

Governance Working Group Report

2nd Meeting of the Governance Working Group
November 10, 2020

PRESENT: J. Morgan (Chair), S. Hillier, A. Kayabaga, S. Lewis, P. Squire, M. van Holst

ALSO PRESENT: Councillor S. Lehman, and C. Saunders, M. Schulthess and B. Westlake-Power.

Remote Attendance: Councillors S. Turner and, E. Peloza; L. Livingstone, M. Balogun, G. Barrett, J. Bunn, K. Dickins, O. Katolyk, H. Lysynski, K. Scherr and B. Somers.

The meeting is called to order at 1:01 PM, with Councillor J. Morgan in the Chair, Councillors S. Lewis and P. Squire present; it being noted that the following Members were in remote attendance: Councillors M. van Holst, A. Kayabaga and S. Hillier.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent Items

2.1 1st Report of the Governance Working Group

Moved by: S. Hillier

Seconded by: S. Lewis

That the 1st Report of the Governance Working Group from its meeting held on August 24, 2020, BE RECEIVED.

Motion Passed

3. Items for Discussion

3.1 Advisory Committee Review – Interim Report III

Moved by: S. Lewis

Seconded by: S. Hillier

That the following actions be taken with respect to the Advisory Committee Review:

a) the report dated November 10, 2020 entitled "Advisory Committee Review - Interim Report III", BE RECEIVED;

b) the City Clerk BE DIRECTED to report back to the Governance Working Group(GWG) with respect to the next steps required to implement the revised Advisory Committee Structure, as outlined in the report noted in a) above subject to the following modifications:

i) the proposed Environmental & Ecological Committee and Childcare Advisory Committee shall remain as Advisory Committees;

ii) a minimum numbers of meetings will be provided for;

iii) Experts Panels are to be clarified; and,

iv) comments provided by the Governance Working Group with respect to the proposed revised Advisory Committee Structure be further considered;

c) the City Clerk BE DIRECTED to consult with the current Advisory Committees with respect to the proposals set out in the staff report subject to the modifications listed in b) above and report back to the GWG with the results of that consultation; and,

d) the communication, dated November 8, 2020, from D. Wake regarding this matter BE RECEIVED.

Motion Passed

3.2 Submission – The Processing of Petitions – Councillor Lehman

Moved by: S. Hillier

Seconded by: S. Lewis

That the City Clerk BE DIRECTED to report back to the Governance Working Group (GWG) providing an overview of other municipalities' policies and processing with respect to the handling of unsolicited petitions, and to provide draft policies and procedures for the consideration of the GWG with respect to this matter.

Motion Passed

4. Deferred Matters/Additional Business

None.

5. Adjournment

Moved by: S. Lewis

Seconded by: P. Squire

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 2:22 PM.

1ST REPORT OF THE
GOVERNANCE WORKING GROUP

Meeting held on August 24, 2020, commencing at 1:00 PM, in Committee Room #4, Second Floor, London City Hall.

PRESENT: Councillors: J. Morgan (Chair), S. Hillier, S. Lewis, P. Squire and M. van Holst.

ABSENT: Councillor A. Kayabaga

ALSO PRESENT: M. Schulthess and B. Westlake-Power

Remote attendance: Councillor E. Pelozza; M. Balogun, S. Corman, L. Livingstone, C. Saunders.

The meeting is called to order at 1:01 PM; it being noted that the following Members were in remote attendance: Councillors S. Hillier and M. van Holst.

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 Advisory Committee Review – Interim Report II

That the Civic Administration BE DIRECTED to report back to the Governance Working Group (GWG), with respect to the advisory committee review, as it relates to the following:

- a) options for the consideration of the GWG including:
 - i) revisions to the current advisory committee structure including, potential reduction of overall committees, mergers of committees with areas of overlap/redundancy, to achieve a more meaningful and collaborative approach to citizen engagement; and,
 - ii) any alternative collaborative structure(s) for citizen committee work, including alternate citizen selection models for participation in committees and working groups that would encourage participation from a more diverse range of Londoners, that would link directly to the council strategic plan; and,
 - iii) revisions to the current advisory committee structure that enhance advice on public preferences on decision making through the provision of clear specific directions from council and administration over self directed “work plans”
- b) additional service area detail related to the existing committees that are more closely linked to the role of ‘expert panel’.

4. DEFERRED MATTER/ADDITIONAL BUSINESS

None.

5. ADJOURNMENT

The meeting adjourned at 2:15 PM.

Report to Governance Working Group

To: Chair and Members
Governance Working Group
From: Cathy Saunders, City Clerk
Subject: Advisory Committee Review – Interim Report III
Date: November 10, 2020

Recommendation

That the City Clerk BE DIRECTED to report back to the Governance Working Group with respect to the next steps required to implement the revised Advisory Committee Structure, as outlined in the report dated November 10, 2020 entitled “Advisory Committee Review – Interim Report III”; it being noted that the proposed implementation of the new structure would be in July 2021.

Executive Summary

The purpose of this interim report is to respond to the following Council direction from September 29, 2020:

“That the following actions be taken with respect to the 1st Report of the Governance Working Group from its meeting held on August 24, 2020:

- a) the Civic Administration BE DIRECTED to report back to the Governance Working Group (GWG), with respect to the advisory committee review, as it relates to the following:
 - i) options for the consideration of the GWG including:
 - A) revisions to the current advisory committee structure including, potential reduction of overall committees, mergers of committees with areas of overlap/redundancy, to achieve a more meaningful and collaborative approach to citizen engagement;
 - B) any alternative collaborative structure(s) for citizen committee work, including alternate citizen selection models for participation in committees and working groups that would encourage participation from a more diverse range of Londoners, that would link directly to the council strategic plan; and,
 - C) revisions to the current advisory committee structure that enhance advice on public preferences on decision making through the provision of clear specific directions from council and administration over self-directed “work plans”;
 - ii) additional service area detail related to the existing committees that are more closely linked to the role of ‘expert panel’;
- b) clause 1.1 BE RECEIVED for information; and,
- c) the Civic Administration BE DIRECTED to post to the City Website the agendas and reports of the Working Groups as established by Council; it being noted that these would be included on the “Advisory and Other Committee Meetings” page.”

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Finance and Administrative Services Committee, February 27, 2012
- Strategic Priorities and Policy Committee, December 16, 2013
- Strategic Priorities and Policy Committee, March 17, 2014
- Civic Works Committee, June 19, 2018
- Corporate Services Committee, November 13, 2018

- Corporate Services Committee, March 19, 2019
- Governance Working Group, August 24, 2020

1.2 Legislative Requirements

At the time of writing this report, municipalities are legislatively required to have the following advisory committees:

- Accessibility Advisory Committee
- Planning Advisory Committee
- Community Safety and Well-Being Plan Advisory Committee

2.0 Discussion and Considerations

2.1 Citizen Engagement Groups and Expert Panels

In terms of citizen engagement (or participation), the intention is to involve citizens in the decision making process. It is an interaction between the public and their government. The municipal government is generally considered closest and most accessible to the public, so it should be anticipated that both the government and the public at large would be interested in this action. This speaks to why all parties consider this to be so valuable.

Engagement can happen at any stage of a process, whether policy development, implementation or review/evaluation. In some cases, public consultation is mandated by either local policy or provincial legislation. It does not pre-suppose any special requirements to participate, in fact broader and more diverse participation is more likely to increase the quality and quantity of opinions for consideration; notwithstanding this, engagement may also include individuals with expertise, experience and subject-matter knowledge.

Expert panels are used when there is very specialized input being sought; the role is generally more of an evaluative one, but this is not necessarily the only expert panel outcome. In some cases experts may debate and discuss the merits of various options with a goal to a recommendation that is based on specialized education, knowledge and/or experience. The participants offer focused, evidence-based, guidance, and not broader and more general “public opinion.” Different from the above-noted engagement description, members of expert panels would be expected to have specific professional-based credentials. Municipalities engage these groups most often, when the expertise is not readily available from existing staff.

2.2 Existing Advisory Committee Mandates

Currently, there are areas of overlapping roles between some of the existing advisory committees.

The following chart is a high level illustration, included for demonstration purposes only.

	Environment (inc. climate change)	Planning (inc. heritage)	Safety	Transportation (inc. active)	Diversity (inc. AODA)	Housing
LACH		✓		✓		✓
ACCAC		✓	✓	✓	✓	✓
ACE	✓	✓	✓	✓		
AAC	✓	✓		✓		
AWAC			✓			
CCAC			✓		✓	✓
CSCP		✓	✓	✓	✓	
CAC	✓	✓	✓	✓		
DIAAC				✓	✓	✓
LHAC		✓	✓			✓
TAC	✓	✓	✓	✓	✓	
TFAC	✓	✓		✓		
EEPAC	✓	✓	✓	✓		

In addition to this illustration, it is worth noting that there are several designated membership positions on the existing committees that are for members of other advisory committees (ACs).

These factors demonstrate potential opportunities to combine ACs and reduce the overall number, based on the current committees.

2.3 Consultation To-date

The staff report of March 19, 2019, outlined feedback that was provided through consultation. This input was from current and former AC members, civic administration, the public and from members of Council. From this consultation there were a number of points (concerns) that may be remedied with a revised structure. In addition to the consultation previously undertaken, there have been a number of submissions (formal and informal) as well as media and social media commentary.

2.4 Timelines

The current advisory committee appointments are for a term ending June 30, 2021. These appointments were made notwithstanding current advisory committee terms of reference as an interim measure during the on-going review.

The current term of Municipal Council ends November 15, 2022. In the past, advisory committee appointments have been in synch with the Council term.

2.5 Implementing Change

There are a variety of competing interests to balance when determining if change in current structures and process should be undertaken. Regardless of the option that Municipal Council may direct, a phased approach utilizing a model of implementation that would facilitate on-going evaluation of the process is recommended.

2.6 Options for Consideration

Reduce to Legislatively Required Advisory Committees only

In this option, all existing advisory committees would conclude at the end of the current term, or at a date determined by the Municipal Council. New advisory committees would be created, based on current legislative requirements and with direct reporting relationship to Council. This option could be further considered in terms of whether these required committees would continue to function in the same manner as they do now in terms of membership, mandate, terms of reference, etc.

Note: all additional options below would be in addition to the legislatively required advisory committees.

Reduce to Legislatively Required Advisory Committees with Administrative Discretion for additional committees as required

Task forces, working groups, and administratively-led groups are convened, as required, for any subject matter deemed necessary. These additional groups would be led by civic administration and not have a direct reporting relationship with the Municipal Council, although they may provide reporting from time-to-time. In this option, the civic administration would incorporate the comments from the task forces and working groups into the staff report on the subject matter, which would be submitted to Municipal Council for consideration.

Create new Advisory Committees with Different Linkages to Corporate Work

Examine the needs for engagement or expertise based on existing governance structures and/or the Council Strategic Plan. This could establish an advisory body for each standing committee of council ensuring reporting relationships and areas of jurisdiction are clear. Sub-committees (or working groups, or other like body) could be developed from each on project-specific matters, as included in the Strategic Plan.

Expert Panels

Establish Expert Panels on the recommendations of the Civic Administration, as the need for such arises. The Civic Administration would then incorporate the Expert Panel's comments in the staff reports submitted to Municipal Council for consideration.

Move to new and different means of engagement

The current advisory committees, are only one example of the many ways in which the corporation engages with the community. It is however, more formalized than most other methods in that there is a direct connection to the Municipal Council. Moving away from 'advisory committees' to different models may or may not continue this connection. One option would be to create an 'Engagement Community' that would be consulted on a regular basis, with the information being provided back to Municipal Council. It would involve an open call to volunteers of the community who would be involved in routine survey completion, and various forums and discussions (few 'formal' meetings). The implementation of this type of a model would be beyond the legislative function of the City Clerks' Office, and would require more of a corporate approach.

As a result of COVID-19, there are a number of new innovations being introduced, in order to continue to interact with the public. Webinars and virtual discussions and meetings are being normalized to a large degree. This is an important factor to consider in this discussion, in addition to the limitations that these innovations may present.

Streamlining the Existing Structure

In what could be termed a “modified status quo” the existing structure is largely left intact. This is the option recommended at this time, as is outlined in more detail in the following sections, noting that Municipal Council may propose additional changes to this proposed structure.

3.0 Proposed Next Steps

3.1 Modified Status Quo

The following outlines an initial proposed change to the advisory committee structure; it is based on the current committees, but looks to incorporate to the fullest extent possible, the Municipal Council direction of August 24, 2020.

A modified status quo structure (new committee names are for illustration purposes), through to the end March 2023, is recommended as follows:

Legislatively Required Committees:

Planning and Heritage Advisory Committee – A ‘new’ committee taking on the responsibilities of the London Advisory Committee on Heritage (LACH), the Agricultural Advisory Committee (AAC) and some matters from the London Housing Advisory Committee (LHAC).

Accessibility Advisory Committee – responsibilities of the Accessibility Advisory Committee (ACCAC), combined with some matters from LHAC.

Community Safety and Well-Being Advisory Committee – managed outside of this structure, administratively.

Additional Committees:

Transportation Advisory Committee – A combination of the Transportation Advisory Committee (TAC) and the Cycling Advisory Committee (CAC), along with some portions of the current Community Safety and Crime Prevention Advisory Committee.

Climate Change Advisory Committee – A combination of the Advisory Committee on the Environment and the Trees and Forests Advisory Committee.

Ecological and Environmental Review Panel – former EEPAC *existing in the form of an ‘expert panel’ not citizen engagement.

Childcare Administration Advisory Panel – former Childcare Advisory Committee *existing in the form of an ‘expert panel’ not citizen engagement.

Diversity, Inclusion and Anti-Oppression Advisory Committee – adding appropriate matters from LHAC to this mandate. (No revised name proposed, as this was changed recently by the members.)

Animal Welfare Advisory Committee – similar to existing committee.

The above-noted structure combines some committees together and/or redistributes portions of existing mandates to other committees. Of specific note, the current Community Safety and Crime Prevention Advisory Committee (CSCP) and the London Housing Advisory Committee (LHAC) mandates would be dispersed among the remaining committees. These two committees have very broad terms that overlap in a

variety of areas. The Community Safety and Well-Being Advisory Committee is legislatively required and duplicates much of the CSCP mandate.

Noting that the matter of affordable housing is a current need in the community, that there is a homeless population in the city, and that both of these matters are priorities of the strategic plan, Municipal Council may wish to consider the creation a task force with a very specific mandate to focus on these matters or new matters that may arise, potentially including those that relate to funding opportunities.

Taking this phased approach will allow the current Council to move toward change in smaller steps, and evaluate along the way. The proposed changes are summarized in the following table:

Current Advisory Committee	Proposed New Committee
London Advisory Committee on Heritage	Planning & Heritage Advisory Committee
Agricultural Advisory Committee	
Accessibility Advisory Committee	Accessibility Advisory Committee
Community Safety & Well-Being Advisory Committee	Community Safety & Well-Being Advisory Committee
Transportation Advisory Committee	Transportation Advisory Committee
Cycling Advisory Committee	
Advisory Committee on the Environment	Climate Change Advisory Committee
Trees and Forests Advisory Committee	
Diversity, Inclusion and Anti-Oppression Advisory Committee	Diversity, Inclusion and Anti-Oppression Advisory Committee
Animal Welfare Advisory Committee	Animal Welfare Advisory Committee
Environmental & Ecological Advisory Committee	Environmental & Ecological Advisory Committee (*as “expert panel”)
Childcare Advisory Committee	Childcare Advisory Committee (*as “expert panel”)
Community Safety & Crime Prevention Advisory Committee	None – mandate moved to other committees
London Housing Advisory Committee	Some mandate moved to other committees where appropriate, with additional consideration for a new revised alternative as appropriate

3.2 Amendments to Terms of Reference

The above-noted proposed structure would require changes to the existing terms of reference for implementation. If supported, a future report would be brought forward with Terms of Reference for the ‘modified status quo’ structure. These Terms of Reference would generally incorporate the following:

- establish the “reporting relationships” to standing committees based on revised responsibilities
- be focused on responsibilities, work and projects that would be provided directly by Municipal Council or the Civic Administration, removing the requirement for Council-approved work plans
- remove specific meeting date requirements, in favour of convening meetings as they are required
- provide for ‘sunset’ clauses for the committees and/or appointments
- any additional direction from Municipal Council

The Terms of Reference for the Urban Design Peer Review Panel and the Community Diversity and Inclusion Strategy would also be used to guide the development of new Terms of Reference for the proposed structure.

3.3 Potential Gains with the Above-noted Framework

There has been a lot of feedback (formal and informal) from the public, elected officials and staff related to advisory committees. There has not been any broad consensus conveyed to abandon the idea of such committees, but rather to make changes that will increase the benefit for all involved.

A common theme to the commentary was related to the notion of meaningful work (for the committees) and receptiveness of Municipal Council to the advisory committee recommendations. Anecdotally from the Clerk's area, we know that the advisory committees sometimes struggle to draft their work plans because there are not clear enough expectations from administration or council, related to their work. It is for these reasons that it is strongly recommend that each Terms of Reference clearly identify that the work of the advisory committees will filter to them from the civic administration and/or from specific Municipal Council direction. Notably, legislative requirements are exclusive of this direction. This change will help to ensure that the advisory committee work is focused on the initiatives and work plans of various service areas and also to the Council Strategic Plan. This should also assist to establish connections directly with civic administration in order to share suggestions, advice, feedback and potential innovations, all of which are intended outcomes of the structure. An additional consideration will be the designation of specific staff from service areas to liaise this direction; as previously reported, there are a number of civic administration that currently participate with the advisory committees as resource members.

In considering the significant potential change noted above, it is anticipated that the need for meeting frequency may also change. Therefore, it is proposed that any modifications to the Terms of Reference consider specifying that the committees will meet as required.

Should the proposed changes outlined in this report be approved, it is recommended that the terms of appointments to the structure conclude in March 2023. Having the appointments continue slightly beyond the current term of Municipal Council will provide for some continuity through the orientation a new Municipal Council as well as an opportunity for the new Municipal Council to begin considerations of any additional change they may wish to implement.

3.4 Recruitment and Appointment

Pending the approval of any changes to the committee structure, a recruitment of members will be undertaken. This will be done in a manner similar to the most recent recruitment and utilize as many channels as possible to reach all sectors of the community. In some cases it may be necessary to target recruitment, particularly in terms of populating the expert panels. In all cases, the membership will be in accordance with any revised Terms of Reference for the committees.

A future report will also outline additional options in terms of the method(s) of appointing the membership. A randomized selection from the submitted applications is recommended, to the fullest extent that may be possible.

3.5 Future State Considerations

The current Council Policy for the Establishment of Task Forces and Working Groups is an important policy to keep in mind, in terms of the flexibility that any structure may have.

4.0 Financial Impact/Considerations

4.1 Budget and Budget Impacts

It is anticipated that the above-noted and recommended structure can be accommodated through the existing advisory committee budgets.

5.0 Conclusion

The Municipal Council, civic administration and the advisory committee membership have all acknowledged the potential value of having municipal advisory committees. In the consideration of any change options, it is critical to keep in mind that the existing advisory committees are not the sole means by which the Corporation engages and consults with the public.

The recommendations herein, attempt to balance the previous consultation with the advisory committee membership with the desire to improve an existing structure. This proposal is intended to be a first step, of potentially many, to modernize the advisory committee structure.

Prepared, Submitted and Recommended by:

Cathy Saunders, City Clerk

Michael Schulthess, Deputy City Clerk

Barb Westlake-Power, Deputy City Clerk

From: David Wake
Sent: Sunday, November 8, 2020 8:25 PM
To: ASKCITY <ASKCITY@london.ca>
Subject: [EXTERNAL] Governance Working Group

Please forward this message to the members of the Governance Working Group in advance of the group's meeting on Tuesday.

To the Chair and Members, Governance Working Group,

I have reviewed the report from the Clerk's office, entitled *Advisory Committee Review – Interim Report III*. As a resident of London with long-standing interest in the Natural Heritage System, I have several comments for consideration by the Governance Working Group.

The Administration report refers to consultation that has taken place during the review of advisory committees. I suggest that the consultation on this important issue has been extremely limited, and not at all effective. Now we are faced with an Administration report that brings forward some alternative approaches, provides no substantive analysis and evaluation of these alternatives, and jumps to hasty recommendations. There seems to be a focus on making a change whether it is warranted or not.

My immediate concern is with the proposed status of the Environmental and Ecological Planning Advisory Committee (EEPAC). Although I have never been a member of EEPAC, I have worked on many projects together with EEPAC members, and/or made submissions to Council on matters that involved the work of EEPAC. I have watched the work of EEPAC since its inception, and I am convinced that the Committee has done good and important work over many years. Working within its Terms of Reference, EEPAC regularly provides information and ideas that would not otherwise be available to staff.

I urge the Governance Working Group to retain EEPAC as a full advisory committee. If adjustments to some aspects of the committee's operations are required, then perhaps Council could consider refinements to the terms of reference for EEPAC. If there is any confusion about role and mandate, for example, then a few tweaks to the terms of reference should easily resolve the issues.

Section 2.1 of the Administration report makes reference to Expert Panels, with little explanation or rationale for why such panels would be an improvement over the current situation. The second paragraph of Section 2.1 seems to confuse the focused technical input provided by EEPAC, with the broad-based input from the general public. Both types of input are important, but the Natural Heritage System will be better protected when Council receives systematic technical advice from EEPAC.

Section 3.2 of the Administration report mentions the possibility of convening meetings of advisory committees "as they are required." That approach may be suitable for some advisory committees. My observation, however, is that one of the great strengths of EEPAC has been the existence of a consistent meeting schedule. A schedule of regular meetings assists city staff and consultants in planning their work schedules. Similarly, committee members are able to plan their time for review activities and meetings. A known and predictable schedule of meetings actually improves the

efficiency of the process. Perhaps different scheduling approaches would be workable for other advisory groups.

Section 3.3 of the report speaks again about the importance of appropriate Terms of Reference in identifying the role and mandate of advisory committees. Again, I suggest that a more productive step at this stage would be to simply review the Terms of Reference for EEPAC, and to continue working with this valuable committee.

EEPAC plays an important role in the municipal planning process. The committee has been exceptionally productive and beneficial to the city's interests. It is important for EEPAC to continue its operations under the same structure it used until its work was interrupted by the COVID-19 restrictions in March 2020.

Regards,

David Wake



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

London
CANADA

November 5, 2020

To the Chair and Members of the Governance Working Group

Re: The Processing of Petitions

In my short time serving as a Member of Council I have seen petitions work in various ways. In a recent example on an issue in my Ward, a petition of 4,000 + names was presented to Council. Delving deeper into the petition, we learned that less than 25% of those who participated on the petition lived in London. I found this concerning that our policies could be affected by non-Londoners.

I spoke to the City Clerk to learn more about petitions. There are basically two types of petitions: those that come unsolicited like in the case above; and those that are requested by the City (for example when street calming is requested a petition of 10 names is required or in the case of a planning issue). If the unsolicited petition falls within the jurisdiction of the City it will be presented to Council or Standing Committee with privacy protections in place.

Originally participation on a petition was by means of having individuals personally sign their name to the issue, usually with a conversation taking place to explain the matter. In these days of social media, petitions have changed. It is easier and faster to click on an online petition then it is to sign. Petitions are no longer local as anyone around the world can click to add their name.

I believe it is time to look into how we as a Council deals with the consideration of petitions. I am requesting that the following recommendation be supported by the Governance Working Group:

That the City Clerk BE DIRECTED to report back to the Governance Working Group (GWG) providing an overview of other municipalities policies and processing with respect to the handling of unsolicited petitions and to provide draft policies and procedures for the consideration of the GWG with respect to this matter.

Petitions are an important tool for the public to provide input to legislators. With technology changing it is important that we provide the public and ourselves with guidance on how to use this tool effectively so we give petitions the attention they deserve.

Respectfully submitted,

Steve Lehman,
Councillor, Ward 8