.2 of the *Planning Act* and pursuant to the authority delegated under by-law A-8279-200 [Appendix D]. The second Decision indicated that he would not veto any by-law passed in accordance with s.51.2(1) of the *Planning Act* and pursuant to the authority delegated under by-law CP-17-23008 [Appendix E].

Finally, under section 284.11.1, the Mayor may choose to propose a by-law and require council to consider and vote on that by-law. The Mayor must be of the opinion that the by-law could potentially advance a prescribed provincial priority. The Mayor must provide a copy of the proposed by-law and the Mayor’s reasons to the Clerk and each council member. More than one-third of the council need to vote in favour of the by-law for it to pass, and the Mayor may vote.

2.1 Restriction on Mayoral Power to Affect By-Laws

All of these powers are subject to the *Municipal Conflict of Interest Act*, particularly the new section 5.3. Except for the power to delegate in section 284.13, the Mayor may not exercise the powers and duties under Part VI.1 of the *Municipal Act* if the Mayor has any direct or indirect pecuniary interest.

Additionally, the Mayor must adhere to the notice, open house, and hearing provisions of the *Planning Act*. If the Mayor uses the new veto powers, then a record of the veto must be made available to the public, subject to MFIPPA.

3.0 Delegation

Section 284.13 lists four sections with powers and duties that the Mayor has the option to delegate:

1. Section 284.5: The Mayor can delegate the ability to appoint a city manager.
2. Section 284.6: The Mayor can delegate the ability to determine the organizational structure of the municipality, including the ability to hire and dismiss the head of any division or other part of the organization.
3. Section 284.7: The Mayor can delegate the ability to appoint the chairs and vice-chairs of prescribed local boards.
4. Section 284.8: The Mayor can delegate the ability to establish or dissolve committees, appoint chairs and vice-chairs of committees, and assign functions to committees.

According to O. Reg. 530/22 section 6, items 1 and 4 can only be delegated to council, and item 2 can only be delegated to council or the City Manager.

4.0 Effects on Budget

Section 284.16 of the *Municipal Act* describes the new powers and duties of the Mayor with respect to the municipal budget process. The power to propose and adopt the budget defaults to the Mayor and cannot be delegated, only forfeited. In addition, the powers are mandatory rather than permissive under section 284.16(2). The mayoral veto powers under the “Strong Mayor” legislation do not apply to by-laws under sections 289 and 290 of the *Municipal Act, 2001* relating to municipal budgets.

O. Reg. 530/22 outlines prescriptive timelines and requirements for the passing of a budget should the “Strong Mayor” budgetary powers be invoked. Under O. Reg. 530/22, if the Mayor chooses not to forfeit budget powers under the new legislation, the proposed budget must be prepared and presented to council and made public by the Mayor before February 1st each year.

If the Mayor chooses not to propose a budget within the timeline described in O. Reg. 530/22, the council shall prepare and adopt the budget.

4.1 Budget Preparation

The legislation does not specify the meaning of “preparing” a budget by the Mayor. The legislation provides for directions to staff under section 284.3. Pursuant to that section, Mayor Morgan issued a Direction to the Deputy City Manager, Finance Supports on October 5, 2023 (Appendix F) to:

1. Proceed with the preparation of the 2024-2027 Multi-Year Budget in accordance with the direction previously provided by Council on April 25, 2023 and to support the implementation of strategies as part of Council’s approved 2023-2027 Strategic Plan;
2. Proceed with the release of staff’s draft budget on December 12, 2023 in order to facilitate the public engagement plan previously outlined by civic administration;
3. Collaborate with Budget Chair Pelosa to provide support for councillors’ engagement activities with their constituents; and,
4. Periodically brief myself and Budget Chair Pelosa on the progress of the staff draft budget as requested.

Although the direction above sets out a path for the City of London, if a Mayor opts not to invoke Strong Mayor powers, the budget process proceeds substantially as it would pre-Strong Mayor powers. That is, if the Mayor does not propose a budget by the legislated timeline of February 1st, “the council shall prepare and adopt the budget for the municipality” (O. Reg. 530/22 s.7(2)). The regulation does not provide a prescribed process for Council to prepare and adopt the budget. A consistent interpretation of the legislation and regulations implies that the default is the Council Procedure By-law and existing local practices.

4.2 Budget Approval

If Strong Mayor powers are exercised, the municipal budget is *deemed* adopted after 30 days have passed from the date that the budget is proposed by the Mayor (O. Reg. 530/22 section 7(3)); this period can be shortened through a council resolution (section 7(4)). Note that should a Mayor forfeit these budgetary powers, Council prepares and adopts a budget as it would normally. According to O. Reg. 530/22 section 7(1), the proposed budget does not need to be made available to the public any sooner than February 1st of each year.

5.0 Effects on Policy

The following policies have been flagged as potentially being affected by the Strong Mayor powers. Whether any changes will need to be made to any of the policies, and what those changes are, will ultimately be determined by the decisions issued by the Mayor.

Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Should the Mayor decide to use the Strong Mayor powers to appoint the chair and/or vice-chair of a committee, this current policy will need to be updated. Potential changes include amending section 4.1 and the addition of a new section describing the Mayor's abilities. The Mayor can decide to appoint the chair, the vice-chair, neither, or both.

Appointment of Deputy Mayor Policy

The current policy provides that:

“The Mayor shall be solely responsible for determining which of their powers and duties are to be allocated to the Deputy Mayor and may adjust that allocation from time to time at their discretion.” (s.4.1(c))

Duties can continue to be allocated, subject to restrictions on delegation as set out in the *Municipal Act, 2001* and regulations, particularly Part VI.1 as related to the Strong Mayor powers.

Appointments Requiring Council Approval and/or Consultation

If the Mayor decides to make use of the Strong Mayor powers to appoint the City Manager, as indicated in the staff report to SPPC dated September 19, 2023, the appointment policy will need to have subsection 4(a)(1) removed. That section currently reads: “The following positions be identified as those for whose appointment require a recommendation to Council, as outlined below: 1) City Manager.”

Budget Chair Policy (new)

As the budgetary powers have now been assigned to the head of council, any potential policy related to the position of Budget Chair is dependant on the direction of the Mayor. The policy's contents would be significantly shaped by whether the Mayor decides to “forfeit” the ability to propose the budget or not, and what role the Chair would play in the process, noting that direction cannot be provided to an elected official beyond what is already authorized by statute.

Conclusion

The new Strong Mayor powers created by the *Strong Mayors, Building Homes Act, 2022* have a number of implications for the City in terms of its administration, policies, by-laws, and budget. This report has provided a general overview of such powers and it is recommended that this report be received for information.

Prepared and Recommended by: Michael Schulthess, City Clerk

APPENDIX 'A': Newly Designated Municipalities

The first twenty-six (26) designated municipalities after Ottawa and Toronto are all single- or lower-tier municipalities with a population over 100,000 (or growing to 100,000 by 2031) and that have submitted a housing pledge to the province:

1. Ajax
2. Barrie
3. Brampton
4. Brantford
5. Burlington
6. Caledon
7. Cambridge
8. Clarington
9. Guelph
10. Hamilton
11. Kingston
12. Kitchener
13. London
14. Markham
15. Milton
16. Mississauga
17. Niagara Falls
18. Oakville
19. Oshawa
20. Pickering
21. Richmond Hill
22. St. Catharines
23. Vaughan
24. Waterloo
25. Whitby
26. Windsor

The next twenty-one (21) designated municipalities are projected to have populations of 50,000 by 2031 and whose heads of council are committed to a provincially assigned housing target:

1. Aurora
2. Belleville
3. Bradford West Gwillimbury
4. Chatham-Kent
5. East Gwillimbury
6. Georgina
7. Greater Sudbury
8. Haldimand County
9. Halton Hills
10. Innisfil
11. Kawartha Lakes
12. New Tecumseth
13. Norfolk County
14. North Bay
15. Peterborough City
16. Sarnia
17. Sault Ste. Marie
18. Thunder Bay
19. Welland
20. Whitchurch-Stouffville
21. Woodstock

APPENDIX 'B'



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Mayoral Decision Number: 2023-002

Title: **City Manager Recruitment and Selection Committee**

WHEREAS the Municipal Council, at its meeting held on September 26, 2023 resolved:

That, in consultation with the Mayor, and on the recommendation of the Deputy City Manager, Enterprise Supports and Director, People Services, the following actions be taken with respect to the City Manager recruitment and selection process:

- a) the staff reported dated September 19, 2023, related to the City Manager recruitment and selection process, BE RECEIVED for information;
- b) the Recruitment and Selection Plan for the new City Manager contained in the above-noted report, BE ENDORSED; and
- c) that the following Council Members BE APPOINTED to the Recruitment and Selection Committee:

Councillor Lewis
Councillor Rahman
Councillor Pribil
Councillor Stevenson
Councillor Lehman
Mayor Morgan

it being noted that the Strategic Priorities and Policy Committee will be interviewing candidates before Council endorsement. (4.1/22/SPPC) (2023-C12)

AND WHEREAS section 284.8 of Part VI.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the head of Council has the power to establish committees;

NOW THEREFORE, I, JOSH MORGAN, MAYOR OF THE CITY OF LONDON, HEREBY DECLARE THAT:

1. The City Manager Recruitment and Selection Committee is established consisting of members of council noted in clause c) above and shall be supported by an external recruitment consultant, an internal human resource professional, and the City Clerk or designate.
2. The purpose of this committee is to engage in the recruitment process, create a short list of candidates, participate in the review of applications, conduct interviews and ultimately make a recommendation of a preferred candidate to the Strategic Priorities and Policy Committee, Mayor and Council.
3. This Decision shall remain in effect until it is revoked or modified in writing in accordance with PART VI.1 of the *Municipal Act*.

Dated at London, Ontario, this 3rd day of October 2023

A handwritten signature in black ink, appearing to read 'Josh Morgan', written in a cursive style.

Mayor Josh Morgan

APPENDIX 'C'



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Mayoral Decision Number: 2023-003

Title: 2024-2027 Multi-Year Budget Committee Formation

WHEREAS the Municipal Council and Civic Administration received a copy of the enclosed Mayoral Direction #2023-001 and accompanying cover letter on October 5th 2023, related to the preparation of the 2024-2027 Multi-Year Budget, the formation of a Budget Committee and the appointment of a Chair of the Budget Committee;

AND WHEREAS section 284.8 of Part VI.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the head of Council has the power to establish committees, the power to appoint chairs, and the power to assign functions to committees;

NOW THEREFORE, I, JOSH MORGAN, MAYOR OF THE CITY OF LONDON, HEREBY DECLARE THAT:

The 2024-2027 Multi-Year Budget Committee (“Budget Committee”) is established for the purposes of overseeing the development of the 2024-2027 Multi-Year Budget, ensuring alignment with our city’s strategic goals;

1. Councillor Pelozo is appointed Chair of the Budget Committee;
2. The Budget Committee shall be comprised of all members of council;
3. The Budget Committee shall report to Council and work closely with civic administration to facilitate a transparent and inclusive budgeting process;
4. The City Clerk or designate shall support the Budget Committee.
5. The Council Procedure By-law, being a by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London, and any other applicable legislation shall govern the proceedings of the Budget Committee.
6. This Decision shall remain in effect until it is revoked or modified in writing in accordance with PART VI.1 of the *Municipal Act*.

Dated at London, Ontario, this 10th day of October 2023

A handwritten signature in black ink, appearing to read 'Josh Morgan'.

Mayor Josh Morgan

APPENDIX 'D'



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Mayoral Decision Number: 2023-001

Title: **By-laws Passed Under Delegated Authority Pursuant to By-law No. A.-8279-200**

WHEREAS subsection 39.2(1) of the *Planning Act*, R.S.O. 1990 c. P.13 (“*Planning Act*”) permits Municipal Council to delegate, by by-law, the authority to approve zoning by-law amendments under Section 34 of the *Planning Act* that are of a minor nature to an employee provided that an official plan specifies the types of by-laws which may be subject to delegation;

AND WHEREAS the Municipal Council of The Corporation of the City of London passed By-law No. A.-8279-200 being “A by-law to delegate Council’s authority with respect to approvals for zoning by-law amendments that are of a minor nature under Section 39.2 of the *Planning Act*, R.S.O. 1990, c.P.13.”;

AND WHEREAS section 284.11 of the *Municipal Act, 2001*, S.O 2001, c. 25, provides that the Head of Council, if of the opinion that all or part of a by-law that is subject to section 284.11 could potentially interfere with a prescribed provincial priority, may provide written notice to the council of the intent to consider vetoing the by-law;

AND WHEREAS it has been deemed that the above noted delegation improves the delivery of service through streamlined decision-making process and thereby supports one of Council’s goals in the Strategic Plan;

NOW THEREFORE I, JOSH MORGAN, MAYOR OF THE CITY OF LONDON, HEREBY DECLARE THAT:

1. The powers granted under section 284.11 of the *Municipal Act* to veto by-laws shall not be applied to any by-law passed in accordance with section 39.2 of the *Planning Act* and pursuant to the authority delegated under By-law No. A.-8279-200.
2. This Decision shall remain in effect until it is revoked or modified in writing in accordance with PART VI.1 of the *Municipal Act*.

Dated at London, Ontario, this 14th day of September 2023

A handwritten signature in black ink, appearing to read 'Josh Morgan', with a long horizontal flourish extending to the right.

Mayor Josh Morgan

APPENDIX 'E'



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Mayoral Decision Number: 2023-004

Title: By-laws Passed Under Delegated Authority Pursuant to By-law No. CP-17-23008

WHEREAS subsection 51.2(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that Municipal Council may by by-law delegate the authority of the council under section 51.2 of the Act or any part of that authority to a committee of council or to an appointed officer identified in the by-law by name or position occupied;

AND WHEREAS the Municipal Council of The Corporation of the City of London passed a by-law to amend By-law No. CP-17 being “A by-law to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*” to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*;

AND WHEREAS section 284.11 of the *Municipal Act, 2001*, S.O 2001, c. 25, provides that the Head of Council, if of the opinion that all or part of a by-law that is subject to section 284.11 could potentially interfere with a prescribed provincial priority, may provide written notice to the council of the intent to consider vetoing the by-law;

AND WHEREAS it has been deemed that the above noted delegation improves the delivery of service through streamlined decision-making process and thereby supports one of Council’s goals in the Strategic Plan;

NOW THEREFORE I, JOSH MORGAN, MAYOR OF THE CITY OF LONDON, HEREBY DECLARE THAT:

1. The powers granted under section 284.11 of the *Municipal Act* to veto by-laws shall not be applied to any by-law passed in accordance with section 51.2(1) of the *Planning Act* and pursuant to the authority delegated under By-law No. CP-17-23008.
2. This Decision shall remain in effect until it is revoked or modified in writing in accordance with PART VI.1 of the *Municipal Act*.

Dated at London, Ontario, this 25th day of October 2023

A handwritten signature in black ink, appearing to read 'Josh Morgan'.

Mayor Josh Morgan

APPENDIX 'F'



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

To: Lynne Livingstone, City Manager; and
Anna Lisa Barbon, Deputy City Manager, Finance Supports

Mayoral Direction Number: 2023-001

Title: **Preparation of the 2024-2027 Multi-Year Budget:**

WHEREAS City Council approved the City of London Strategic Plan 2023-2027 on April 25, 2023, which forms the foundation of the 2024-2027 Multi-Year Budget process;

AND WHEREAS City Council has previously provided the following direction on April 25, 2023 with respect to the 2024-2027 Multi-Year Budget process:

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the 2024-2027 Multi-Year Budget:

- a) *the Multi-Year Budget Policy, as appended to the staff report dated April 18, 2023 as Appendix "B" BE RECEIVED for information;*
- b) *the Civic Administration BE ADVISED of the Council desire for Civic Administration to bring forward a draft 2024 to 2027 Multi-year budget with an average annual tax levy increase in the range of approximately 2.9% – 3.9% as identified to maintain existing service levels as well as additional investments of an additional 0.5% in funding for additional investment, for planning purposes;*
- c) *the Civic service areas and the City's agencies, boards and commissions BE REQUESTED to develop their 2024-2027 Multi-Year Budgets in accordance with the direction provided by Council and the associated planning assumptions outlined in the City's budget guidelines document;*
- d) *the 2024-2027 Multi-Year Budget timetable, as appended to the staff report dated April 18, 2023 as Appendix "C", BE RECEIVED for information; it being noted that the tabling of the 2024-2027 Multi-Year Budget is planned for December 12, 2023;*
- e) *the proposed by-law, as appended to the staff report dated April 18, 2023 as Appendix "D" BE INTRODUCED at the Municipal Council meeting on April 25, 2023 to formalize the budget submission deadlines and requirements for the City's agencies, boards and commissions; and,*
- f) *the preliminary public engagement plan, as appended to the staff report dated April 18, 2023 as Appendix "E" for the 2024-2027 Multi-Year Budget BE ENDORSED; it being noted that this public engagement plan has been incorporated into the 2024-2027 Multi-Year Budget timetable noted above.*

NOW THEREFORE, in accordance with section 284.3 of PART VI.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25, I, JOSH MORGAN, MAYOR OF THE CITY OF LONDON HEREBY DIRECT THAT the Deputy City Manager, Finance Supports take the following actions:

- 1) Proceed with the preparation of the 2024-2027 Multi-Year Budget in accordance with the direction previously provided by Council on April 25, 2023 and to support the implementation of strategies as part of Council's approved 2023-2027 Strategic Plan;

- 2) Proceed with the release of staff's draft budget on December 12, 2023 in order to facilitate the public engagement plan previously outlined by civic administration;
- 3) Collaborate with Budget Chair Pelosa to provide support for councillors' engagement activities with their constituents; and,
- 4) Periodically brief myself and Budget Chair Pelosa on the progress of the staff draft budget as requested.

Dated at London, Ontario, this 5th day of October 2023

A handwritten signature in black ink, appearing to read 'J. Morgan', with a long horizontal flourish extending to the right.

Mayor Josh Morgan

GOVERNANCE WORKING GROUP DEFERRED MATTERS (as at 10/30/2023)

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
1	April 25, 2023 (2.9/7/CSC)(A02-2023)	Meeting Calendar: That the 2024 Standing Committee Meetings and Annual Meeting Calendar Report BE REFERRED to the Governance Working Group for consideration of moving standing committee meetings to regular City Hall business hours for all standing committees, effective December 1, 2023. - Draft calendar to SLT, feedback to next meeting of GWG	Clerks	Complete
		That the following matters BE REFERRED to the Governance Working Group for discussion and for potential recommendation(s) back to the Strategic Priorities and Policy Committee:		
2	April 25, 2023 (5.2/14/SPPC) (2023-C12)	a) Management of In Camera items at Municipal Council meetings; it being noted that the current practice requires that the Council Chambers be vacated by the public immediately following the Call to Order of the Council meeting;	Clerks	Complete
3	April 25, 2023 (5.2/14/SPPC) (2023-C12)	b) Council Members' Expense Account Policy, specifically related (but not necessarily limited) to permitting a Councillor to host community engagement and/or community building events that include recreational and/or social components at City-owned and operated facilities and other civic spaces;	Clerks	Complete
3(a)	GWG May 17, 2023	Council Members' Expense Account Policy That the Civic Administration BE DIRECTED to report back to the Governance Working Group with respect to the following potential changes to the Council Members' Expense Account Policy: a) changes to part 4.2 c) vii) related to hosting ward events that will provide additional flexibility and discretion for individual council members in terms of facility use and locations; b) incorporation of permissive language with respect to opportunities for partnerships for council members related to engagement opportunities; and, c) a review and recommendations related to updating existing expenditure annual limits and specific expense amounts that currently exist within the policy.	Clerks	Complete
3(b)	GWG July 27, 2023	Council Members' Expense Account Policy c) the balance of the draft Council Member's Expense Account Policy BE REFERRED to the next meeting of Governance Working Group for further discussion;	Clerks	27-Nov-23

GOVERNANCE WORKING GROUP DEFERRED MATTERS (as at 10/30/2023)

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
3(c)	GWG July 27, 2023	Council Members' Expense Account Policy an update to the transportation allowance in 4.2c) ix A. will come forward at a future meeting of Governance Working Group (GWG) for consideration.	Finance	6-Nov-23
4	April 25, 2023 (5.2/14/SPPC) (2023-C12)	Appointment of Council Members to Standing Committees of Council and Various Civic Board and Commissions Policy i) participation requirements for individual Council members related to the City's Agencies, Boards and Commissions, and compensation incentives for 'uneven' workloads and standing committee participation expectations by individual Council members, including a requirement that members rank all committees in terms of preference; it being noted that any associated change may require an update to the Selection Process Policy for Appointing Members to Committees, Civic Boards and Commissions;	Clerks	Complete
4(a)	GWG May 17, 2023	Appointment of Council Members a) the Civic Administration BE DIRECTED to report back on potential policy changes, specific to Standing Committee appointments, that would compel individual members to make complete submissions for appointment consideration, as well as compelling complete selections during any selection process; it being noted that the intention of any such changes would be to facilitate better distribution of work amongst all members;	Clerks	Complete
4(b)	GWG May 17, 2023	Appointment of Council Members b) additional discussion related to appointments to Civic Boards and Commissions BE REFERRED to a future meeting of the GWG; it being noted that additional information with respect to the participation requirements of these boards and commissions will be compiled;	Clerks	Complete
4(c)	GWG May 17, 2023	Appointment of Council Members c) consideration BE GIVEN to the provision of a summary document from individual Council members that would provide information related to time requirements and commitments of participating on a board/commission.	GWG	
5	April 25, 2023 (5.2/14/SPPC) (2023-C12)	c) Potential New Council Policies - Budget Chair ii) establishment of an appointment of Budget Chair Policy that would include a recommended additional stipend for the role;	Clerks	
6	April 25, 2023 (5.2/14/SPPC) (2023-C12)	c) Potential New Council Policies - Council onboarding iii) establishment a new Council Policy related to formalization of a training and onboarding process for new Councillors at the beginning of the term;	Clerks	

GOVERNANCE WORKING GROUP DEFERRED MATTERS (as at 10/30/2023)

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
7	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>d) Existing Council policies - Deputy Mayor i) the Appointment of Deputy Mayor Policy to add formality to certain job duties for the position and to consider additional compensation (or stipend) for the position of the Deputy Mayor;</p>	Clerks	
8	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>d) Existing Council policies - Remuneration ii) the Remuneration for Elected Officials and Appointed Citizen Members Policy, to provide for the establishment of a new full-time compensation model for Councillors, for the start of the 2026 Municipal Council term, as well as a draft terms of reference for an independent task force to review and consult with the public with respect to same; it being noted that this may require additional revisions to associated Council Policies, such as Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to serve on its Committee or a Local Agency, Board or Commission Policy;</p>	Clerks	
9	April 25, 2023 (5.2/14/SPPC) (2023-C12)	<p>e) Selection Process for Boards, Agencies, and Commissions, with regard to the filling of vacancies during a council term including but not limited to: i) the potential for ABCs to review and identify recommended candidates based on their skill needs; ii) providing an evaluation matrix tool to assist Councillors in reviewing applications; and, iii) consideration of an interview process.</p>	Clerks	
10	GWG May 17, 2023	<p>Electronic (Remote) Participation of Members of Council at Council and Standing Committee Meetings b) the Civic Administration BE DIRECTED to report back with respect to closed session meeting participation best practices that may be the subject of a Council Policy; it being noted that this may be incorporated in the report related to virtual meeting participation forthcoming to committee.</p>	Clerks	Complete

GOVERNANCE WORKING GROUP DEFERRED MATTERS (as at 10/30/2023)

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
11	<p>GWG May 17, 2023 SPPC Sep 19, 2023 (5.3/22/SPPC) Council Sep 26, 2023</p>	<p>Ward Boundary Review That the matter of a ward boundary review BE REFERRED to the Governance Working Group (GWG) for consideration; it being noted that the GWG requested that the most current ward and census information be provided at the next meeting of the GWG.</p>	Clerks	Complete
11(a)	<p>Council 9/26/23 (5.3/22/SPPC)</p>	<p>Ward Boundary Review a) the following actions be taken with respect to the 2023 Ward Boundary Review Process: i) the report dated September 11, 2023, entitled “2023 Ward Boundary Review Process – Terms of Reference”, BE RECEIVED for information; ii) the Civic Administration BE DIRECTED to bring forward the amended Terms of Reference, with the inclusion of a target to strive for no greater than 15% population variance and consideration of ward naming conventions, for adoption at the October 17, 2023 Council meeting; iii) the Civic Administration BE DIRECTED to undertake a competitive procurement process to retain an independent third-party consultant to initiate Option 1 as the preferred option of Municipal Council and under the adopted Terms of Reference for the City of London;</p>	Clerks	
12	<p>GWG July 27, 2023</p>	<p>Strong Mayor Legislation That the City Clerk BE DIRECTED to bring forward a report on Strong Mayor legislation to a future meeting of Governance Working Group.</p>	Clerks	6-Nov-23

GOVERNANCE WORKING GROUP DEFERRED MATTERS (as at 10/30/2023)

NO.	COUNCIL DATE/ CLAUSE REF	ITEM	SERVICE AREA RESPONSIBLE	STATUS
13 (see Items 8, 6, 4(c) and 9)	SPPC Sep 19, 2023 (5.3/22/SPPC)	iv) that matters regarding governance and compensation be referred back to a future Governance Working Group (GWG), as related to deferred items; Remuneration of Elected Officials and Appointed Citizen Members, Training and Onboarding Process for New Council, Selection Process Policy for Appointing Members to Committees, Civic Boards, and Commissions (as it relates to Council), and it being noted that as previously directed by GWG Chair Lewis & Vice Chair Franke have been collecting data on workloads and council job description reflecting the workload, as appended to the agenda, for further deliberation and discussion;	Clerks	
14	SPPC October 10, 2023 (2.3/25/SPPC)	b) the following actions be taken with respect to the 2023 Governance Working Group Deferred Matters List: i) the Civic Administration BE DIRECTED to bring forward to the Strategic Priorities and Policy Committee revisions to the Selection Process Policy for Appointing Members to Committee, Civic Boards and Commissions and the Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy to enact the following: A) the requirement to fully complete the selections for appointments of Council Members to standing committees during the selection voting process; and, B) the requirement for members to fully complete the submission form(s) for consideration of appointments to standing committees;	Clerks	SPPC Oct 31, 2023